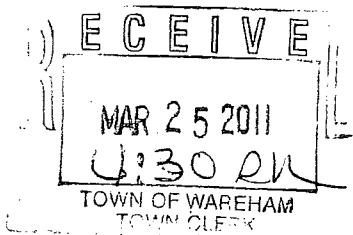




TOWN of WAREHAM
Board of Selectmen/Sewer Commissioners
MEETING AGENDA

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.
Cromesett Park & Oakdale Sewers – Contract No. 2 – CDM Construction Services-
Invoice Nos. 7 & 8.
 - b. Approval of minutes: May 13, 2010 and July 28, 2010.
 - c. Appointment of Associate Member to the COA Board of Directors.
6. **LICENSES & PERMITS**
 - a. **HEARING APPROXIMATELY 7:15 P.M.** Application from Janice M. Rogers dba Buzzards Play Productions, 3065 Cranberry Highway, East Wareham, MA for a Public Amusement On Weekdays License for Live Entertainment and Dancing under the provisions of Chapter 140 of the Massachusetts General Laws and a Public Entertainment On Sundays License for Live Entertainment and Dancing under the provisions of Chapter 136 of the Massachusetts General Laws.
 - b. Request for use of Town roads by Church of the Good Shepherd/Project Bread, c/o Rev. Diane Badger, 74 High Street, Wareham for the "Wareham Walk for Hunger" The walk starts at the Church of the Good Shepherd down Sandwich Road to the Church of the Nazarene along Route 28 before turning onto Depot Street then to Minot Avenue to Main Street then back to the Church of the Good Shepherd.
7. **UPPER CAPE COD VOCATIONAL TECHNICAL SCHOOL FY2012 BUDGET**
8. **TOWN ADMINISTRATOR'S REPORT**
 - a. Leadership Team.



- b. Wareham Works 2011.
- c. FY2012 Budget update.
- d. Independent Auditors Report for FY2010.
- e. Safe Summer 2011.

Status Report of ongoing issues/projects.

9. TOWN BUSINESS

- a. Westfield Discussion.
- b. Approval of Title V Debt and Capital Bond Anticipation Notes (BANS).
- c. Meeting with Clean Water Committee & Board of Health.
- d. Any other town business.

10. SEWER BUSINESS

- a. Sewer Connection Request for 9 Elm Street.
- b. Any other sewer business.

11. LIAISON REPORTS

12. ADJOURNMENT

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: March 29, 2011
Date of Transcription: October 25, 2011
Transcribed by: Janet Wilson/Rebecca Benitez-Figueroa

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: M. Jane Donahue, Chairman
Walter B. Cruz, Sr., (absent)
Brenda Eckstrom
Cara A. Winslow, Clerk pro-tem
Stephen Holmes, (absent)

MOTION: Selectman Eckstrom moved that Cara Winslow serve as Clerk for the evening.
Selectman Donahue seconded.

VOTE: 3-0-0 (Unanimous)

Also present: Mark J. Andrews, Town Administrator

3. ANNOUNCEMENT

Chairman Donahue presented Conor White with a Resolution from the Board of Selectmen to congratulate him on his accomplishments.

4. CITIZENS PARTICIPATION

Present before the board: Donna Bronk

Ms. Bronk asked if the finalist for the Assessor's job has been selected yet and if so who are they? Mr. Andrews said they held the last interviews last Wednesday and he will be picking the top three soon.

Present before the board: Bob Brady

Mr. Brady was before the board with some concerns regarding the nitrogen management in Wareham. Mr. Brady stated that the Chairman of the Clean Water committee have issued a number of complaints against him and other volunteers of the task force for allegedly violating the open meeting law.

Present before the board: Ken Fontes

Mr. Fontes read a letter from Tiny Lopes that he was in support of Chief Stanley.

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.
Cromesett Park & Oakdale Sewers – Contract No. 2 – CDM Construction Services – Invoice numbers 7 and 8.
Due to discrepancies in the invoices, the bills will be placed on the April 5, 2011 when corrected invoices will be presented.
- b. Approval of minutes: May 13, 2010 and July 28, 2010

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-29-11 (CONT'D)

MOTION: Selectman Winslow moved to approve the Selectmen's Meeting Minutes of May 13, 2010. Selectman Eckstrom seconded for purpose of discussion. Discussion ensued as to whether the minutes were regular or executive session meeting minutes. **Motion and seconded withdrawn.** The minutes to be placed on the April 5, 2011 agenda.

MOTION: Selectman Winslow moved to approve the joint meeting minutes of the Board of Selectmen and Finance Committee of July 28, 2010. Selectman Eckstrom seconded for the purpose of discussion. Selectman Winslow amends the motion with the following changes: Claire Smith, Moderator to be listed under Others Present; Selectman Holmes absent; and the removal of the words "executive session".

VOTE: 3-0-0 (Unanimous)

MOTION: Selectman Eckstrom moved to extend the Selectmen's Meeting beyond the hour of 10:00 p.m. Selectman Winslow seconded.

VOTE: 3-0-0 (Unanimous)

c. Appointment of Associate members to the COA Board of Directors

MOTION: Selectman Eckstrom moved to appoint Lynne Burroughs of 8 Seventeenth Avenue, Wareham, MA as an Associate Member to the Council on Aging Board of Directors to a term to expire on June 30, 2012. Chairman Donahue seconded.

VOTE: 2-1-0 (Selectman Winslow opposed)

6. LICENSES & PERMITS

a. Application from Janice M. Rogers, d/b/a Buzzards Play Productions, 3065 Cranberry Highway, E. Wareham, MA for a public Amusement on weekdays license for live entertainment and dancing under the provisions of Chapter 140 of the Massachusetts General Laws and a Public Entertainment on Sundays licenses for live entertainment and dancing under the provisions of Chapter 136 of the Massachusetts General Laws.

MOTION: Selectman Winslow moved to open the hearing on the application from Janice Rogers, d/b/a Buzzards Play Productions for a public amusement on weekdays license and public entertainment on Sunday entertainment license. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

Present before the board: Janice Rogers

Ms. Rogers stated they would be holding workshops, and theatre games, creative movements, choreography and actors will learn theater techniques for a successful performance. On display in the gallery would be creative works by local artists and

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-29-11 (CONT'D)

craftsmen's. Musicians will showcase their musical through live performances they can share their love of music.

The board asked if anyone wanted to speak for or against the applicant.

Present before the board: Philip Lanza

Mr. Lanza stated that he was a direct abutter to the property and was concerned with increased traffic and noise. He stated that it's been pretty quiet since the pool hall went away however; he was concerned with speeding around the area. Ms. Rogers said that they would not be parking in the back of the building.

MOTION: Selectman Winslow moved to close the hearing. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve the application from Janice M. Rogers, d/b/a Buzzards Play Productions, 3065 Cranberry Highway, E. Wareham, MA for a public amusement on weekdays license for live entertainment and dancing under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve the application from Janice M. Rogers, d/b/a Buzzards Play Productions, 3065 Cranberry Highway, E. Wareham, MA for a public entertainment on Sundays license for live entertainment and dancing under the provisions of Chapter 136 of the Massachusetts General laws. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

- b. Request for use of town roads by Church of Good Shepherd /Project Bread, c/o Rev. Diane Badger, 74 High Street, Wareham for the "Wareham Walk for Hunger". The walk starts at the Church of the Good Shepherd down Sandwich Road to the Church of the Nazarene along route 28 before turning onto Depot Street then to Minot Avenue to Main Street then back to the Church of the Good Shepherd.

