

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: May 18, 2010
Date of Transcription: June 28, 2010
Transcribed by: Janet Wilson

1. **CALL MEETING TO ORDER BY CHAIRMAN**

2. **ROLL CALL**

Selectmen Present: M. Jane Donahue, Chairman
Walter B. Cruz, Sr. Clerk
Brenda Eckstrom
Cara A. Winslow
Stephen M. Holmes

Also present: Mark J. Andrews, Town Administrator

3. **ANNOUNCEMENT**

Selectman Donahue wanted to wish Dr. Gleason a Happy 90th Birthday and also thank him for his many years of service to the Town of Wareham.

4. **CITIZENS PARTICIPATION**

Present before the board: Sandy Slavin

Ms. Slavin asked if the board had a betterment amount for contract #1 or #2? Selectman Donahue stated that they don't have any information and that they are planning a meeting with the residents. Ms. Slavin had more questions in which Selectman explained to her that Mr. Guidice will be before the board later in the evening and perhaps he will answer some of her questions. Ms. Slavin asked about her request made a few weeks ago about making Minot Avenue a no passing zone and also asked about the request from a resident about making Hathaway Road also a no passing zone. Ms. Slavin stated that the 2010-2017 Open Space Plan has been accepted by the Open Space Committee and ready for a 30-day review by Town Departments and by the Board of Selectmen. The plan should be on the Website and a copy will be at the library for review.

Present before the board: Sally Morrison

Ms. Morrison was before the board as the Chairman of the WCTV Telethon stating that on Friday from 6pm to 12 midnight and Saturday 3pm – 9pm a telethon will be hosted by the Cape Cod Express. Ms. Morrison spoke about the Telethon and what they are planning for entertainment.

Present before the board: George Robery

Mr. Robery said that he was concerned about the resurfacing paving being done.

Present before the board: Alan Slavin

SELECTMEN/SEWER COMMISSIONERS MEETING – 5-18-10 (CONT'D)

Mr. Slavin said the Swan Festival would be expanded by adding a touch a truck piece to it. Mr. Slavin also asked about a crosswalk between Elm Street going from the Methodist Meeting Hall to the Fearing Tavern.

Present before the board: Mr. Chairaluce

Mr. Chairaluce would like to set up a land tour for the Swifts Beach property for Wednesday at 6pm or Saturday at noon.

Present before the board: Edmund Staples

Mr. Staples asked why the Friends of the Library are no longer able to hold their book sale. Mr. Andrews responded that they have worked out an agreement with all non-profit organizations and they are working out the details of the memorandum of understanding. He has spoken with the Chair of the Trustees and they are working on this.

5. TOWN ADMINISTRATOR'S REPORT

MASS. MUNICIPAL RELIEF PACKAGE: Included with this week's materials is a letter from the Massachusetts Municipal Association to the Senate in support of the provisions offered in S. 2424, *An Act Relative to Municipal Relief*, which would provide municipalities opportunity and flexibility to help balance local budgets and operate more effectively.

Included are these specific amendments that MMA asked to be included in the final bill: Amendments 18, 42, 78 and 109 provide an exemption from the state's gas tax for cities and towns

Amendment 19 would return excess profits from Chapter 40B projects to the host municipality
Amendment 49 would exempt small municipal construction projects of under \$1 million from the prevailing wage mandate

Amendment 112 would prorate health insurance premiums for future part-time municipal employees based on the number of hours worked

SEASONAL SOFT-SHELL CLAM AREAS. The Board is asked to affirm the enclosed proposal from Michael Parola, Harbormaster/Shellfish Constable. All areas except those specifically noted are closed to the taking of soft-shell clams from June 1, 2010 through September 15, 2010 with the exception of areas noted.

RECOMMENDED ACTION. Motion for the Board to affirm the closing of all areas to the taking of soft-shell clams from June 1, 2010 through September 15, 2010, with the exception of the following areas, which shall be open Monday through Saturday:

MOTION: Selectman Cruz moved to affirm the closing of all areas to the taking of soft-shell clams from June 1, 2010 through September 15, 2010, with the exception of the following areas, which shall be open Monday through Saturday. Selectman Holmes seconded.

