



## 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. ANNOUNCEMENT**

**DINING FOR A CAUSE** – The Ninety Nine Restaurants invites you to a fundraiser to benefit the Friends of Wareham's Elderly on Wednesday, December 8, 2010 from 1:00 p.m. to 8:00 p.m. at the Ninety Nine Restaurant, 3013 Cranberry Highway. Wareham.

**4. CITIZENS PARTICIPATION**

**5. CONSENT AGENDA**

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

**6. LICENSES & PERMITS**

- a. Application for Change of Hours by Anchor Liquors, 2360 Cranberry Highway, West Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.
- b. Application for Change of Manager by Bay Pointe Functions, Inc. dba Pavillion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws.
- c. Application for Change of Manager and Change of Hours from Michael Herron to Mark A. Gibson by Bay Pointe Country Club, Inc. 19 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws.
- d. **Hearing 7:15 P.M.** – (Special Act of Legislature). Application for new Year Round Common Victualer All Alcoholic Beverages License from Al & El Corp. dba Ella's Wood Burning Oven Restaurant, Bree Swierkowski, Manager, 3136 Cranberry Highway, East Wareham, under the provisions of Chapter 138 of the Massachusetts General Laws for the year 2010.

**7. TOWN ADMINISTRATOR'S REPORT**

- a. Christmas Parade and Tree Lighting Ceremony.
- b. Take Pride in Wareham.

- c. Personnel Update.
- d. Regional Town Administrator's Meeting.
- e. Wareham Police Accreditation.
- f. Police Policies and Procedures.
- g. Police Crime and Activity Report

**8. TOWN BUSINESS**

- a. Spirit of Christmas Awards.
- b. Any other town business.

**9. SEWER BUSINESS**

- a. Discussion with Mr. Campinha re. septage hauler rates and delinquent sewer tie ins.
- b. Approve FY11 1<sup>st</sup> Half Sewer Usage Billing.
- c. Any other sewer business.

**10. LIAISON REPORTS**

**11. CHAIRMAN'S REPORT**

**12. ADJOURNMENT**

**13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

## MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: December 7, 2010  
Date of Transcription: May 5, 2011  
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, Absent  
Walter B. Cruz, Sr. Chairman, Pro-Tem  
Brenda Eckstrom  
Cara A. Winslow, Absent  
Stephen M. Holmes, Clerk Pro-tem

Also present: Mark J. Andrews, Town Administrator

**MOTION:** Selectman Eckstrom moved to make Selectman Holmes the clerk for the evening. Selectman Cruz seconded out of necessity.

### 3. ANNOUNCEMENT

The Ninety-Nine Restaurants invites you to a fundraiser to benefit the Friends of Wareham's Elderly on Wednesday, December 8, 2010 from 1:00 p.m. to 8:00 p.m. at the Ninety-Nine Restaurant, 3013 Cranberry Highway, Wareham.

### 4. CITIZENS PARTICIPATION

Present before the board: Abigail

Ms. Abigail was before the board looking to get a crosswalk on Station and Main Street near the Decas School. She said that a car on Station Street hit recently two little girls and thankfully they were fine with only minor injuries. Mr. Andrews has spoken with Municipal Maintenance about this and stated that depending on the weather they should be addressing this soon.

Present before the board: James Maxim and Wayne Sellers

Mr. Maxim stated that he is a resident of Wareham and is also on the negotiations team for the Municipal Maintenance Department Local 1249. He read a letter to the board of Selectmen as follows: My name is James Maxim and Wayne Sellers union stewards and negotiators for the Town of Wareham Municipal Maintenance Department Local 1249. On behalf of the Union of the Municipal Maintenance Department we are here to seek the Selectmen's help in contract negotiations. We have been through mediation to no avail, as a group we have given a vote of no confidence to the Town Administrator and his Assistant for failure to negotiate in good faith since 2007 we have had fourteen (14) cancelled meetings and one of them

