

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: March 1, 2011
Date of Transcription: August 2, 2011
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, Absent
Brenda Eckstrom
Stephen M. Holmes
Cara A. Winslow, Clerk Pro-tem

Also present: Mark J. Andrews, Town Administrator

MOTION: Selectman Eckstrom moved to have Selectman Winslow serve as clerk for the evening. Selectman Holmes seconded.

VOTE: 4-0-0 (Unanimous)

3. ANNOUNCEMENT

The foundation for Wareham Education will be having a wine tasting at Ella's on March 7th and tickets are \$30.

4. CITIZENS PARTICIPATION

Present before the board: Bruce Sauvageau

Mr. Sauvageau said they now have online the RFP along with the supporting exhibits as well as the responses from the five developers. Mr. Bill Heaney will be the Chairman of the Westfield Study Committee and they have elected Michelle Rose as the Clerk to the committee. The Committee was eager with the task set before them.

Present before the board: Larry Gaines

Mr. Gaines spoke about an upcoming St. Patrick's dance along with the food pantry.

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc. (none)
- b. Approval of executive session meeting minutes of: July 1, 2010; July 13, 2010 & July 28, 2010.

The board postponed the approval of executive session minutes of July 1, 2010 until Selectman Cruz returns.

MOTION: Selectman Winslow moved to approve and hold the executive session meeting minutes of July 13, 2010. Selectman Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve and hold the executive session meeting minutes of July 28, 2010. Selectman Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-1-11 (CONT'D)

c. Approve minutes to be released

Chairman Donahue stated that the minutes have been carefully reviewed and holding them is no longer necessary.

MOTION: Selectman Winslow moved to release the following minutes that have previously been approved and held: June 20, 2007; July 17, 2007; October 7, 2008; October 19, 2007; April 14, 2009; June 9, 2009; June 26, 2009; August 4, 2009; August 6, 2009; September 8, 2009; September 10, 2009; November 3, 2009; December 22, 2009; February 16, 2010; April 13, 2010; May 11, 2010; June 8, 2010 and July 1, 2010. Selectman Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

6. LICENSES & PERMITS

a. Use of Town roads application from Gleason Family YMCA, 33 Charge Pond Road, Wareham for their 9th Annual 5K Road Race through the village of Onset on Saturday, May 14, 2011 from 8:00 a.m. to 1:00 p.m.

MOTION: Selectman Winslow moved to approve the Use of Town roads application from Gleason Family YMCA, 33 Charge Pond Road, Wareham for their 9th Annual 5K Road Race through the village of Onset on Saturday, May 14, 2011 from 8:00 a.m. to 1:00 p.m. Selectman Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

7. TOWN ADMINISTRATOR'S REPORT

Auto Dealer Licenses: Mr. Andrews spoke with Myles Burke and asked him to report on Class II auto dealer licenses. His recommendation is to increase the amount of licenses available and allow free enterprise. This would increase licensing and permitting revenue to the Town and would stimulate job creation similar to the additional liquor licenses. The Board had requested this report and analysis for this matter.

Present before the board: Myles Burke

Mr. Burke was before the board and stated that he has gone to the businesses in town that currently hold Class II license. Mr. Burke was in favor of adding additional licenses because it would help stimulate jobs. Discussion ensued on Class II licenses.

MOTION: Selectman Holmes moved to approve the revised policy #04-02 for the Maximum Allowed Class II Licenses. It is the policy of the Town of Wareham to limit the number of Class II licenses to 20 and the present Class II license holders are grandfathered and if a Class II license is turned into the Selectmen's Office, it should be cancelled. The policy should take effect immediately adopted March 1, 2011. Selectman Winslow seconded for discussion and stated she was concerned at the number of licenses and said she would like to see them move into the vacant car lots. Selectman Eckstrom stated that she would like the board to be very critical to issue the additional licenses to places of business.

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-1-11 (CONT'D)

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

MOTION: Selectman Holmes moved to revise the by-law for Class II licenses rules and regulations effective March 1, 2011 Section 9 the number of class II licenses outstanding in the Town of Wareham limiting it to 20 said licenses under Section 13 and (e) The applicant has set forth the operational business hours, included in the application. The Class II License may be revoked if the applicant does not comply with the hours of operation submitted with the application and (f) the applicant has \$50,000 in Liability Insurance. Selectman Eckstrom seconded.

VOTE: 4-0-0 (unanimous)

Water Program to Help SEMASS: Based upon our meetings with Massachusetts Department of Environmental Protection (DEP), Mr. Guy Campinha, Director of the WPCF, is researching a program to provide 150,000 gallons of effluent per day to SEMASS. I have sent a letter (copy attached) and hope to meet prior to tonight's meeting or if not, shortly thereafter, to discuss the proposal in person.