VOTE: 5-0-0 (Unanimous)

Warren Point westerly to the eastern corner of Management Area #3 (67 Towhee Road)
Stony Point Dike

SELECTMEN/SEWER COMMISSIONERS MEETING – 5-18-10 (CONT'D)

Sunset Cove/Shell Point Bay—Except for the easterly shoreline between the Shell Point parking area and a sign placed on the shoreline opposite the intersection of First Street and West Boulevard and/or any swimming beach.

Widow's Cove/Bass Cove

Southern Tip of Burgess Point to Codman's Point

Wickets Island

The northerly point of Lydia's Island to the western end of Burgess Point

Cromesett—From the beach in front of #4 Seahorse Lane southeasterly to the dock located at the Northern end of Nobska Point.

Areas open Thursday, Friday, and Saturday:

Management Area #3—Long Beach

Present before the board: Michael Parola, Harbormaster

Mr. Parola spoke about the recent federal boat grant received for a new boat for the town in the amount of \$168,750 towards the purchase of a commercial grand 27' patrol boat equipped with emergency response and fire fighting capabilities. The total boat equipment cost of the grant award was \$225,000 with FEMA covering 75%. The department secured the remaining 25% at the October 2009 Town Meeting using the Harbor Service permit receipt appropriations account. Mr. Parola also spoke about the plans for the bulkhead at Besse Park.

POLICE POLICIES AND PROCEDURES: In response to Selectman Eckstrom's question concerning tow rotation, the following has been provided for clarification on the Tow Operator rotation procedure, Lt. Wallace has added additional language to better understand bullet two under "Duty Wrecker List" page 2.

DUTY WRECKER LIST

In the event that the number of companies on the list is a multiple of seven, the rotation shall be accomplished in the following manner:

The rotation list shall be for a period of four (4) weeks, at which time each company shall advance one day for the next four (4) week period.

(Because it is a multiple of seven, each "on call" wrecker would have the same day each week. By rotating every four weeks and advancing by one day every month, they get to tow on a different day each month affording the opportunity to experience both busy and non-busy days. When they advance the wrecker on duty week four, day seven would advance day one for the next four weeks).

If the companies would double up on this schedule, the answer would be yes, however, after seven months it would even out fairly for the tow companies.

It should be noted that we currently have only four tow companies registered in Town and the seven day schedule is not in place at this time.

6. CONSENT AGENDA

SELECTMEN/SEWER COMMISSIONERS MEETING – 5-18-10 (CONT'D)

Authorization to sign bills and documents, etc.

Approval of bills for Gioioso & Sons contracts 1 & 2

MOTION: Selectman Cruz moved to approve payment to P. Gioioso & Sons in the amount of \$21,800.60 for project no CWSRF3022. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cruz moved to approve payment to P. Gioioso & Sons in the amount of \$ 254,987.84 for project no. CWSRF3022. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

Approval of the board's regular meeting minutes of March 30, 2010, April 6, 2010, April 13, 2010, May 3, 2010 and May 4, 2010

MOTION: Selectman Eckstrom moved to approve the meeting minutes of March 30, 2010. Selectman Donahue seconded.

VOTE: 2-0-3 (Selectman Cruz, Holmes & Winslow abstained)

MOTION: Selectman Cruz moved to approve the meeting minutes of April 6, 2010. Selectman Eckstrom seconded.

VOTE: 3-0-2 Selectman Holmes & Winslow abstained)

MOTION: Selectman Cruz moved to approve the meeting minutes of April 13, 2010. Selectman Winslow seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cruz moved to approve the meeting minutes of May 4, 2010. Selectman Winslow seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cruz moved to approve the meeting minutes of May 3, 2010. Selectman

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

Appointment to the Council on Aging Board of Directors & Recycling Committee

MOTION: Selectman Cruz moved to approve Alan Slavin as a member to the Council on Aging Board of Directors to a term to expire no later June 30, 2014. Selectman Eckstrom seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to appoint Wanda Savary as a member to the Recycling Committee to a term to expire no later than June 30, 2013. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to appoint Frank Richardson as a member to the Recycling Committee to a term to expire no later than June 30, 2013. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING – 5-18-10 (CONT'D)

MOTION: Selectman Cruz moved to appoint Joey Enos as a member to the Recycling Committee to a term to expire no later than June 30, 2013. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

Selectman Holmes spoke about another person who was seeking appointment to the Council on Aging Board of Directors. Selectman Donahue stated that the board didn't have any recommendations on the person so they would be addressing that at next months meeting for appointments. Present before the board: Rich Boucher, Chairman of the Council on Aging Board of Directors. Mr. Boucher stated that he contacted Liz McDonald and they did have an interview with her earlier in the day and her appointment would be discussed at their next meeting on June 1st.