MOTION: Selectman Winslow moved to approve the application from the Church of Good Shepherd /Project Bread, c/o Rev. Diane Badger, 74 High Street, Wareham for the "Wareham Walk for Hunger". The walk starts at the Church of the Good Shepherd down Sandwich Road to the Church of the Nazarene along route 28 before turning onto Depot Street then to Minot Avenue to Main Street then back to the Church of the Good Shepherd on May 1, 2011 from 1:00 p.m. – 5:00 p.m. It is understood and agreed that the Town will be held harmless from all liability as to damage to property or injuries to any persons. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-29-11 (CONT'D)

7. TOWN ADMINISTRATOR'S REPORT

LEADERSHIP TEAM

On Monday, March 28, 2011 at 10:00 a.m., Mr. Andrews attended a meeting along with Myles Burke, Director of Inspectional Services and 40 residents at the Cup of the Bay, Onset Village Center. The main topic of discussion was the prospective use of property located at 39 South Boulevard, the so-called Harborview Apartments as a change of use for a Treatment Center. Mr. Burke has not received an application of permits for renovations and a change of use. Mr. Andrews understanding is that this is a residential zone and potentially will require a site plan review by the Planning Board and/or Zoning Board of Appeals. We are researching this process to allow for due process and be provided to abutters and residents of the neighborhood.

WAREHAM WORKS 2011

Mr. Andrews announced that the 2nd Annual Wareham Works 2011 Community and Economic Summit was held on Saturday from 10 a.m. to 2 p.m. The focus was "Business to Business Connections". It was well attended by many businesses.

FY2012 BUDGET UPDATE

Mr. Andrews is providing an update on our efforts to balance the FY2012 Budget. We have provided an updated budget worksheet for your review and consideration.

Present before the Board: Elizabeth Zaleski & Derek Sullivan

Ms. Zaleski went over the errata sheet.

INDEPENDENT AUDITORS REPORT FOR FY2010

Please be advised that Mr. Andrews have scheduled a joint meeting with the Board of Selectmen and Finance Committee and a presentation by Mr. James Powers of Powers & Sullivan, Certified Public Accountants for Wednesday, March 30, 2011 at 6:00 p.m. in the board's room. Mr. Powers will provide a detailed analysis of the report on the examination of our basic financial statements for the Fiscal year ended June 30, 2010.

SAFE SUMMER 2011

Please be advised that Mr. Andrews have reconvened our Safe Summer 2011 Leadership Team, including Chief Stanley, Garry Buckminister, Harbormaster, Dave Evans, EMS, Robert Ethier, Health Agent and Myles Burke, Director of Inspectional Services on Wednesday, March 30, 2011 at 11:00 a.m. to begin our planning for Safe Summer 2011. We will be discussing various issues including enhanced communications, renovations to the Onset Docks and restrooms, grant opportunities and parking better collaboration. Mr. Andres will keep the Board posted.

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-29-11 (CONT'D)

8. TOWN BUSINESS

a. Westfield Discussion

Chairman Donahue stated that the Board met with the Westfield RFP Review Committee on Saturday and the committee is completing the RFP and should have the RFP completed and submitted to the Selectman within a week for review and submission for bid.

b. Approval of Title V Debt and Capital Bond Anticipation Notes (BANS)

Present before the board: John Foster, Treasurer/Collector

Mr. Foster was before the board for approval of the BANS.

MOTION: Selectman Winslow moved to approve \$1,250,000 at .070% General obligation bond anticipation note of the Town dated April 1, 2011 and payable July 15, 2011 to Century Bank at par and accrued interest if any. Selectman Eckstrom seconded

VOTE: 3-0-0 (Unanimous)

MOTION: Selectman Winslow moved for reconsideration of the first motion on the approval of \$1,250,000 worth of bonds. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve \$1,250,000 at .070% General obligation bond anticipation note of the Town dated April 1, 2011 and payable July 15, 2011 to Century Bank at par and accrued interest if any as written. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

Mr. Foster stated that the other vote needed would be for zero percent interest rate from The Massachusetts Water Pollution Abatement Trust Community septic loan program. These will be handed out by CEDA.

MOTION: Selectman Winslow moved to approve the a bond or bonds in an aggregate principle amount not to exceed \$200,000 pursuant to chapters 29C and 11 of the General Laws and a vote of the Town passed October 25, 2010 (Article 8), which authorized a total borrowing of \$200,000 for a community septic management loan program as written. Selectman Eckstrom seconded.

VOTE: 3-0-0 (Unanimous)

c. Meeting with Clean Water Committee and Board of Health

Present before the board: Diane Allen, Chairman of Board of Health, Lisa Irish, Robert Ethier and Dr. Thomas Gleason

Ms. Allen advised the Board that the Board of Health is currently working to develop nitrogen regulations with assistance from the Coalition for Buzzards Bay and citizen volunteers. The Deputy Regional Director for DEP attended the March 14, 2011 Board of Health meeting pledging assistance and resources in developing nitrogen regulations

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-29-11 (CONT'D)

for Wareham. The Board had not been very active in developing nitrogen net zero regulations. A taskforce is being established to work on developing nitrogen net zero regulations. Lengthy discussion ensued.

d. Upper Cape Cod Vocational Technical School FY2012 budget

Present before the board: Kevin Farr, Superintendent for Upper Cape Cod Vocational Technical School along with Mr. Dutch, Principal

Mr. Farr stated that Conor White would be recognized at a statewide banquet along with 50 other vocational students around the commonwealth. Mr. White also won a gold medal at the Regional Skills USA competition for Plumbing and Heating. Mr. Dutch went over the FY2012 budget (on file in the Selectmen's office). Brief discussion ensued.

e. Any other town business

Chairman Donahue referred to a letter from the School Department which states that the School's calendar for the following year will be changed so that school will not be in session on local and state election days. Brief discussion ensued.

9. SEWER BUSINESS

a. Sewer connection request for 9 Elm Street

Present before the board: Guy Campinha, Water Pollution Control Facility Director
John Assad, property owner of 9 Elm Street

Mr. Campinha presented the history on the issue pertaining to this property. The owner seeks permission to tie in to the sewer. The issue between the property owner and the abutter needs to be resolved between the parties without the Town's intervention.

MOTION: Selectman Eckstrom moved to ratify previous vote of Sewer Commissions to allow Mr. John Assad to tie into the sewer line 9 Elm Street, Wareham, MA with the provision that he pay the electrical costs going forward and that he have in place a maintenance agreement for the pump station.
Selectman Winslow seconded.

VOTE: 3-0-0 (Unanimous)

b. Any other sewer business

10. LIAISON REPORTS

(None)

a. Any sewer business

11. ADJOURNMENT

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

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-29-11 (CONT'D)

VOTE: 3-0-0 (Unanimous)

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted,

Janet Wilson/Rebecca Benitez-Figueroa

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: *12/20/11*

Attest: *Cara A. Winslow*
Cara A. Winslow, Clerk, pro-tem

Date Signed: *12-21-11*

Date sent to the Town Clerk: *12-21-11*



TOWN of WAREHAM

Board of Selectmen/Sewer Commissioners
Meeting Agenda

7:00 P.M. Multi-Service Center, Room 320, 48 Marion Road, Wareham, MA

1. **CALL TO ORDER BY CHAIRMAN**
2. **ROLL CALL**
3. **ANNOUNCEMENTS**
4. **CITIZENS PARTICIPATION**
5. **DISCUSSION RE. WESTFIELD**
6. **7:15 P.M. HEARING RE. 118 SANDWICH ROAD**
7. **CONSENT AGENDA**
 - a. Authorization to sign bills and documents, etc.
 - (i) Contract #2 – sewerage works improvements, estimate 15 & 16.
 - b. Authorization to approve and sign the legal bills from Blatman, Bobrowski & Mead, LLC. Invoice # 7053 dated 11/19/11
 - c. Approval of regular meeting minutes: June 28, 2011 (previously held from October 18, 2011), August 23, 2011, September 6, 2011, September 20, 2011, November 8, 2011, and November 15, 2011.
8. **LICENSES & PERMITS**
 - a. Application for Change of Manager from David Pincus to Heidi Hallett by Red Robin International, Inc., 2421 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.
 - b. Application from Max Performance, c/o Tim Richmond, 57 Prospect Avenue, Norwood, MA for use of the Onset Bandshell and Town Pier, Onset Beach and use of Town roads for their 3rd Annual Triathlon, "Escape the Cape/Wicket Onset Triathlon", to be held on June 2, 2012 and June 3, 2012 from 8:00 am to 1:00 pm. (rain date: June 9, 2012).
9. **TOWN ADMINISTRATOR'S REPORT**
 - a. Leadership Team.
 - b. Worker's Compensation Seminar
 - c. FY2012 Massachusetts CDBG program grant application.

