



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**
- 4. CITIZENS PARTICIPATION**
- 5. CONSENT AGENDA**
 - a. Authorization to sign bills and documents, etc.
Invoice # 80360675/23 from CDM for \$43,000.00
- 6. LICENSES & PERMITS**
 - a. Application for Change of Manager from James F. Kane to Jack D. Gadles by Mill Pond Station, LLC, 2569 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.
- 7. TOWN ADMINISTRATOR'S REPORT**
 - a. Personnel Update.
 - b. Leadership Team.
 - c. Southeastern Massachusetts Metropolitan Planning Organization.
 - d. Massachusetts Interlocal Insurance Agency.

Status Report of Ongoing Issues/Projects.
- 8. TOWN BUSINESS**
 - a. Acceptance of donation of tree by AD Makepeace.
 - b. Acceptance of donation of Wii game from Friends of the Wareham Elderly.
 - c. Discussion of Open Meeting Law complaint.
- 9. SEWER BUSINESS**
 - a. Vote on FY11 sewer user fee. 1st half omitted commitment.
 - b. Any sewer business.
- 10. LIAISON REPORTS**
- 11. ADJOURNMENT**
- 12. SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: January 11, 2011
Date of Transcription: April 26, 2011
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Cruz called the meeting to order.

MOTION: Selectman Eckstrom moved to have Selectman Holmes serve as Clerk. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

2. ROLL CALL

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

Also present: Mark J. Andrews, Town Administrator

3. ANNOUNCEMENT

School has been cancelled for tomorrow due to the storm along with the Town Hall.

The Wareham Historical Society will present Bob MacKenzie on January 17, 2011 at 7:00 p.m.
The fee for non-members will be \$2. For more information call 508-273-0069

ABC Disposal will not have any trash removal service on Wednesday, January 12, 2011. All service will resume on Holiday scheduled please call 508-995-0544 with any questions.

4. CITIZENS PARTICIPATION

(None)

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.
Invoice # 80360675/23 from CDM for \$43,000.00

MOTION: Selectman Holmes moved to approve payment to CDM for Invoice # 80360675/23 in the amount of \$43,000.00 which represents 93% completing of the project. Selectman Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

6. LICENSES & PERMITS

- a. Application for Change of Manager from James F. Kane to Jack D. Gadles by Mill Pond Station, LLC, 2569 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-11-11 (CONT'D)

Present before the board: James Kane, AD Makepeace & Jack Gadles

Mr. Kane was before the board seeking to change the manager to Jack Gadles who has been working at Mill Pond for over three years. He has been a dedicated employee and he would like support of the board as well.

MOTION: Selectman Winslow moved the board to approve Change of Manager from James F. Kane to Jack D. Gadles by Mill Pond Station, LLC, 2569 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

7. TOWN ADMINISTRATOR'S REPORT

PERSONNEL UPDATE

Probationary Police Officers

Mr. Andrews is pleased to inform the Board that six individuals have successfully completed background investigations in the process of becoming Police Officers. Mr. Andrews has conditionally appointed them as Probationary Police Officers pending successful completion of the required medical examination, psychological examination, and physical abilities test required by the Human Resource Division. Their appointment as Permanent Police Officers will be contingent upon their continuing to meet our standards of conduct, maintaining a good employment history, and successful completion of the Recruit Training Class under the auspices of the Municipal Police Training Committee.

The individuals are: George Chandler of East Wareham, Ryan Gomes of Onset, Cory Melo of West Wareham, Erica Melberg and Christopher Corner of Wareham, and Robert McLain of Plymouth.

LEADERSHIP TEAM

Grant Applications/Chief Stanley: Chief Stanley has applied for two grants to assist the department. The first one is an Application for Grant Funds (AGF) 2011 Underage Alcohol Enforcement Grants Program through the Commonwealth of Massachusetts Executive Office of Public Safety and Security, Office of Grants and Research, Highway Safety Division. Working directly with the youth, primarily high school age, we hope to educate them to the dangers and consequences of underage drinking. A copy of the application is attached which will provide more information. The second grant is for the State 911 Department Training Program for emergency communications through the State 911 Department in Taunton.