was cancelled by Mr. Maxim due to a family issue. We have dealt with seven (7) different Administrators and have been patient. Selectman Holmes at this point told Mr. Maxim before he went any further they are not about to negotiate. Mr. Maxim stated that he does understand that was before the board asking for their help. Selectman Holmes asked if he understands they cannot negotiate their contract and they have to be very careful about Open Meeting Law violations because this is not on any agenda and he was in the middle of citizen's participation. Mr. Maxim stated that he does understand and went on to say that all that work for the Municipal Maintenance Department are residents of the Town of Wareham. They have dealt with seven (7) different Administrators and or acting Administrators in the last eleven (11) years including four (4) in the last four (4) years. We have been consistently pushed to the rear and the group has taken a zero more than once and in 2008 they took a zero to help the town out plus they lost people that work for the Town. The buildings department got decimated as far as custodial staff. They have three people one at the Police Department one for the Multi Service Building that also takes care of the Library and someone at the Town Hall. They have lost eight (8) job slots in the last thirty (30) months and twelve (12) positions in the last six (6) years whether thru layoffs or whatever it may be or resignations. We have stood by and listened and watched while other jobs have been hired at a far higher rate than any other position that has been hired in the Town. He stated that as a group they only have eleven (11) men strong and that the Town is the 3<sup>rd</sup> largest in the state of Massachusetts land wise. He stated the men have been doing double and triple and in some cases quadruple the amount of workload from everything they do whether it be regular or overtime it's being done at 2007 rates. They have not received any compensation since 2007 as far as raises or anything else. He stated that they did get one caveat in 2008 but that didn't go very far. Mr. Maxim stated that given that the Selectmen have a final vote and approval on all contracts and employ them to help ratify this contract standstill. On behalf of all the members he thanked them and hoped for an expedient solution to their contract problems. Mr. Maxim stated that he has two girls at the town barn that do work during snow and ice and put in 40-50 hours of overtime and he has tried to bring them into the group and stated that they were going to be stripped out of the benefits out of their contract in order for them to come into their group. He stated that he sat down in the Town Hall when Mr. Andrews was first hired by the Town of Wareham and he stated that the would like to unify the group and that we will all work together. He stated that the eleven (11) guys that they have done an expedient job and try to keep the roads clear keep the grass mowed, and they try and do what they can. He said that they have heard other people come before the board and complain about jobs not getting done and he said that reflects on them and they don't like it either. He stated that he does not like people talking bad about his job he stated that he does his job puts in his time and last winter Christmas Eve he was hosting a party and was out plowing snow for 34 hours straight. He stated that all they are asking for is a fair shake. He stated that the meeting that Mr. Andrews said that it would be straight across the board and everybody would be receiving the same. He stated that no everybody is receiving the same. He stated that all they are asking for is for the same increase and benefits that everyone else in the town has been receiving. He also stated that he would like more people because it's tough doing their job he

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-7-10 (CONT'D)

stated that he is the Master mechanic and he's out cutting trees on Maple Springs Road for the last week. He stated that he along with his boss has to take care of all the snow and ice equipment. They have over 180 pieces. He stated that it's not easy to just whip up before a snowstorm and Mr. Sellers takes care of the Multi-Service Center along with the Library and it's not that easy. He said one gentleman takes care of all the trees and another takes care of every sign in the town. He also stated that one gentleman takes care of the cemetery department. He stated that they are at wits end and was asking for help and wasn't asking for the whole house and they just want a part. He stated that they have two girls that definitely do their job and are there for 40-50 hours and due to the lack of manpower had to have one of the girls go out and do their job and said that she had to drive one of the trucks but she isn't allowed to reap the same benefits as them. Selectman Eckstrom stated that she does understand the issues but stated they have to be very careful of any conversations and that this does fall under MGL chapter 50E which is the negotiations and stated that any discussions that would come up would have to be done in executive sessions with Mr. Andrews relating to collective bargaining and Mr. Andrews will work with the board. Mr. Maxim asked for an answer back by the end of the week from Mr. Andrews about this situation. Selectman Cruz asked Mr. Andrews respond since it's dealing with day-to-day and stated that he appreciates all the hard work they have done. Mr. Andrews stated that he would see Mr. Maxim at the next meeting.

