

## MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: July 13, 2010  
Date of Transcription: September 28, 2010  
Transcribed by: Janet Wilson

### 1. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Donahue called the meeting to order.

### 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. PRESENTATION OF PROCLAMATION FOR ANTHONY VIEIRA

Chairman Donahue presented Anthony Vieira with the following proclamation:

WHEREAS: Anthony Vieira is a renowned Two-Time defending Silver Mittens Boxing champion;

WHEREAS: Anthony Vieira has endeavored to train aggressively, build his body and endure countless hours of dedication in the gym;

WHEREAS: Anthony Vieira is an accomplished athlete who has set a role model example of a successful athlete and boxer for the youth of Onset and the entire Country;

WHEREAS: Anthony Vieira has exhibited strong athletic and superb boxing skills needed to win the National Junior Olympics on Saturday, June 26, 2010;

WHEREAS: On June 26, 2010, a "boxing blow" heard around the world was delivered by Anthony Vieira defeating Joe Goss an accomplished boxer at the national level;

WHEREAS: Anthony Vieira attained this incredible victory in the first two rounds en route to the decision victory, where he ultimately was awarded all three rounds on the scorecards.

IN WITNESS THEREFORE, We the Wareham Board of Selectmen have hereunto set our hands and caused the OFFICIAL Seal of the Town of Wareham to be affixed this 13<sup>th</sup> day of July 2010.

### 4. ANNOUNCEMENT

National Night Out will be held on Tuesday, August 3<sup>rd</sup> 6-9pm at the Lopes Field in Onset  
The Charter Review will be holding a public meeting on Thursday, July 22<sup>nd</sup> at 6:30 pm in the Town Hall Auditorium

Appointing Authority would like to inform the community of the following vacancies: Capital Planning Committee, Finance Commie and the Fields & Grounds Committee

There will be an Open Meeting Law seminar, which is mandatory for all Committee members to be held on Thursday, July 22<sup>nd</sup> at 5:30 p.m.

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**5. CITIZENS PARTICIPATION**

Present before the board: Sandy Slavin

Ms. Slavin wanted to thank all who attended the Historical Society Antique Faire. Ms. Slavin also asked about the Sewer Betterment Fees. Mr. Andrews said they are scheduling a meeting on July 31<sup>st</sup> at 10:00 am in the Town Hall Auditorium for all residents in Contract #2. Ms. Slavin stated that she was informed that when she came up to speak last week the screen went black and the audience at home wasn't able to hear her speak. She said that she is on five boards and last year she was appointed by the Board of Selectmen to her 5<sup>th</sup> board not one Selectmen said anything at that time. Chairman Donahue stated that it wasn't this board in which Ms. Slavin stated it was three members of the current board. Ms. Slavin stated that she attends about 7 meetings per month for a total of 14 hours which she does not feel overwhelmed with. She has no personal gains and she also said that that she does not have a conflict with any of them.

Present before the board: Mike Flaherty

Mr. Flaherty asked if the board has thought about what Mr. Cronan stated at a previous meeting about inviting the media to come up and ask any questions. Chairman Donahue stated that the media hasn't chosen to come up and they are welcome to come up. Mr. Flaherty put in a request for public info for the MOU's with the Town and was told that we only have one. Mr. Andrews asked that Mr. Flaherty stop in the office and was sure that they had more than one.

**6. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc. (none)
- b. Approval of the board's executive session minutes of June 8, 2010 and June 15, 2010

**MOTION:** Selectman Cruz moved to approve the executive session minutes of June 8, 2010. Selectman Eckstrom seconded for discussion. Selectman Eckstrom would like to correct the following: On the first line the motion was made by Selectman Eckstrom not Chairman Donahue, also to delete the 2<sup>nd</sup> line on page 2 referring to the CEDA board. Also to approve and the hold the minutes

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

**MOTION:** Selectman Eckstrom moved to approve and hold with the following amendments to the June 15, 2010 executive session minutes. Selectman Eckstrom said that motion needs to be correct to state Selectman Eckstrom moved to enter into executive and to add Selectman Holmes seconded to that motion. Selectman Cruz seconded.

- c. Approval of the board's regular session minutes of April 27, 2010 and May 11, 2010

**MOTION:** Selectman Cruz moved to approve the regular session minutes of April 27, 2010. Selectman Eckstrom seconded with the following corrections: Chairman Donahue called the meeting to order.