Mr. Boucher stated that the Board would also need to appoint two designees to the Old Colony Elderly services.

MOTION: Selectman Eckstrom moved to appoint Richard Boucher and Marcia Griswold as the Town of Wareham's representatives to the Old Colony Elderly services to a term to expire June 30, 2011. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

7. LICENSES AND PERMITS

8. TOWN BUSINESS

Liaison to boards, committees and commission

Discussion on liaisons to boards and committees and the board decided on liaisons.

MOTION: Selectman Eckstrom moved to go beyond the hour of 10:00 p.m. Selectman Holmes seconded.

VOTE: 5-0-0 (unanimous)

Any town business

Selectman Eckstrom asked that someone look into the Wareham Cable TV Contract. Selectman Eckstrom also spoke about implementing a policy to have license holders pick up their license when they are available and if they don't pick up a license within so many days then they should have a fine.

Selectman Winslow thanked the Chief Stanley, Sgt. Kevin Walsh and Officer Pillsbury who hosted a ride along with her on Saturday night.

Selectman Holmes stated that he recently was ill and wanted to thank everyone for their prayers, phone calls along with emails and also for the fruit basket that was sent.

SELECTMEN/SEWER COMMISSIONERS MEETING – 5-18-10 (CONT'D)

Selectman Holmes also spoke about the Cranberry Commons Task Force and the building area is now cleaned up nicely. He stated that there has been a lot of interest for some economic development for that area.

Selectman Donahue stated spoke about the CEDA arrangement and would like to schedule an evening meeting or a Saturday workshop to explain to the new members of the board the setup with CEDA along with the oversight, the economic council and the CEDA board.

9. SEWER BUSINESS

Meeting with representatives from Camp, Dresser & McKee re: old bills

Present before the board: Mike Guidice

Mr. Guidice was before the board to give status updates regarding the sewer projects. On Contract #1 he said was moving along very well as previously reported all the pipe has been installed and tested and the contractor is working on getting the pump stations up and running working on electrical and gas connections and it's expected to be completed in one to two months. Mr. Guidice said that he did hear a comment about the paving and stated that it has been a well-documented issue with the temporary trench width paving. In contract #1 they have identified the issue and the contractor has sent out numerous cores from each of the streets in the project to a testing lab so they can get a sense of what the material was that was being put down. Some of the initial results show that the material placed was not sufficient and that the contractor is in the process of removing the temporary paving on Oak Street. Mr. Gifford stated that they have started removing the pavement on Oak Street and will be removing the pavement on Parkwood Drive and that he did meet with Beta Group and they are looking at all the cores. Mr. Guidice spoke about the proposed new location of one of the pump stations at the request from one of the landowners to move the pump station to another location 400 feet south which the same person also owns. He stated that the cost to make that move would be approximately \$30,000. Mr. Guidice spoke about the other pumping station on Connehesett Road he stated that several neighbors had appeared before the board several months ago expressing concerns with that station location. At the time he was asked to investigate an alternative location on Mattapoissett Road on a vacant parcel. The general location is two streets away and from an engineering standpoint that site works in terms of the function of the system in that area. They approached the contractor with this proposed change and it's estimated to add a couple of extra days, which would be approximately \$15,000 for the construction cost. Based on the preliminary layout done it's only about 1 foot deeper so they wouldn't anticipate a significant additional cost. The easement plan would cost around \$5,000.00 and the design cost for the pumping station would cost approximately \$10,000.00 and legal cost would \$1000.00 to \$1500.00, which would be approximately \$32,000.00 range. This cost does not include what NSTAR might charge.