Water Treatment Facility—Upper Cape Cod Regional School: On Tuesday, February 15, 2011, I met with Guy Campinha, Director of the WPCF, and several students from the Upper Cape on a tour of the WPCF. This group of Junior Class high school students, including 2 Alyssa's, Corinne, Miya, Kathleen, Lucy, Rachel, Drew, Lynn, Caitlin, Nicole and Brett, are studying environmental sciences and hope to work in the field. Four are from Wareham and are working towards college and university. A second group will tour the facility from the Senior Class.

Wickett's Island: Mr. Andrews asked David Pichette, Conservation Administrator, to come to the Board's meeting tonight to discuss Wickett's Island. At the Leadership Team Meeting of February 2, 2011, Dan Bertram, representative for BRT Wickets, LLC, current owners of the property, discussed the potential for the property, including the possibility of the Town purchasing it.

Acting Council on Aging Director: On Friday, February 11, 2011, Mr. Andrews appointed Susan P. Green as Acting Council on Aging Director effective Monday, February 14, 2011, to assist the department as Marcia Griswold is currently on paid leave. He has asked Ms. Green to provide a status report on her activities and that is included with this report.

CAPE COD CANAL 100-YEAR ANNIVERSARY

As mentioned in my last report, the Cape Cod Canal will be 100 years old in 2014 and preparations are underway for that celebration. It was pointed out that that will also be Wareham's 275th anniversary. We are currently reviewing files from the 250th and will work on this Special Project.

WAREHAM DAM UPDATE

On Wednesday, February 16, 2011, Mr. Andrews convened a meeting with Mark Gifford, Director of Municipal Maintenance; George Rogers, Doug Beaton, and Jeff LaFleur, of the Cape Cod Cranberry Growers Association to discuss emergency action planning for our dams. We reviewed existing plans and will be working with our local advisors concentrating on engineering analysis.

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-1-11 (CONT'D)

WAREHAM'S POTHOLE PROGRAM

On February 12, 2011, we began our program to repair potholes. As of February 16, 2011, according to Mark Gifford, Director of Municipal Maintenance, his staff has repaired close to 600 potholes on area roadways (see attached list). We will continue to systematically work across Town until all repairs are complete. Mr. Andrews encouraged the Board to advise on any areas of concern by notifying either Mark Gifford or himself, and we will assist in making prompt repairs.

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION AND MASSACHUSETTS INTERLOCAL INSURANCE ASSOCIATION PREVENTING AND ADDRESSING WORKPLACE DISCRIMINATION

On Friday, February 25, 2011 at 8:30 a.m., Mr. Andrews attended this seminar to provide municipal managers with the skills and tools to provide effective discrimination prevention. Mr. Johnny Laine, Massachusetts Commission Against Discrimination (MCAD) mediator and trainer led this seminar that included: prevention and adequate response to issues of potential prevention, the importance of internal policy making and effective communication, duty to investigate and internal policy and the law in your workplace, and the role of the MCAD at your municipality. This is a continuing educational program and the board will be updated.

Note: Special emphasis will be placed on law enforcement personnel. Attendance at this seminar qualifies the MIIA member for 1% credit under the FY11 MIIA Rewards Program under Public Officials, School Board, or Law Enforcement liability categories.

8. TOWN BUSINESS

- a. Non-compliance with Order of Correction – Zoning violations 2 Sarabeth Lane
Present before the board: Joseph Sergi & Myles Burke

Mr. Burke stated that he had received several complaints about commercial vehicles and the potential environmental dangers since it was in a zone 2 protected aquifer. Mr. Sergi claimed he received a letter from Mr. Burke however, the letter had no contact information and when he finally spoke with him he was told it was no big deal. Mr. Sergi stated that he was parking the vehicles on the side and also spoke with Attorney Bello who wasn't able to attend on such short notice and asked if the board would be willing to postpone the discussion. Mr. Burke stated that he had a problem with the salt washing off the trucks when it rains and draining into the aquifer area. Mr. Burke stated that he has observed large trucks on the property on several occasions. He has also received complaints from neighbors that there was an illegal basement apartment.

- b. Vote on Senior Citizen Tax Work-off program policy

MOTION: Selectman Eckstrom moved to approve the senior citizen tax work off program for 2011. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- c. Surplus of Municipal Maintenance Van
(Mr. Andrews asked that this be put off until next meeting)

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-1-11 (CONT'D)

- d. Discussion re: Class II Licenses
- e. Any other town business

9. SEWER BUSINESS

- a. Approve correction to Contract 1, Parkwood Beach

Chairman Donahue stated that a parcel in Parkwood Beach was assessed a betterment for which there is no sewer connection planned nor is one planned, and no betterment was assessed on the parcel that does have a sewer connection.