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

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**MOTION:** Selectman Eckstrom moved to approve the May 11, 2010 meeting minutes. Selectman Cruz seconded.

**VOTE:** 4-0-1 (Selectman Holmes abstained)

- d. Appointment to the Joint Transportation Planning Group (JTPG) and SRPEDD Delegate

**MOTION:** Selectman Holmes moved to appoint Selectman Eckstrom as a Delegate to SRPEDD with Selectman Cruz as an alternate. Selectman Winslow seconded.

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

**MOTION:** Selectman Holmes moved to appoint Selectman Cruz to the Joint Transportation Group (JTPG) and Selectman Eckstrom as the alternate. Selectman Winslow seconded.

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

7. LICENSES & PERMITS  
(none)

8. TOWN ADMINISTRATOR'S REPORT

LEGISLATIVE UPDATES

S.2520: The so-called Wareham Jobs Bill. This has passed the Senate and Mr. Andrews is expecting a final vote by the House on Monday, July 12, 2010. Mr. Andrews had an amendment to be read. Selectman Cruz read the following:

**MOTION:** Selectman Cruz moved The Board of Selectman and the Town of Wareham hereby approves the amendment to the Home Rule Petition authorizing the Town to grant 8 licenses for the sale of all alcoholic beverages to be drunk on the premises, Senate No. 2520. The amendment strikes out, after the word "and" in line 2 of section 1, the following words: "8 licenses to". Voted this 13<sup>th</sup> day of July 2010. Selectman Eckstrom seconded.

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

JULY 4<sup>TH</sup> WEEKEND UPDATE: Mr. Andrews wanted to report to the Board that we had a great holiday weekend! Our Safe Summer 2010 Team worked extra hard to make this weekend a success. On Saturday, July 3<sup>rd</sup> and Sunday, July 4<sup>th</sup>, He walked the beaches and received overwhelming support for our Safe Summer 2010 program. Mr. Andrews wanted to thank our entire Team—Jackie Lindsey, Wareham Village Association; Mary Lou Payton, Onset Bay Association; Police Chief Rick Stanley; EMS Director David Evans; Health Agent Robert Ethier; Director of Inspectional Services Myles Burke; Council on Aging Director Marcia Griswold; and Acting Harbormaster/Shellfish Warden, Garry Buckminster for their hard work and support for the program. Mr. Andrews also met with various groups and business owners, including Joy Clarkson of Kenney's, on coordinating the weekend activities

SANDY BEACH ASSOCIATION: On Sunday, June 27, 2010, at 10:00AM, Mr. Andrews met with Mr. Gary Learner and members of the Sandy Beach Association. He

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addressed over 40 members at their annual meeting and received input on a number of Town programs.

### PERMITTING WORKSHOP AND LAND USE PLANNING SEMINAR

**(Morning Session):** On Thursday, July 1, 2010, Mr. Andrews convened a Permitting Workshop and Land Use Planning Seminar at 8:45AM in the Town Hall Cafeteria. This working seminar was designed to better coordinate all of our land use departments, including Planning, Zoning, Conservation and Building Inspections. Attorney Ilana Quick, of Kopelman & Paige, PC, led the Seminar at no cost to the Town. Attorney Quirk has over 25 years of valuable experience in land use, and has served as a Land Use planner in her career. She also has worked in the Massachusetts State Legislature in this area of expertise. We expect and deserve a "Coordinated" Land Use Program for our Town. Also, he specifically requested that a module of this Seminar focus upon permitting. This includes M.G.L. Chapter 44, 53G policies, that require a written "Not to exceed" contract. This will ensure that there is no deficit spending in these types of accounts and that the Town received the Scope of Services identified in the written contract. An evening Seminar is under development. He will keep you posted.

**POLICE PROMOTIONS:** Chief Stanley and Mr. Andrews were happy to announce the promotions of three officers in his department, as follows: Kevin Walsh from Sergeant to Lieutenant with the title of Operations Division Commander, and both Walter Correia and John Gerard from Patrol Officers to Patrol Sergeants charged with the responsibility of supervising shifts. Attached is a memo from Chief Stanley with further information. He supports these recommendations and promotions and is looking for the Board's approval.

Present before the board: Chief Stanley, Kevin Walsh, Walter, Correia and John Gerard.