Present before the board: Larry Gaines

Mr. Gaines said that the Friends of the Elderly would like to thank the board very much. He was hoping for a successful fundraiser happening at the Ninety-Nine.

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc. (none)

6. LICENSES & PERMITS

- a. Application for Change of Hours by Anchor Liquors, 2360 Cranberry Highway, W. Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.

Present before the board: Deepal Patel

Mr. Patel stated that they were looking to change the hours from October 1<sup>st</sup> through April 31<sup>st</sup> – Monday – Saturday: 8:00 a.m. to 10 p.m., Sunday 12:00 noon to 8:00 p.m. and May 1<sup>st</sup> through September 31<sup>st</sup> Monday – Saturday 8:00 a.m. to 11:00 p.m., Sunday 12:00 noon to 9:00 p.m.

**MOTION:** Selectman Holmes moved to approve the application for Change of Hours by Anchor Liquors, 2360 Cranberry Highway, W. Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

**VOTE: 3-0-0 (Unanimous)**

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-7-10 (CONT'D)

- b. Application for Change of Manager by Bay Pointe Functions, Inc., d/b/a Pavillion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws.

Present before the board: Mark Gibson

Mr. Gibson stated that Mr. Herron is no longer working at Bay Pointe.

**MOTION:** Selectman Holmes moved to approve the application for Change of Manager by Bay Pointe Functions, Inc., d/b/a Pavillion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

**VOTE: 3-0-0 (Unanimous)**

- c. Application for Change of Manager and Change of Hours from Michael Herron to Mark A. Gibson by Bay Pointe Country Club, Inc., 19 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws.

**MOTION:** Selectman Holmes moved to approve the Change of Hours from Michael Herron to Mark A. Gibson by Bay Pointe Country Club, Inc., 19 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws. The change of hours would be January – April 8:00 am to 9:00 pm, Sunday 11:00 am. to 9:00 pm, May-October 8:00 am to 11:00pm, Sunday 11:00 am to 11:00pm and November-December 8:00 am to 9:00 pm, Sunday 11:00 am to 9:00 pm. Selectman Eckstrom seconded.

**VOTE: 3-0-0 (Unanimous)**

- d. **Hearing 7:15 p.m.** – (Special Act of Legislature) Application for New Year Round Common Victualer All Alcoholic Beverages License from Al & El Corp., d/b/a Ella's Wood Burning Oven Restaurant, Bree Swierkowski, Manager, 3136 Cranberry Highway, E. Wareham, under the provisions of Chapter 138 of the Massachusetts General Laws for the year 2010.

**MOTION:** Selectman Holmes moved to open the hearing. Selectman Eckstrom seconded.

**VOTE: 3-0-0 (Unanimous)**

Present before the board: Bree Swierkowski

Ms. Swierkowski thanked everyone for their support and help in getting this passed.

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

**VOTE: 3-0-0 (Unanimous)**

**MOTION:** Selectman Homes moved to approve the Application for New Year Round Common Victualer All Alcoholic Beverages License from Al & El Corp., d/b/a Ella's Wood Burning Oven Restaurant, Bree Swierkowski, Manager, 3136

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-7-10 (CONT'D)

Cranberry Highway, E. Wareham, under the provisions of Chapter 138 of the Massachusetts General Laws for the year 2010. Selectman Eckstrom seconded.

**VOTE: 3-0-0 (Unanimous)**

**7. TOWN ADMINISTRATOR'S REPORT**

**Christmas Parade and Tree Lighting Ceremony:** Mr. Andrews would just like to remind the Board of Selectmen that we will have our annual Christmas on Main Street on Saturday, December 11, 2010. The festivities will begin at 11:30 a.m. and the parade will start at 3:30 p.m. Chairman Jane Donahue will officiate during the Tree Lighting program following the cookies and hot coco after the parade concludes. Carolers are welcome!