MOTION: Selectman Eckstrom moved to approve the correction on Contract I, Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- b. Discussion with Wal-Mart regarding sewer capacity

Present before the board: Steve Decorsi from Bohler Engineering along with Tara Calabrese, Walmart and Guy Campinha

They were before the board asking if the sewer capacity was available and if not what could they do. Ms. Calabrese stated that she has been attending meetings and understands that there is capacity available. She was before the board asking where the town stood with the capacity request. Mr. Campinha said from the position of the wastewater he has no problem and if they were given the capacity he had some requests such as a programmable equalizing tank, a minimum of 5000 gallon per day grease trap and would like to see it pumped regularly. He would also like to see what the grease trap is producing after they open and would also like to have Mr. Ethier and Mr. Burke in attendance as well. Mr. Campinha stated that he would like to also have an escrow put aside for any unforeseen circumstances that may come up. Mr. Campinha stated that he has no problem with them tying in and it's not his call and they do have capacity and stated that they were asking for 9000 gallons. Selectman Eckstrom asked if Mr. Campinha had the gallon request for the BDOD 2? Mr. Campinha stated that he didn't have that information and stated that he can't live with going with whatever they can use. Selectman Eckstrom stated that she wasn't in favor of the move to the other side of town. Selectman Winslow stated that if Mr. Campinha stated that the plant has the capacity and if Walmart agrees to what Mr. Campinha is asking for then she would trust Mr. Campinha's recommendation. Ms. Calabrese stated that they have several more hearings before the Planning and ZBA and she stated that during the hearings it's brought up that they don't have approval from the Board of Selectmen regarding the sewer capacity. She was asking for the approval from the board along with the conditions that Mr. Campinha brought up earlier. Chairman Donahue asked Ms. Calabrese where Wal-Mart stood in finding a replacement for the vacant store. Ms. Calabrese stated that they had a conference call with Mr. Andrews and because the date of vacancy for the store is currently unknown it's difficult with marketing the property. She stated that usually 12 months prior to being vacant is when they start the marketing process. Currently there are no vacant Walmart stores in the northeast. She is aware that some are bringing up the vacant Wal-Mart in Plymouth at Cordage Park and stated that building was sold and no longer owned by Wal-Mart. Selectman Winslow stated that since the next meeting before the planning board won't be until April that the Board of Selectmen gathers the information regarding the BDOD 2 capacity before making any

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-1-11 (CONT'D)

decisions. Selectman Holmes stated that they should call Mr. Hogan and setup another meeting and all sit down together and feels this will take some time.

c. Any other sewer business

10. LIAISON REPORTS

Selectman Holmes stated that they have an opening in June on the Cemetery Commissioners, and an opening on the Clean Water Committee.

Selectman Eckstrom thanked everyone who showed up to stop the violence peace rally. Selectman Holmes also thanked all the businesses in town for support. Chairman Donahue stated that Biffy Goyette the owner of Mill Pond Diner passed away And that a memorial service will be announced. Chairman Donahue stated that he will be missed in the community and was always very generous.

11. ADJOURNMENT

Selectman Eckstrom moved to adjourn. 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: 9-6-11

Attest: *Cara A. Winslow*
Cara A. Winslow, Clerk Pro-Tem

Date Signed: 9-20-11

Date sent to the Town Clerk: 9-21-11



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. ANNOUNCEMENTS

4. CITIZENS PARTICIPATION

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.
- b. Approval of executive session meeting minutes of: July 1, 2010; July 13, 2010 & July 28, 2010.
- c. Approved minutes to be released (list attached).

6. LICENSES & PERMITS

- a. Use of Town roads application from Gleason Family YMCA, 33 Charge Pond Road, Wareham for their 9th Annual 5K Road Race through the village of Onset on Saturday, May 14, 2011 from 8:00 a.m. to 1:00 p.m.

7. TOWN ADMINISTRATOR'S REPORT

- a. Leadership Team.
 - b. Water Program to help SEMASS.
 - c. WPCF – Upper Cape Cod Regional School.
 - d. Wickett's Island
 - e. Cape Cod Canal 100-year anniversary.
 - f. Wareham dam update.
 - g. Wareham's pothole program.
 - h. MCAD –preventing and addressing workplace discrimination.
- Status Report of ongoing issues/projects.

8. TOWN BUSINESS

- a. Non-Compliance with Order of Correction

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- b. Vote on Senior Citizen Tax Work-off Program policy.
- c. Surplus of Municipal Maintenance van.
- d. Discussion re. Class II Licenses.
- e. Any other town business.

9. SEWER BUSINESS

- a. Approve correction to Contract I, Parkwood Beach.
- b. Discussion with Wal-Mart regarding sewer capacity.
- c. Any other sewer business.

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