Chief Stanley was before the board to introduce the three officers to announce their promotions. Lt. Walsh thanked everyone for their support and looks forward to serving the town for another 25 years. Sgt. Gerard also stated that he looks forward to serving the Town of Wareham as a Sergeant of the Police Department. Sgt. Correia said it's been a privilege to serve the Town of Wareham and is looking forward to his new role as a Sergeant.

**FOX 25 ZIP TRIP:** The Fox 25 News show will have their Zip Trip to Wareham July 16, 2010 from 6AM-9AM. They will be broadcasting from the Town Pier. Len Gay, noted Historian, will be on hand to offer information on the area as he has an extensive knowledge of the area. Mr. Andrews walked the business area with Walter Cruz Thursday, July 8, 2010, and garnered the support of local businesses for their participation in the Zip Trip festivities. Mr. Andrews will be interviewed on air at 7:15AM. He also want to thank the Safe Summer 2010 Team--Jackie Lindsey, Mary Lou Payton, Chief Rick Stanley, David Evans, Robert Ethier, Myles Burke, Marcia Griswold, and Garry Buckminster for their continued hard work and support of Wareham's ongoing activities.

**PUBLIC FORUM BY SENATOR PACHECO:** Please be advised that Mr. Andrews has attached a form used at our Public Forum held on Tuesday, June 28, 2010 (see

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attached). This form asks for citizen's input under "Your Opinion Matters to Me" put forward by Senator Marc Pacheco. He has posted this form on our website. It is my hope that residents will use this important form to bring issues of concern and to gather input from our community.

**OPEN MEETING LAW SEMINAR:** In concert with Mary Ann Silva, Town Clerk, Mr. Andrews has arranged for a review of the new Open Meeting Law for all Town Commissions, Committees, Boards, and Departments on July 22, 2010 at 5:30PM in the Town Hall Cafeteria. Atty. Brian Riley, of Kopelman & Paige, a specialist in this area of law will conduct this seminar at no charge to our Town. This is an important Seminar in providing key information on the new law. An example is the new posting board in front of Town Hall.

### **PERSONNEL UPDATE:**

**Library Director:** Mr. Andrews has received a letter from Maureen Nimmo, who was the unanimous choice for the new Library Director, indicating she has withdrawn due to personal issues. Mr. Andrews stated that they went back into the pool of finalist and was happy to introduce Denise Medeiros with 25 years of Library experience and welcomed her as the Library Director. Ms. Medeiros said that she was excited to be in Wareham and is looking forward to working together as a team to see the Wareham Free Library grow into the 21<sup>st</sup> Century.

**POLICE ACTIVITY REPORT:** Attached for the Board's information is the June 2 2010 Monthly Crime and Activity Report.

**SUMMER ACTIVITY BROCHURE:** Mr. Andrews have attached the brochure that was completed by the Wareham Village Association's Jackie Lindsey, and Linda Burke, AD Makepeace's Director of Communication and Marketing. This was part of our Safe Summer 2010 program to increase activities and promotions for our summer visitors, as well as our year-round residents. It lists the summer events and has advertisements for seventeen local businesses, including special offers for brochure holders.

## 9. **TOWN BUSINESS**

a. Meet with Chris Reilly re: Monthly Report

Present before the board: Mr. Reilly

Mr. Reilly stated that he has heard from the Deval Patrick administration that we were awarded the full \$1 million dollars for the mini-entitlement grant that they have applied for FY2010 and that money will be used for the downtown design program, and also \$100,000 will be going to the Housing Authority and \$200,000 going to the Housing Rehab along with the normal slate of public service activities including domestic violence and the transportation subsidy program run through the Council on Aging. They also have the power hour reading programs with the Boys and Girls Club. This is \$200,000 more than what they usually get. Mr. Reilly spoke about some of the improvements to be done on Main Street, which include from Center Street to Main Street new lamp posts along with improvement to the sidewalks and at the next CEDA board meeting to be held on August 3<sup>rd</sup> they will review the design. Mr. Reilly said that Mr. Holmes provided him with a memo regarding subsidizing housing inventory and he did submit

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the package requesting an update on the subsidizing housing inventory and they received word back today in his office that all the units he requested were accepted so that makes the 40B number 8.72% and we need to get to 10% in order to deny 40B applications outright. The CEDA office is in need of an upgrade from a part time Bookkeeper/Administrative Assistant position to a full time Bookkeeper/Administrative Assistant that was in the FY2009 grant. Mr. Reilly was before the board asking for a motion to approve. Mr. Andrews would like to request that he come back before the board with a recommendation at the next meeting and explained in the future to have something like this prior to the meeting so that he can review it because he said that he wasn't aware of this. Selectman Winslow stated that it was brought up at the CEDA meeting that he was in attendance on July 1<sup>st</sup>. Selectman Eckstrom wanted to know about Comp time and if time was given to go to the meetings and type minutes and if she will be getting compensation for attending evening meetings and taking time off during the workday.