MOTION: Selectman Holmes moved to approve the movement of the Cromesett pumping station on diagram # 54-1009; sheet 28 from its original location to it's new proposed location. Selectman Cruz seconded

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Homes moved the board to approve the movement of pumping station on sheet # 29, from it's current proposed location to its vacant lot on Mattapoissett Road map 52, lot 72. Selectman Cruz seconded.

VOTE: 5-0-0 (unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING – 5-18-10 (CONT'D)

Mr. Guidice stated he didn't have much to report on contract #3 and just got word that the Chapter 91 waterways license was being written for the force main crossing into sunset bay. He also stated that they were asked to do an evaluation on the Thatcher Lane Springborn pumping stations to evaluate the impact and stated that they have issued that letter report and the conclusions were that the Thatcher Street pumping station had sufficient capacity and Springborn station does not and would have to be upgraded with additional pumps.

Mr. Guidice discussed with the board some old invoices that were not submitted by CDM in a timely manner and was looking for the board to approve payment on the invoices.

MOTION: Selectman Cruz moved to approve the payment Invoice dated March 29, 2008, Invoice # 80282366/2 for \$6903.70. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to approve payment of invoice dated March 29, 2008, Invoice # 80282364/22 for project # 46630 in the amount of \$1812.59. Selectman Winslow seconded

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to approve payment of invoice dated April 26, 2008 invoice # 80284454/21 project # 46628 in the amount of \$2729.73. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to approve payment of invoice dated June 27, 2008 Invoice # 20289526/3 project # 47936 in the amount of \$ 1175.85. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to approve payment of invoice dated August 6, 2008 Invoice # 80292722/15, project # 47935 in the amount of \$3077.14. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to approve payment of invoice dated June 27, 2008, Invoice # 80289528/14, project # 47935 in the amount of \$ 4859.03. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to approve payment of invoice dated April 26, 2008, Invoice# 80284455/13, project # 47935 in the amount of \$11,667.70. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to approve payment of invoice dated March 29, 2008, Invoice # 80282363/12, project # 47935 in the amount of \$19,281.32. Selectman Winslow seconded.

SELECTMEN/SEWER COMMISSIONERS MEETING – 5-18-10 (CONT'D)

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cruz moved to approve payment of invoice dated December 22, 2009, Invoice # 80333652/22, project # 55342 in the amount of \$29,140.00. Selectman Winslow seconded.

VOTE: 5-0-0 (unanimous)

Any sewer business

10. LIAISON REPORTS

(none)

11. CHAIRMAN'S REPORT

Discuss meeting with the School Committee Chair, Superintendent and the Town Administrator.

Selectman Winslow recused herself from the discussion.

Selectman Donahue stated that she attended a meeting recently with the School Department and the Superintendent and they were looking to form a Crisis Planning Committee along with a Transportation Review Committee.

MOTION: Selectman Cruz moved to have the Chairman of the Board of Selectmen to serve on the Transportation Review Committee as a co-Chairman. Selectman Holmes seconded for discussion. – Selectman Holmes said that he thought Selectman Eckstrom just volunteered for this. Selectman Donahue stated that on the Transportation Review Committee they were looking for two members of the Board of Selectmen, one that serves as co-Chair and one that serves as a member.

VOTE: 4-0-0 (unanimous)

MOTION: Selectman Holmes moved to have Selectman Eckstrom serve as the second member on the Transportation Review Committee. Selectman Eckstrom seconded.

VOTE: 3-1-0 (Selectman Cruz opposed)

Selectman Cruz would be the 2nd member of the Crisis Planning Committee.

MOTION: Selectman Winslow moved to have the Chairman of the Board of Selectmen meet with Dr. Rabonivich and the Town Administrator along with the Chairman of the School Committee. Selectman Cruz seconded.

VOTE 3-0-1 (Selectman Donahue abstained)

12. ADJOURNMENT

MOTION: Selectman Winslow moved to adjourn the meeting. Selectman Cruz seconded.

VOTE: 3-1-0 (Selectman Eckstrom opposed)

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted,

SELECTMEN/SEWER COMMISSIONERS MEETING – 5-18-10 (CONT'D)

Janet Wilson

Department Assistant

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

Attest: ***Walter B. Cruz, Sr.*** Clerk

Date Signed: 9-21-10

Date sent to the Town Clerk: 9-23-10