- d. Village Streetscape Improvements project (Phase I).

Status Report of ongoing issues/projects.

10. TOWN BUSINESS

- a. Designation of Polling Places.
- b. State Aid – Chapter 142, Acts of 2011 – Special Stabilization Account.
- c. Spirit of Christmas Award.
- d. Meeting with Board of Assessors.
- e. Any town business.

11. SEWER BUSINESS

- a. Discussion re. contract #3.
- b. Any sewer business.

12. LIAISON REPORTS

13. ADJOURNMENT

14. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

12/21/2011

MINUTES OF MEETING OF SELECTMEN / SEWER COMMISSIONERS

Date of Meeting: December 6, 2011
Date of Transcription: December 9, 2011
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Walter B. Cruz, Sr., Chairman
Stephen M. Holmes, Clerk
Cara A. Winslow
Ellen M. Begley
J. Michael Schneider

Also present: Mark Andrews, Town Administrator

3. ANNOUNCEMENTS

There will be a joint meeting of the Board of Selectmen and the Finance Committee on December 14th at 7:00 p.m.

On the 1st and 3rd Thursday of the month at 9:00 a.m. the Multi Service Center holds a social event so stop on by and have a cup of coffee and listen to guest speakers. If anyone is looking to be a guest speaker please contact Bob White.

The Wareham Village Association will be presenting Christmas on Main Street, Elm Street, Swan Lane and Tihonet Village from 12:30 to 3:00 p.m. on Saturday, December 10, 2011. The Christmas Parade starts at 3:30 pm followed by the Tree Lighting and Christmas Caroling with Santa Clause at 4:00 p.m. Festival of Trees Raffle following the parade, Toe Jam Band from 5:00 p.m. to 6:00 p.m. (rain date: December 17, 2011).

The Gateway Chamber of Commerce will be hosting it's 1st annual festival of trees immediately following the parade. They are asking people to decorate and donate a tree. All proceeds will go to needy families for the Holidays. For more information please call 508-273-7090.

On December 10th the Wareham High School Winter Color Guard will host its 4th annual pancake breakfast with Santa from 8a.m. to noon in the High School Cafeteria. Tickets are \$5 in advance \$7 at the door. Proceeds to benefit the Wareham Color Guard program.

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

The Wareham Police are stuffing a cruiser with unwrapped toys for the Dick Melloni Foundation from 2:00 p.m. to 4:00 p.m. December 11th at the Wareham Crossing.

Onset Box 5 will be stuffing a fire truck with non-perishable goods to be donated to local charities. The Fire Truck will be located at the Victorian Café from 10:00 a.m. to 4:00 p.m.

Talents Angels will host a holiday fair for children affected by Cancer on Sunday, December 11th from 11:00 am to 4:00 pm. at the Elks.

The Womenaid of Wareham is having an holiday open house from 6:00 p.m to 9:00 p.m. on Thursday at the Box Mill Hall located across from the Tihonet Village Market. This event is hosted by Tihonet and A.D. Makepeace. Admission is free with any donation and they have a suggested donation of \$25.

Santa will be at the Gleason Family YMCA from 9:00 a.m. to 11:00 a.m and photos will be taken. Admission is \$8 and raffles will take place.

The Tihonet Village will be hosting it's holiday fair from 10:00 a.m. to 4:00 p.m. on December 10th. Cookies and crafts for kids along with free bog rides and hot chocolate.

The Wareham High School band and Choir will host its' concert on December 15th at the Wareham Auditorium at 7:00p.m.

The Wareham Library will continue their History or not series on December 13th at 1:30 p.m.

Stop by the 99 Restaurant on December 7th from 12:30 – 8:00 p.m. and they will donate 15% of the tab with each voucher to the Friends of the Wareham Elderly. Raffle tickets and door prizes will be awarded.

On December 17th from 2:00 p.m on they will be having a fundraiser for the victims of the Main Street fire at Stevie's Onset Sports Pub. Tickets are \$10.

A horse has gone missing in the Freetown State Forest and if anyone is looking for more information or would like to participate in the search log onto facebook and search for Let's bring Flash home.

The Recycling Committee wanted to thank the following restaurants for their donations to their raffle: Cup2, Ella's Woodburing, Piper Beaus, Narrows Crossing and Café Solei. Also they wanted to thank Dave's Auto and wanted to remind people to visit the book barn.

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

On December 18th the Elks Lodge from 10:00 a.m to 6:00 p.m they will be holding the 1st annual hope raiser in memory of Hailey Jean Pease. They are raising funds to help families of children that are currently fighting cancer at Boston Children's Hospital. You are asked to bring an unwrapped gift or a gift card donation in the amount of at least \$10.

Selectman Schneider asked that any further announcements and citizens' participation along with Westfield be held off until after the hearing.

4. CITIZENS PARTICIPATION

Present before the board: Gerry Barrows

Mr. Barrows asked if a no trespassing or private property sign could be placed on 118 Sandwich Road? Chairman Cruz stated that right now it's in the hands of the property owner.

Present before the board: Martha Strachan

Ms. Strachan was before the board with an announcement that the COA Board of Directors meeting date has changed to Thursday, December 8th at 6:30 p.m.

Present before the board: David Walton

Mr. Walton wanted to touch on a point that Selectman Holmes made a couple of weeks ago regarding people throwing trash out their car windows. Mr. Walton stated that it shouldn't be the responsibility of the town to clean up the trash it should be the young people that throw the trash out their windows responsibility. He wanted to express that he was fed up with the trash situation.

Present before the board: Bob White

He wanted to thank the town and members of the community for their support on November 11th.

Present before the board: Alan Slavin

Mr. Slavin was before the board with a sewer problem since he recently hooked up to the town sewer. Mr. Slavin is having problems with a gas smell along with his neighbor and said that he has spoke with Mr. Campinha about this problem, and he has been to the house to check it out. Mr. Campinha said one solution would be to add a 4" pipe with a trap so that the odors cannot get back into the system. The reason this is happening is because of the lack of flow due to the amount of people that have not tied in yet. Mr. Campinha was before the board stating they will be adding chemicals to the wet wells and explained that the problem is that Parkwood beach has a long main that dumps into Oak on a gravity so they are treating the Parkwood pump station to knock down the odors. Discussion ensued.

5. DISCUSSION RE: WESTFIELD

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

Selectman Holmes stated that the workshop scheduled for December 3rd had been postponed due to the lack of bidders. Selectman Schneider said that the feedback they received was that the project was too big and that ball fields and the maintenance posed a significant expense. Selectman Begley would like to schedule a workshop for early in January on a Saturday.

MOTION: Selectman Begley moved that that a workshop be scheduled for January 14, 2012 at 8:30 a.m. Selectman Holmes seconded.

VOTE: 3-0-2 (Selectman Winslow & Cruz opposed)

Selectman Schneider asked that WCTV be notified to tape the meeting.

6. 7:15 P.M. HEARING RE: 118 SANDWICH ROAD

MOTION: Selectman Schneider moved to open the hearing. Selectman Holmes seconded.