**Take Pride in Wareham:** Mr. Andrews want to report that we have begun our "Take Pride in Wareham" program right here at Memorial Town Hall. Our Department Heads have been working to clean up offices and storage areas in an effort to spruce up Town Hall. These efforts are on going and Mr. Andrews will keep the Board of Selectmen informed.

**Management Information Systems:** Mr. Andrews has authorized the posting of a part-time position of Technology Support Technician for our MIS Department. This part time position will assist in the coordination of services for Town Departments, troubleshooting and overall computer services.

**Town Administrator's Office:** Mr. Andrews have authorized the posting of a part-time assistant for Financial Analyst/Researcher. This is the former Department Assistant III position (Colleen Crook) in the Treasurer/Collector's office. He discussed using the flexible position with the Treasurer/Collector Mr. Foster and we are in agreement on the matter.

Funding for the Flex position in the Town Administrator's Office will be funded as follows:

Town Meeting Appropriation	6,000
Funds Available in Assessor's	4,000
Funds Available in Harbormaster	5,000
Funding from CEDA	<u>5,000</u>
Total Funding Sources	20,000

Flex Floater Position in TA	
32 Hrs. at \$18.93 for 26 weeks	15,750

Not a new position moved vacant position from Treasurer's Office.

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-7-10 (CONT'D)

**Head of Reference at Wareham Free Library:** On Tuesday, November 23, 2010, Denise Mederios, Director of the Wareham Free Library, interviewed three finalists for the position of Head of Reference. Mr. Andrews has recommended Laurie Cavanaugh for this position and would appreciate your consideration and approval.

**Health Department:** Mr. Andrews has authorized the posting of a position on a part-time basis (24 hours) for the Health Department. This will help ensure full day coverage on at least three (3) days per week.

8. **TOWN BUSINESS**

a. Spirit of Christmas Awards

Selectman Eckstrom stated that if anyone knows of a group or person who exemplifies the spirit of the Christmas season to contact Chairman Donahue.

b. Any other town business

Selectman Eckstrom spoke about planning the Volunteer Appreciation Dinner.

9. **SEWER BUSINESS**

a. Discussion with Mr. Campinha re: Septic hauler rates and delinquent sewer tie ins

Present before the board: Guy Campinha

Mr. Campinha spoke about the invoices that were mailed to residents that haven't tied into the sewer yet. He was looking for guidance on how the board wants to handle charging the residents for the sewer usage when then hadn't tied in yet and it's been beyond the one year time frame. Selectman Holmes stated that he would need to follow the bylaw.

b. Approve FY11 1<sup>st</sup> Half Sewer Usage Billing

**MOTION:** Selectman Holmes moved to approve the 1<sup>st</sup> half sewer usage billing in the amount of \$2,451,282.44 as per a vote of the Board of Selectmen. Selectman Eckstrom seconded.

**VOTE: 3-0-0 (Unanimous)**

c. Any other sewer business

10. **LIAISON REPORTS**

Selectman Holmes attended the CEO meeting at Jordan Hospital and said that they were looking forward to future discussions.

Selectman Eckstrom stated that she spoke with Senator Pacheco yesterday and said that due to budget cuts that the Taunton Hospital was looking to close and move



SELECTMEN/SEWER COMMISSIONERS MEETING - 12-7-10 (CONT'D)

operations to Worcester. He was looking for a letter of support to keep the Hospital open.

11. CHAIRMAN'S REPORT

(none)

12. ADJOURNMENT

Selectman Holmes moved to adjourn. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

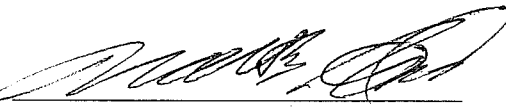
Respectfully submitted

*Janet Wilson*

Department Assistant

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: 6/28/11

Attest:

  
*Walter B. Cruz, Sr., Clerk*

Date Signed: 7-6-11

Date sent to the Town Clerk: 7-6-11