**MOTION:** Selectman Winslow moved to grant the hours Selectman Holmes seconded for discussion. Selectman Holmes wanted to know why it wasn't taken place already since the money was given by the grant. Mr. Andrews asked for one more week.

**VOTE:** 4-1-0 (Selectman Eckstrom opposed)

b. Policy on Seat Belt Enforcement

Present before the board: Chief Stanley

Chief Stanley was looking for the board to adopt a "zero tolerance" seat belt policy.

**MOTION:** Selectman Winslow moved the board to adopt a zero tolerance policy regarding safety belt violations in accordance with Chapter 90, Section 13A. Selectman Eckstrom seconded.

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

c. Any town business

**MOTION:** Selectman Eckstrom moved to write a letter of support for the Open Space Plan. Selectman Holmes seconded.

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

The Board needs a representative on the Westfield Study Committee.

**MOTION:** Selectman Holmes moved to appoint the Chairman of the Board of Selectmen as a member to the Westfield Study Group and have Selectman Winslow as an alternate in her absence. Selectman Eckstrom seconded.

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

Selectman Cruz stated he would like to make a motion to limit a person to serve on two committees and only serve as chairman on one. Selectman Cruz stated that this is no reflection on anyone's ability to serve on board. Chairman Donahue said that she would like this discussed at another meeting because she would like to have this as an agenda item so that the board can have a full discussion

Selectman Eckstrom stated that she saw on an Inspector's General's Reports that there was some area of concern with the Wareham Water District was an issue regarding an alleged impropriety. Selectman Eckstrom said that she would like to have Gioioso,

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Municipal Maintenance and CDM in for an executive session. She is also requesting Mr. Andrews to get the contract between the Town and Gioioso and also requested that the Conservation Commission agent investigate where the soil was dropped as it relates to wetland issues.

Selectman Eckstrom would like to offer the Selectmen's Room in writing to the School Committee and the Assessors to have their meetings so that they can be aired. Mr. Andrews stated that he would take care of sending a letter in the morning. Selectman Eckstrom would like to have the elected boards first and if they decline than extend the invitation to the other boards.

### 10. SEWER BUSINESS

- a. Approval of letter to the Town of Bourne

**MOTION:** Selectman Winslow moved to approve the letter to the Town of Bourne Regarding Sewer. Selectman Eckstrom seconded.

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

- b. Any sewer business

### 11. LIAISON REPORTS

Selectman Holmes spoke about a ZBA meeting and how the state recently notified Wareham that there are some discrepancies in three projects recently completed. There is also a 4<sup>th</sup> property was mentioned and the developer hasn't even filed the final audit report. It was recommended that a strict policy on 40B projects be implemented.

Selectman Winslow stated that the Recycling Committee has compose bins available at state contract pricing in three sizes small, medium and large and you can call 508-291-6520 for more information.

Selectman Eckstrom asked if the board would agree to have the WCTV videotape the Open Meeting Law so that anyone that cannot attend can view it.

Selectman Eckstrom asked if the recent applications from people wanting to serve on the Library Board of Trustees could be scanned and sent to the Chairman. They would also like for the Board of Selectmen to hold off on the appointments so that they can interview them and give their recommendations.

Selectman Eckstrom said that she attend the bus transportation meeting in executive session and they did interview new directors and narrowed it down to three applicants, which were all very positive and promising.

Chairman Donahue thanked everyone for his or her help with the Swan Festival.

### 12. CHAIRMAN'S REPORT

(None)

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13. ADJOURNMENT

MOTION: Selectman Winslow moved to adjourn. Selectman Holmes seconded.

VOTE: 5-0-0 (Unanimous)

14. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

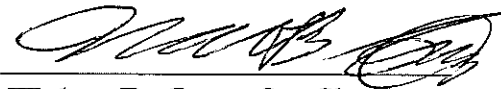
Respectfully submitted,

*Janet Wilson*

Department Assistant

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

Attest:



*Walter B. Cruz, Sr.* Clerk

Date Signed: 11-16-10

Date sent to the Town Clerk: 11-18-10