VOTE: 5-0-0 (unanimous)

Chairman Cruz read the letter sent to Mr. Phillips that states in accordance with the provisions of Chapter 139, Section 1 and other lawful authority, you and/or your legal representative are hereby requested to appear at a public hearing before the Wareham Board of Selectmen on Tuesday, December 6, 2011 at approximately 7:00 p.m. in the Selectmen's Meeting Room 320, 48 Marion Road to discuss the allegations that your property at 118 Sandwich Road is in a burnt, dilapidated or dangerous state.

Present before the board: Attorney Robert Perry and Robert Ethier
Mr. Either presented to the board photos and a letter received from Chief McDuffy. Mr. Either spoke about the property located at 118 Sandwich Road as once being deemed a hoarding case and the property is considered a hazard along with being in violation of the state sanitary code with minimum standards for fitness of human habitation. He stated that in his nine-year career he has been to court with Mr. Phillips at least 6 times and the last time the Board of Health won the case with the jury and based on the conditions of the property at that time Mr. Phillips was asked to either clean up or he would be assessed a \$5000 fine or 3 years in prison in which he stated that it never happened and Mr. Phillips has since had a fire in his home. Mr. Either stated that Mr. Phillips does not have the money to clean up the property and he didn't have any insurance at the time of the fire. Mr. Perry stated that one of the property owners Mr. Black has been cleaning up the property. At this point Mr. Black came before the board and stated that he has been away for 20 years and had nothing to do with the house and stated that he needs time to clean up the property. Also present before the board is Ms. Black said that they are slowly getting it cleaned up and doing the best they can. Mr. Ethier stated they did win a jury trial over a year and half ago. At this time Ms. Phillips came before the board asking if the town was to clean up the property would the town then own that property or would it remain in their hands? Mr. Either stated that Mr. Phillips has been given 30 days to clean up his

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

property a number of times prior to the fire. Present before the board: Robert Brady, Associate member of the Board of Health. Mr. Brady suggested placing a fence around the property if it's considered a nuisance this way people cannot see the mess and it would allow the family to clean up the property. Attorney Perry stated that made sense to him as well and would contact the family and advise them. Also present before the board is Frank DeFelice asking if all the debris would be picked up within the 30 days or would it be only the memorabilia being taken out? Mr. Black stated that he would have the entire property cleaned up within the 30 days.

MOTION: Selectman Begley moved to close the hearing for 118 Sandwich Road. Selectman Winslow seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Schneider moved to find the testimony of Mr. Ethier is credible. Selectman Holmes seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Schneider moved that the Sandwich Road property is dangerous and a nuisance to the neighborhood. Selectman Holmes seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Schneider moved that the board order that the nuisance be abated commencing on January 10, 2012 if the property is not cleaned up by the owners and that the remaining structure be demolished, and that the property be cleared. Selectman Holmes seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Holmes moved that Mr. Ethier on January 10, 2012 take pictures of the property and deliver them prior to the Selectmen meeting. Selectman Schneider seconded.

VOTE: 5-0-0 (Unanimous)

7. CONSENT AGENDA

a. Authorization to sign bills and documents, etc.

(i) Contract 2 – Sewerage works improvements, estimate 15 & 16

MOTION: Selectman Winslow moved to approve payment on estimate #15 contract #2 project CWSRF3022 in the amount of \$177,650.00 – no second – motion fails.

MOTION: Selectman Winslow moved to approve payment on estimate #16, contract #2 project CWSRF3022 in the amount of \$332,51.94 – no second – motion fails.

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

- b. Authorization to approve and sign the legal bills from Blatman, Bobrowski & Mead, LLC. Invoice # 7053 dated 11/19/11.

MOTION: Selectman Winslow moved to approve payment for Invoice #7053 in the amount of \$15,000. Selectman Begley seconded.

VOTE 4-0-0 (unanimous)

Chairman Cruz wasn't in the room at the time of the vote.

Selectman Winslow asked that after the 1st of the year the board invite Town Counsel in for an update on pending legal matters.

- c. Approval of regular meeting minutes: June 28, 2011 (previously held from October 18, 2011), August 23, 2011, September 6, 2011, September 20, 2011, November 8, 2011 and November 15, 2011.

MOTION: Selectman Winslow moved to approve the meeting minutes of June 28, 2011. Selectman Holmes seconded.

VOTE: 4-1-0 (Selectman Begley opposed)

MOTION: Selectman Winslow moved to approve the meeting minutes of August 23, 2011. Selectman Holmes seconded.

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

MOTION: Selectman Winslow moved to approve the meeting minutes of September 6, 2011. Selectman Holmes seconded.

VOTE 5-0-0 (unanimous)

MOTION: Selectman Winslow moved to hold the meeting minutes of September 20, 2011 and corrected before the board votes on them. Selectman Holmes seconded.

VOTE 5-0-0 (unanimous)

MOTION: Selectman Holmes moved to approve the meeting minutes of November 8, 2011. Selectman Winslow seconded.

4-0-1 (Selectman Winslow abstained)

MOTION: Selectman Holmes moved to approve the meeting minutes of November 15, 2011 with the correction that Selectman Winslow was present.

VOTE 5-0-0 (unanimous)

8. LICENSES & PERMITS

- a. Application for Change of Manager from David Pincus to Heidi Hallett by Red Robin International, Inc., 2421 Cranberry Highway, W Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

Present before the board: Heidi Hallett

Ms. Hallett was before the board for a change of manager at the Red Robin.

MOTION: Selectman Winslow moved to approve the Application for Change of Manager from David Pincus to Heidi Hallett by Red Robin International, Inc., 2421 Cranberry Highway, W Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws along with Ms. Hallett providing a copy of her tips training for the file. Selectman Begley seconded.

VOTE 5-0-0 (unanimous)

- b. Application from Max Performance, c/o Tim Richmond, 57 Prospect Avenue, Norwood, MA for the use of the Onset Bandshell and Town Pier, Onset Beach and use of town roads for their 3rd Annual Triathlon, "Escape the Cape/Wicket Onset Triathlon", to be held on June 2, 2012 and June 3, 2012 from 8:00 a.m. to 1:00 p.m. (rain date June 9, 2012)

Present before the board: Tim Richmond

Mr. Richmond went over the event and spoke about adding an additional day and was before the board seeking approval of the event.

MOTION: Selectman Holmes moved to approve the application from Max Performance, c/o Tim Richmond, 57 Prospect Avenue, Norwood, MA for the use of the Onset Bandshell and Town Pier, Onset Beach and use of town roads for their 3rd Annual Triathlon, "Escape the Cape/Wicket Onset Triathlon", to be held on June 2, 2012 and June 3, 2012 from 8:00 a.m. to 1:00 p.m. (rain date June 9, 2012). Selectman Winslow seconded.

VOTE 4-0-0 (unanimous)

Note: Selectman Schneider wasn't in the room at the time of vote.

9. **TOWN ADMINISTRATOR'S REPORT**

LEADERSHIP TEAM UPDATE

Garry Buckminster - \$8,000 for new barrels.

Present before the board: Garry Buckminster

Mr. Buckminster said that he reached out to Mr. Pickles from CMW Regional Disposal and threw some ideas out to him and explained the financial difficulties in funding and Mr. Pickles brought it to his board and they have agreed to make a \$8000 donation to purchase between 16-20 new receptacles with covers.

MOTION: Selectman Winslow moved to accept the donation from Carver, Marion, and Rochester Regional Refuse Disposal district for up to \$8000 to

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

purchase trash containers for the beach areas, which will prevent pesky animals from distributing trash along the shorelines and upon each container to place a plaque of donation from CMW Regional Disposal. Selectman Begley seconded.

VOTE 4-0-0 (unanimous)

Note: Selectman Schneider wasn't in the room at the time of vote.