As a member of the Regional 9-1-1 Dispatch Feasibility Study Committee, I will be attending a meeting January 25, 2011 at 9:00AM at the University of Massachusetts Dartmouth. I have asked Matt Underhill, Director of Information Management Technology, to attend with me. This is a Project Initiation Meeting with Southeastern Regional Planning and Economic Development District (SRPEDD) and GeoComm.

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-11-11 (CONT'D)

Land Donation Review Task Force Mr. Andrews has put together a Land Donation Review Task Force to establish a process for reviewing proposed donations of land to the Town, and any private restrictions proposed. The initial meeting was held January 5, 2011 following the weekly Leadership Team meeting.

Members of the Land Donation Review Task Force in addition to Mr. Andrews and Mr. Pichette include: John Charbonneau, Town Planner; John Foster, Treasurer-Collector, Sheila Scaduto, Director of Assessment; Mark Gifford, Director of Municipal Maintenance; and Elizabeth Zaleski, Town Accountant. I will keep the Board informed.

CEDA Updates—Correspondence from Department of Housing And Community Development We have received confirmation that the following activities related to the Community Development Block Grant-Mini-Entitlement Program (ME) for FY2010 have been approved having received no objections during the public comment period:

- Wareham Housing Authority System Upgrades
- Housing Rehabilitation Program
- Village Streetscape Improvements
- Rehabilitation of 4 Recovery Road
- Public Social Service Activities

We have also received confirmation that the Special Conditions attached to the FY2010 Community Development Block Grant-Mini-Entitlement (ME) have been met.

SOUTHEASTERN MASSACHUSETTS METROPOLITAN PLANNING ORGANIZATION (SMMPO)

The Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) is responsible for implementation and oversight of the comprehensive, continuing, and cooperative (3C) transportation planning and programming process in the region. The objective of the 3C process is to assist, support, and provide the capability to maintain an open transportation planning and programming process at all levels of government in conformance with applicable federal and state requirements and guidelines. A Memorandum of Understanding defines the responsibilities of carrying out the formal 3C process.

Through the Southeastern Regional Planning & Economic Development District (SRPEDD), we have been advised that the Federal Highway Administration (FHWA) has requested that all MPO's update their MOUs. Attached is a draft MOU with proposed changes; the existing MOU dates back to 1997. I have given a copy of this to John Charbonneau, Town Planner, for his review and comments. If the Board has any comments, please let me know and I will inform Mr. Charbonneau.

MASSACHUSETTS INTERLOCAL INSURANCE AGENCY

Attached is a letter from the Massachusetts Interlocal Insurance Agency (MIIA) concerning their AllOne Health EAP program. The program has provided MIIA members with Employee Assistance Services for the past 15 years. The services include counseling, training, substance

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-11-11 (CONT'D)

abuse support, management consultation, legal/financial support and a variety of health and productivity services.

In 2011, MILA will continue to partner with AllOne Health to offer these valuable services to their members in a more cost effective way.

For the Board's information, the Employee Assistance Program was formerly through Southcoast Hospitals at a cost of \$3,740 annually. The costs are included with our Miia coverage, which has saved us that expense.

Mr. Andrews stated that due to the storm they would provide safe comfort at the Multi-Service Center if anyone were in need of shelter during the snowstorm.

8. TOWN BUSINESS

a. Acceptance of donation of tree by AD Makepeace

Mr. Andrews stated that the tree donated by the AD Makepeace Company was a generous to the town.