Wareham Police Department Accreditation - On Wednesday, November 16, 2011, Chairman Cruz, Selectwoman Begley and Mr. Andrews visited with the State Police Accreditation Team that began work on Monday, November 14, 2011. They met with Donna Mooers - Massachusetts Police Accreditation Commissioner, Captain Joseph Roy - Westford Police Department and Lt. Gary Sullivan - Easton Police Department. This was an important visit that will advance our efforts towards State Accreditation.

WORKER'S COMPENSATION SEMINAR

On Wednesday, November 16, 2011, Mr. Andrews sponsored a Worker's Compensation Seminar for our Leadership Team. Mr. Michael Eaton, Senior Claims Adjuster presented key provisions of our insurance programs that help employees and protect the Town. Mr. Eaton reviewed the Supervisor's Report of Accident Intake Form; Medical Authorizations forms and witness statement form. Our Leadership Team asked good questions and we had a robust discussion.

FY 2012 MASSACHUSETTS CDBG PROGRAM GRANT APPLICATION

The CEDA office is currently working on the Town's FY 2012 CDBG application. It is eligible to apply for \$900,000 under the Mini-Entitlement (ME) Plan category. The application, which is submitted electronically, is due on December 16th. MA DHCD, the funding agency, has stated that this grant will be awarded in April 2012. (However, past experience indicates that it may be later than that.) CEDA held a public hearing on the grant on Monday, November 14th. Although the grant is a work-in-progress at this time, likely projects include funding for Phase 2 of the Wareham Village Streetscape Improvements project, continued funding for the housing rehabilitation program operated by CEDA, and funding support for several programs that provide services or direct support to Wareham's needy and elderly families and individuals. If funds allow, the grant will also include monies to continue the part-time position of a Code Enforcement Inspector for the Board of Health. In the past, the CEDA board committed its own Program Income funds for this purpose.

VILLAGE STREETScape IMPROVEMENTS PROJECT (PHASE I)

Construction on the \$770,000 first phase of the long-awaited Streetscape Improvements Project in Wareham Village started on Monday, November 14.

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

The Phase I area runs along Main Street, from the post office to the intersection at Center Street, as well as the two alleyways leading from Main Street to Merchants Way. The general contractor is Manuel R. Pavao Contractor, Inc., of Rehoboth. The work planned for the balance of this year includes installing drainage and related sub-surface items. Following a winter shut-down, construction will re-start as early as possible next Spring and is expected to be completed by early Summer.

Selectman Winslow asked about the Health Insurance Holiday that was voted as part of the budget and was scheduled to take place through the month of December and the first 2 weeks of January. Mr. Andrews stated that was the proposed plans and they are waiting to get the audit from Powers & Sullivan.

Selectman Winslow asked if WCTV could provide a copy of the DVD of the Open Meeting Law to the office so that a copy can be given out if someone wishes to obtain a copy.

10. **TOWN BUSINESS**

a. Designation of Polling places

Present before the board: Mary Ann Silva, Town Clerk

She said that Dr. Rabinovitch has agreed to allow the precincts back to Schools.

MOTION: Selectman Winslow moved to approve the precinct locations as detailed in the letter dated November 17, 2011 top Walter B. Cruz, Sr., Chairman from Mary Ann Silva, Town Clerk. Selectman Schneider seconded.

VOTE 5-0-0 (unanimous)

b. State Aid – Chapter 142, Acts of 2011 – Special Stabilization account.

Mr. Andrews said he discussed with Town Counsel the use of special reserve account for additional state aid received under Chapter 142. This was additional state aid on the town side for unrestricted local aid and he would like to put that in a separate account the amount \$121,001. Selectman Winslow agreed it would be a good idea to hold the funds aside before any decisions are made on how it's spent.

c. Spirit of Christmas Awards

Chairman Cruz said that he teamed up with Selectman Winslow and they will be handing out the Spirit of Christmas Awards at the Tree lighting ceremony.

d. Meeting with Board of Assessors

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

Present before the board: Steve Curry, Chairman of the Board of Assessors
Selectman Begley spoke about her concern with the Board of Assessors having to cancel meetings due to a lack of quorum and didn't want this to cause a problem in setting the tax rate. A member recently resigned from the Board of Assessors. The filling of the vacancy would need to be filled by the Board of Selectmen until the next election. Mr. Curry stated that the reason they didn't have a quorum was due to a member being ill and someone having a work commitment. Selectman Winslow suggested that the board find out if the replacement would only be appointed until the next election in April or would this appointment fill the person who resigned term until 2013? Mr. Curry said that one of the members were ill for the October meetings and is now feeling better therefore, he didn't see any problems with future meetings cancelled due to a lack of quorum. Selectman Holmes asked where there were at with Vision in getting the valuations completed? Mr. Curry said that vision has completed their evaluations and it's sitting with the DOR representative. The disclosure has been placed on the website and notification in the newspapers.

e. Any town business

Selectman Holmes asked Mr. Andrews to follow-up on the emails received from an individual regarding some donations to the town. Selectman Winslow suggested that our Town Counsel speak with his Attorney on this donation.

Selectman Schneider said that it was his understanding that a vote taken by the Board of Selectmen at a prior meeting in regards to the school buses, that they now do not have the college students to perform the study for them. He said that he watched the School Committee meeting and the students are not available to do the transportation study because they didn't meet the time frame. Selectman Schneider spoke about some of the comments made by the School Committee. Selectman Winslow asked if Mr. Andrews could provide the board with a full report at the next meeting so that everyone would be clear on this matter. At this time Alan Slavin, Chairman Capital Planning Committee appeared before the board and stated that there was an informal discussion asking if their committee could put together a study committee with the students. He said that his committee voted to go ahead and proceed and the school committee didn't vote on it and he stated that because there wasn't an agreement by both parties they didn't proceed further with asking the students to do the study. Selectman Begley said that she attended the Capital Planning meeting and was dismayed that Mr. Slavin didn't move forward in getting the interns. Mr. Slavin said he wasn't going to move forward because everyone wasn't in agreement. Chairman Cruz stated that in order to move forward both the Board of Selectmen and the School Committee would be in agreement, he thought everyone was in agreement however; something must have been lost along the way. Some discussion ensued.

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-6-11 (CONT'D)

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

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

MOTION: Selectman Begley moved to place on the next agenda discussion of school transportation and have the meeting begin at 6:00 p.m. Selectman Holmes seconded.

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

11. SEWER BUSINESS

- a. Discussion re: Contract 3 – no discussion
- b. Any sewer business - no discussion

12. LIAISON REPORTS

none

13. ADJOURNMENT

MOTION: Chairman Cruz moved to adjourn. Selectman Winslow 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: 12-20-11

Attest:


Stephen M. Holmes, Clerk

Date Signed:

12-20-11

Date sent to the Town Clerk:

12-21-11



TOWN of WAREHAM
Board of Selectmen/Sewer Commissioners
MEETING AGENDA

7:00 PM – Wareham Multi-Service Center, Room 320, 48 Marion Road, Wareham Massachusetts

1. **CALL TO ORDER BY CHAIRMAN**
2. **ROLL CALL**
3. **ANNOUNCEMENTS**
4. **CAMP, DRESSER & McKEE UPDATE – MICHAEL GUIDICE**
5. **CITIZENS PARTICIPATION**
6. **DISCUSSION RE. WESTFIELD**
7. **CONSENT AGENDA**

a. Authorization to sign bills and documents, etc.

(i) CDM Invoice #80377221/27 for Professional Engineering Services for \$5,100.00 Design services for the 7 New Sewer Areas. Final payment

Contract I Linwood/Ladd, Tempest Knob & Parkwood beach sewers

(ii) Professional Engineering Services Invoice#13 from January to March, 2011 for \$4,637.51

(iii) CDM Residential Engineering Construction Services Invoice No. 13 for \$23,710.79. January 23, 2011 to March 19, 2011

(iv) CDM Professional Engineering Services Invoice No. 14 for \$6,231.66.

Contract II Oakdale and Cromesett Point sewers

(v) Professional Engineering Services Invoice#9 from January 23, 2011 to March 19, 2011 for \$44,294.40

(vi) Professional Engineering Services Invoice#10 from March 20, 2011 to May 21, 2011 for \$25,729.11

(vii) CDM Residential Engineering Construction Services Invoice No. 9 for \$18,657.22. January 23, 2011 to March 19, 2011

(viii) CDM Residential Engineering Construction Services Invoice No. 10 for \$45,138.63. from March 20, 2011 to May 21, 2011

b. Appointments to CEDA, Board of Health, Conservation Commission and Election Poll Workers

8. LICENSES & PERMITS

- a. **Hearing 7:15 P.M.** – Application for transfer of a Year Round Common Victualer All Alcoholic Beverages License from Bay Pointe Country Club, Inc., 19 Bay Pointe Drive, Onset, MA to Digital Federal Credit Union dba Bay Pointe Country Club, William Fuller, Manager, 19 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws for the year 2011.
- b. Application for a Common Victualler's License from Digital Federal Credit Union dba Bay Pointe Country Club, 19 Bay Pointe Drive, Onset under the provisions of Chapter 140 of the Massachusetts General Laws.
- c. Application for a one-day all alcoholic beverages license permit by Sarah LaFrinere, 16 Arnold Place, New Bedford, MA for a wedding to be held at the Old Red Farm Inn, 22 Stockton Short Cut, Wareham from 4:30 p.m. to 12:00 midnight under the provisions of Chapter 138 of the Massachusetts General Laws.
- d. Application for a one-day all alcoholic beverages license permit by the Jay Corcoran Memorial Scholarship Foundation, 1 Fieldstone Way, Norwell, MA for a charity fundraiser (golf tournament) on September 23, 2011 to be held at the Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 11:00 a.m. to 9:30 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws.
- e. Application for two one-day wines and malt beverages license permit by the Bartending Service of New England, LLC, 13 West End Avenue, Middleboro, MA 02346 for:
 - (1) A Golf Tournament fundraiser to be held on August 13, 2011 at the Pavillion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 10:00 a.m. to 5:00 p.m.
 - (2) a Golf Tournament fundraiser to be held on August 21, 2011 at the Pavillion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 12:00 noon to 9:00 p.m.
- f. Application for a one-day all alcoholic beverages license permit by Brenda Fahnley, 184 Deer Pond Road, E. Falmouth, MA for a wedding to be held at the Pavillion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset on September 25, 2011 from 1:00 p.m. to 8:00 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws.
- g. Application for a one-day all alcoholic beverages license permit by the Williams Gifford Committee, c/o Susan W. Gifford, 11 Lincoln Highway, Wareham, MA for a Clam Bake – Politaical Fund Raiser to be held at Zecco Marine, 2 Warr Avenue,

11. TOWN BUSINESS

- a. Establish Town Meeting dates.
- b. Notice of Intent to call Town Meeting.
- c. Any other town business.

12. SEWER BUSINESS

- a. Vote on FY'12 1st half Sewer Usage Billing.
- b. Vote set EDU rate.
- c. Any other sewer business.

13. LIAISON REPORTS

14. ADJOURNMENT

15. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: August 9, 2011
Date of Transcription: November 7, 2011
Transcribed by: Rebecca Benitez-Figueroa

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Walter B. Cruz, Sr., Chairman
Stephen M. Holmes, Clerk
Cara A. Winslow
Ellen M. Begley
J. Michael Schneider (absent)

Also present: Mark J. Andrews, Town Administrator

3. ANNOUNCEMENTS

1. Moment of Silence for Richard Sleightholm, Sr. was observed who passed away on July 31, 2011.
2. Fundraiser for Hailey Pease's family at Piper Beau on August 26, 2011. Tickets are \$10.00 per person. Hailey passed away recently.
3. Church of Good Shepherd will be holding a benefit for Hailey Pease on August 14, 2011 beginning at 4:00 p.m. Tickets are \$15.00 per adult and \$8.00 per child. There will be a musical performance.
4. On August 27, 2011 from 10:00 to 6:00 p.m., there will be a benefit for Lily Marston, a young child with a serious illness. The event will be held at the Onset Bandshell.
5. A fundraiser "Colors for a Cause" will be held on August 15, 2011 from 4:00 p.m. to 7:00 p.m. at Kaleidoscope, 378 Marion Rd., Wareham. Tickets are \$10.00 per person. The funds raised will benefit the family's of children who are battling cancer.
6. The Cape Verdean Festival will be held in Onset on August 13, 2011.
7. Summer Love concerts on Wednesday at the Onset Bandshell. In case of rain, the event will be held at the Dudley L. Brown VFW post.
8. Free movie night on Thursday at Onset Bandshell.
9. 2nd Annual Canal Cruise for the Mary Jane Pillsbury Scholarship will be on September 10, 2011 beginning at 6:30 p.m. Tickets are \$30.00 per person and are available at Community Mini Storage on Route 28, West Wareham.

4. CAMP, DRESSER & MCKEE UPDATE – MICHAEL GUIDICE

Present before the Board: Michael Guidice of CDM

Mr. Guidice advised the Board of the items completed under Contract #2. The remaining items include installation of generators and pumps at pumping stations. Also NSTAR

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

needs to install poles at the Mattapoissett and Apple Street pumping station in order to bring electrical components to the pumping station. Brief discussion ensued.

5. CITIZENS PARTICIPATION

Mr. Christian Fernandes informed the Board that the season has ended for the Onset Bay Movie program this summer. Due to the cost, only 6 movies were shown this summer. Funding is through donations. Also more volunteers are needed for the next season. Two to three hundred people show up for each movie.

Mr. Gary Cananzy suggested that the Town should consider taking the golf course at Bay Pointe by eminent domain. He also suggested that articles be placed on Town Meeting warrant regarding a public/private partnership in reference to the golf course at Bay Pointe. Brief discussion ensued.

6. DISCUSSION RE. WESTFIELD

Mr. Andrews edified the Board that the RFP has been filed with the Central Register of the Secretary of State's office. Packets are being sent to developers. Site tour and pre-bid conference is scheduled for August 10, 2011. Proposals must be submitted by September 9, 2011.

8. CONSENT AGENDA

a. Authorization to sign bills and documents, etc.

- (i) CDM Invoice #80377221/27 for Professional Engineering Services for \$5,100.00 Design services for the 7 New Sewer Areas. Final payment.

MOTION: Selectman Holmes moved authorization to pay CDM Invoice #80377221/27 for Professional Engineering Services for \$5,100.00 Design services for the 7 New Sewer Areas. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

Contract I Linwood/Ladd, Tempest Knob & Parkwood beach sewers

- (ii) Professional Engineering Services Invoice#13 from January to March, 2011 for \$4,637.51

MOTION: Selectman Holmes moved authorization to pay CDM Construction Services Invoice #13, Contract No. 1 for Professional Engineering Services from January 23, 2011 through March 19, 2011 in the amount of \$4,637.51. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- (iii) CDM Residential Engineering Construction Services Invoice No. 13 for \$23,710.79. January 23, 2011 to March 19, 2011.

MOTION: Selectman Holmes moved authorization to pay CDM Construction Services Invoice #13, Contract No. 1 for Professional Engineering Services from January 23, 2011 through March 19, 2011 in the amount of \$23,710.79. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

- (iv) CDM Professional Engineering Services Invoice No. 14 for \$6,231.66.

Note: Selectman Winslow stepped out of meeting room.

MOTION: Selectman Holmes moved authorization to pay CDM Construction Services Invoice #14, Contract No. 1 for Professional Engineering Services from March 20, 2011 through May 21, 2011 in the amount of \$6,231.66.
Selectman Begley seconded.