MOTION: Selectman Eckstrom moved the board to accept the donation of a tree from AD Makepeace that has been placed on Memorial Town Hall property. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

b. Acceptance of donation of Wii game from friends of the Wareham Elderly

Mr. Andrews stated that the Friends donated a Wii Game

MOTION: Selectman Eckstrom moved to accept the donation of a Wii game from the Friends of the Elderly to the Council on Aging. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

c. Discussion of Open Meeting Law complaint

Selectman Holmes stated that recently the Chairman received a complaint, which was filled out on an open violation form thru the AG office. Selectman Holmes stated that it wasn't an open meeting violation form because that was all that was available on the website and it's an active investigation in the AG office. Selectman Holmes read the recommendation of counsel by Brian Reilly, Kopelman and Paige. The board would not be in violation of 23D if he declined to respond to this complaint. As a practical matter however, in my opinion the board should make a brief statement to such a complaint, even if it's just to say that the complaint was not filed in accordance with the law and the board will take no action on it. If the board makes not response that may trigger the complainant to appeal and leave that office to make inquiries to the board as it failed to respond. Selectman Holmes said that the Board of Selectmen was not mentioned in complaint it was an issue dealing with something else. Based on the statement of Mr. Reilly no further action would be taken by the Board of Selectmen. Selectman Eckstrom stated that according to the paperwork Chairman Donahue did address it and did forward a response even though it wasn't warranted.

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-11-11 (CONT'D)

Selectman Holmes stated that the office received a request for Bay Pointe Country Club for a one-day liquor license. The request was submitted to our office in time however, due to the meeting schedule and no meeting being held next week.

Present before the board: Kolina Kirkham

They are seeking a one-day liquor license for a graduation party to be held on Saturday, January 22, 2011 from 6:00 pm to 1:00 am. Selectman Eckstrom said that a one-day couldn't be issued to an establishment that already holds a liquor license. Selectman Winslow referred to the blue book and stated it wasn't clear on the language since they hold a seasonal license and suggested that the board make the motion subject to approval on counsel. Discussion ensued on how to handle the request before the board.

MOTION: Selectman Winslow moved to approve conditionally approve the a one-day liquor license for Saturday, January 22, 2011 from 6:00 pm to 1: 00 am at the Bay Pointe Country Club Pavilion subject to counsel and the board will formally meet on January 19, 2011. Mr. Andrews stated that the word conditionally bothers him and he would contact Town Counsel this evening and get back to ms. Kirkham with a response. -- Selectman Winslow withdrew her motion.

MOTION: Selectman Winslow moved to approve the request for one-day liquor license for Saturday, January 22, 2011 from 6:00 pm to 1:00 am for the Pavilion at Bay Pointe Country Club located at 19 Bay Pointe Drive, Onset MA, pending review and approval by Counsel. Selectman Holmes seconded for discussion.

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

9. SEWER BUSINESS

- a. Vote on FY11 sewer user fee 1st half omitted commitment

Present before the board: Guy Campinha

Mr. Camphina spoke about the FY11 1st half omitted billing.

MOTION: Selectman Holmes moved to approve the FY 11 1st half committed sewer user fees in the amount of \$14,259.75. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- b. Any sewer business

Selectman Holmes asked if anything has been done with contract #3. Mr. Campinha they were still getting approvals on the pump station.

10. LIAISON REPORTS

Selectman Holmes said that so far the board has received 13 applications for the Westfield Study Committee.

MOTION: Selectman Holmes moved the board to have on the agenda starting January 25, 2011 an item entitled discussion of Westfield. Selectman Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-11-11 (CONT'D)

Selectman Winslow will be meeting with the Recycling Committee regarding a glitch in the pay as you throw program and stated that if anyone wanted to submit an application to be on the committee, to please hold off at this time.

Selectman Winslow said that the marine resources Committee is looking for an intern or volunteer to help putting together the Harbor Management plan.

Selectman Eckstrom said that the ZBA wind turbine meeting that was scheduled for tomorrow night has been cancelled due to the weather. They have not rescheduled at this time.

Selectman Eckstrom wanted to wish Doug Westgate a speedy recovery.

Selectman Cruz said that the Community Events Committee is taking applications and the deadline is March 15th.

11. ADJOURNMENT

Selectman Holmes moved to adjourn meeting. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

12. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

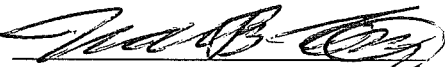
Respectfully submitted,

Janet Wilson

Department Assistant

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: 5/23/11

Attest:



Walter B. Cruz, Sr., Clerk

Date Signed: 5/23/11

Date sent to the Town Clerk:

10/14/11