VOTE: 3-0-0 (Unanimous)

Contract II Oakdale and Cromesett Point sewers

- (v) Professional Engineering Services Invoice#9 from January 23,2011 to March 19, 2011for \$44,294.40

MOTION: Selectman Holmes moved authorization to pay CDM Construction Services Invoice #9, Contract No. 2 for Professional Engineering Services from January 23, 2011 through March 19, 2011 in the amount of \$44,294.40.
Selectman Begley seconded.

VOTE: 3-0-0 (Unanimous)

- (vi) Professional Engineering Services Invoice#10 from March 20, 2011 to May 21, 2011for \$25,729.11

MOTION: Selectman Holmes moved authorization to pay CDM Construction Services Invoice #10, Contract No. 2 for Professional Engineering Services from March 20, 2011 through May 21, 2011 in the amount of \$25,729.11.
Selectman Begley seconded.

VOTE: 3-0-0 (Unanimous)

- (vii) CDM Residential Engineering Construction Services Invoice No. 9 for \$18,657.22. January23, 2011 to March 19, 2011

MOTION: Selectman Holmes moved authorization to pay CDM Construction Services Invoice #9, Contract No. 2 for Professional Engineering Services from January 23, 20 2011 through March 19, 2011 in the amount of \$18,657.22.
Selectman Begley seconded.

VOTE: 3-0-0 (Unanimous)

Note: Selectman Winslow returned to meeting room.

- (viii) CDM Residential Engineering Construction Services Invoice No. 10 for \$45,138.63. from March 20, 2011 to May 21, 2011

MOTION: Selectman Holmes moved authorization to pay CDM Construction Services Invoice #10, Contract No. 2 for Professional Engineering Services from March 20, 2011 through May 21, 2011 in the amount of \$45,138.63
Selectman Winslow seconded.

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

VOTE: 4-0-0 (Unanimous)

- b. Appointments to CEDA, Board of Health, Conservation Commission and Election Poll Workers.

MOTION: Selectman Holmes moved to appoint Jennifer A. Peterson a member to the **Community & Economic Development Authority (CEDA)** to a term to expire no later than June 30, 2014. Selectman Winslow seconded.

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

MOTION: Selectman Begley moved to appoint Glenn Monteiro as an Associate Member to the **Board of Health** to a term to expire no later than June 30, 2012. Chairman Cruz seconded out of necessity.

VOTE: 2-2-0 (Selectmen Holmes and Winslow opposed)

MOTION: Selectman Begley moved to appoint Joseph Mulkern as an Associate Member to the **Board of Health** to a term to expire no later than June 30, 2012. Chairman Cruz seconded out of necessity.

VOTE: 2-2-0 (Selectmen Holmes and Winslow opposed)

MOTION: Selectman Winslow moved to appoint Robert Brady as an Associate Member to the **Board of Health** to a term to expire no later than June 30, 2012. Selectman Holmes seconded.

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

MOTION: Selectman Holmes moved to appoint Nancy Bonell as an Associate Member to the **Board of Health** to a term to expire no later than June 30, 2012. Selectman Winslow seconded.

VOTE: 2-2-0 (Selectman Begley and Cruz opposed)

MOTION: Selectman Holmes moved to appoint Frank DeFelice as an Associate Member to the **Board of Health** to a term to expire no later than June 30, 2012. Selectman Winslow seconded.

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

Present before the Board: Joseph Mulkern

Mr. Mulkern expressed his desire and knowledge to serve on the Conservation Commission.

MOTION: Selectman Holmes moved to appoint Joseph Mulkern as an Associate Member to the **Conservation Commission** to a term to expire no later than June 30, 2012. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Holmes moved to appoint Jack M. Silva and Joyce Veiga as poll workers to a term to expire no later than June 30, 2012. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

Note: Chairman Cruz stepped out of meeting room.

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

MOTION: Selectman Winslow moved to appoint the following Precinct One officers to a term to expire on June 30, 2012: Hazel Tabor and Robert Short. Selectman Begley seconded.

VOTE: 3-0-0 (Unanimous)

MOTION: Selectman Winslow moved to appoint the following Precinct One poll workers to a term to expire on June 30, 2012: Shelley Andrews, Richard Boucher, Kathleen Clements, Marie Cooney, Sharren Frazier, Barbara Giberti and Shirley Kucharski. Selectman Begley seconded.

VOTE: 3-0-0 (Unanimous)

MOTION: Selectman Winslow moved to appoint the following Precinct Two officers to a term to expire on June 30, 2012: Joann Senna, Ramona Barros and Marlene DeCoster. Selectman Begley seconded.

VOTE: 3-0-0 (Unanimous)

Note: Chairman Cruz returned to meeting room.

MOTION: Selectman Holmes moved to appoint the following Precinct Two poll workers to a term to expire on June 30, 2012: Rosemary Carter, Lucille Dardis, Pamela Faria, Lois Letourneau, Carol MacGray, Mary Paulette, Linda Perkosi and Amy Tripp. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Holmes moved to appoint the following Precinct Three officers to a term to expire on June 30, 2012: Maryluize Gonzalez and Carol Mazzarelli. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Holmes moved to appoint the following Precinct Three poll workers to a term to expire on June 30, 2012: Geraldine Barrows, Joy Gomes, Margaret Gomes, Meagan Lyn Lavoie, Eva-Sue Murphy-Hall, Christine Roderick, Gertrude Sullivan, Stella Sylvester and Janice Tavares. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Holmes moved to appoint the following Precinct Four and Precinct Five officers to a term to expire on June 30, 2012: Lorraine Gregoire, Kim McNair, Katherine Britt and Leonora Fernandes. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman homes moved to appoint the following Precinct Four and Precinct Five poll workers to a term to expire on June 30, 2012: Madeleine Biron, George Choquette, Wilma Engerman, Hannah Gregoire, Patricia Harju-Zimmer, Barbara Hunter, Diane Lazarus, Deborah Pfinister, Carol Lynne Rhodes, Julia Sgaragli, Patricia Trudell and Norma White. Selectman Winslow seconded.

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Holmes moved to appoint the following Precinct Six officers to a term to expire on June 30, 2012: Robert Joy, Elizabeth Diliddo, Deborah Rose and Nancy Schultz. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Holmes moved to appoint the following Precinct Six poll workers to a term to expire on June 30, 2012: Kathryn Conroy, James Magnan, Martha Montrond, Frances Murphy, James Newman, Patricia Sousa, Herbert Williams, Sandra Williams and Marjorie Fitzgerald. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

9. LICENSES & PERMITS

- a. **Hearing 7:15 P.M.** – Application for transfer of a Year Round Common Victualer All Alcoholic Beverages License from Bay Pointe Country Club, Inc., 19 Bay Pointe Drive, Onset, MA to Digital Federal Credit Union dba Bay Pointe Country Club, William Fuller, Manager, 19 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws for the year 2011.

MOTION: Selectman Holmes moved to open the public hearing on the application for transfer of a Year Round Common Victualer All Alcoholic Beverages License from Bay Pointe Country Club, Inc., 19 Bay Pointe Drive, Onset, MA to Digital Federal Credit Union dba Bay Pointe Country Club, William Fuller, Manager, 19 Bay Pointe Drive, Onset, MA under the provisions of Chapter 138 of the Massachusetts General Laws for the year 2011. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

Present before the Board: John Haronian, of DCU

John Aieta, Attorney for DCU

William Fuller of Bartending Service of New England,

Mr. Haronian advised the Board that DCU foreclosed on Bay Pointe and were seeking the transfer of the licenses. A brief history of the proposed manager's experience.

MOTION Selectman Holmes moved to close the public hearing. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Holmes moved to approve the application for transfer of a Year Round Common Victualer All Alcoholic Beverages License from Bay Pointe Country Club, Inc., 19 Bay Pointe Drive, Onset, MA to Digital Federal Credit Union dba Bay Pointe Country Club, William Fuller, Manager, 19 Bay Pointe Drive, Onset, MA under the provisions of Chapter

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

138 of the Massachusetts General Laws for the year 2011. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- b. Application for a Common Victualler's License from Digital Federal Credit Union dba Bay Pointe Country Club, 19 Bay Pointe Drive, Onset under the provisions of Chapter 140 of the Massachusetts General Laws.

MOTION: Selectman Holmes moved to approve the application for a Common Victualler's License from Digital Federal Credit Union dba Bay Pointe Country Club, 19 Bay Pointe Drive, Onset under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

- c. Application for a one-day all alcoholic beverages license permit by Sarah LaFrinere, 16 Arnold Place, New Bedford, MA for a wedding to be held at the Old Red Farm Inn, 22 Stockton Short Cut, Wareham from 4:30 p.m. to 12:00 midnight under the provisions of Chapter 138 of the Massachusetts General Laws.

MOTION: Selectman Holmes moved to approve the application for a one-day all alcoholic beverages license permit by Sarah LaFrinere, 16 Arnold Place, New Bedford, MA for a wedding to be held at the Old Red Farm Inn, 22 Stockton Short Cut, Wareham from 4:30 p.m. to 12:00 midnight under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- d. Application for a one-day all alcoholic beverages license permit by the Jay Corcoran Memorial Scholarship Foundation, 1 Fieldstone Way, Norwell, MA for a charity fundraiser (golf tournament) on September 23, 2011 to be held at the Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 11:00 a.m. to 9:30 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws.

MOTION: Selectman Holmes moved to approve the application for a one-day all alcoholic beverages license permit by the Jay Corcoran Memorial Scholarship Foundation, 1 Fieldstone Way, Norwell, MA for a charity fundraiser (golf tournament) on September 23, 2011 to be held at the Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 11:00 a.m. to 9:30 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- e. Application for two one-day wines and malt beverages license permit by the Bartending Service of New England, LLC, 13 West End Avenue, Middleboro, MA 02346 for:

(2) A Golf Tournament fundraiser to be held on August 13, 2011 at the Pavilion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 10:00 a.m. to 5:00 p.m.

A Golf Tournament fundraiser to be held on August 21, 2011 at the Pavilion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 12:00 noon to 9:00 p.m.

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

MOTION: Selectman Holmes moved to approve the application for two one-day wines and malt beverages license permit by the Bartending Service of New England, LLC, 13 West End Avenue, Middleboro, MA 02346 for:

1. A Golf Tournament fundraiser to be held on August 13, 2011 at the Pavilion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 10:00 a.m. to 5:00 p.m.
2. A Golf Tournament fundraiser to be held on August 21, 2011 at the Pavilion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset from 12:00 noon to 9:00 p.m. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- f. Application for a one-day all alcoholic beverages license permit by Brenda Fahney, 184 Deer Pond Road, E. Falmouth, MA for a wedding to be held at the Pavilion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset on September 25, 2011 from 1:00 p.m. to 8:00 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws.

MOTION: Selectman Holmes moved to approve the application for a one-day all alcoholic beverages license permit by Brenda Fahney, 184 Deer Pond Road, E. Falmouth, MA for a wedding to be held at the Pavilion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset on September 25, 2011 from 1:00 p.m. to 8:00 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- g. Application for a one-day all alcoholic beverages license permit by the Williams Gifford Committee, c/o Susan W. Gifford, 11 Lincoln Highway, Wareham, MA for a Clam Bake – Political Fund Raiser to be held at Zecco Marine, 2 Warr Avenue, Wareham on Thursday, August 18, 2011 from 6:00 p.m. to 10:00 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws.

MOTION: Selectman Holmes moved to approve the application for a one-day all alcoholic beverages license permit by the Williams Gifford Committee, c/o Susan W. Gifford, 11 Lincoln Highway, Wareham, MA for a Clam Bake – Political Fund Raiser to be held at Zecco Marine, 2 Warr Avenue, Wareham on Thursday, August 18, 2011 from 6:00 p.m. to 10:00 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

10. **TOWN ADMINISTRATOR'S REPORT**
A. **LEADERSHIP TEAM – PERSONNEL UPDATE**

Local Building Inspector – On Monday, August 1, 2011, the interview team comprised of Selectman Stephen Holmes, Elsa Miller, Director of Assessment and Myles Burke, Director of Inspectional Services began interviewing candidates for the position of Local Building Inspector. The interview committee interviewed seven (7) candidates and will continue through the week. Mr. Andrews to keep the Board posted.

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

1. Town Accountant – On Monday, August 1, 2011, Mr. Andrews posted the position of Town Accountant. This new job description was developed to clearly describe the salient points of the duties and responsibilities of the new Town Accountant. Mr. Andrews will work closely with Chairman Cruz to advance this important personnel matter and keep you informed. Mr. Andrews requested Ellen Begley to serve on the Interview Committee along with Selectman Cara Winslow, member of the Finance Committee and John Foster, Treasurer/Collector.
2. Assistant Director of Assessment – On Wednesday, August 3, 2011, Mr. Andrews posted the position of Assistant Director of Assessment, as per my directive to the Director. Mr. Andrews wanted to give, Elsa Miller, Director of Assessment an opportunity to review the office staff and assist in the development of the job posting. This is important as we continue with the Tri-Annual Revaluation process. Mr. Andrews will keep the Selectmen posted.

B. SHERIFF'S DEPARTMENT CODE RED SYSTEM

Sheriff Joseph D. McDonald, Jr. has announced a new service called Code RED by Emergency Communications Network, Inc. This new program is designed to garner all published and unpublished telephone numbers for our Plymouth Bristol Emergency Alert System. It will allow for reverse 911 to help keep residents safe and updated during emergency situations. This \$100,000 system was funded in the FY2012 state budget (see attached).

C. MUNICIPAL HEALTH REFORM

On August 3, 2011, the State Office of Administration and Finance (A & F) requested comment and review of the draft proposed regulations for guidance to communities opting for changes in health insurance plans. This is the new municipal health care reform legislation under Chapter 69 of the Acts of 2011. Mr. Andrews has been working with Ginger Hastings of GBS Strategies, our Health Care Advisers, and staff to evaluate this new program. Mr. Andrews will keep the board informed (see attached).

D. NATIONAL NIGHT OUT – 2ND ANNUAL FAMILY EVENT

On Tuesday, August 2, 2011, we participated in the 2nd Annual National Night Out, where over 800 people participated in a wide range of Public Safety Programs. There were brief interruptions by rain showers. Also, a parade including Senator marc Pacheco, District Attorney Tim Cruz, Walter B. Cruz, Chairman of the Board, Selectmen Winslow, Begley Schneider and Holmes, Chief Stanley, Tiny Lopes and myself processed from Onset Pier to Lopes Field. Families enjoyed a barbeque, plenty of attractions for our youth and refreshments. It was a great event in the fine tradition of Wareham. Mr. Andrews wanted to thank all of the organizations for their hard work and dedication, especially Joseph Oliveria and Chris D'Ama, and

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

the wonderful support of Angela Kane and Lisa D'Assi of the Target Corporation.

E. SERVING TWEENS AND TEENS GRANT

Please be advised that the Massachusetts Board of Library Commissioners have approved a provisional grant for \$15,000 for Library Services and Technology Act (LSTA). This is a conditional grant from the Federal Government to the Commonwealth of Massachusetts. A new Teen area of the Library will be created, along with new programs and books. Mr. Andrews will keep the board posted on this conditional grant award.

F. CLASSIC CAR SHOW

Roger Chouinard from Sinners and Saints and Nicole Miceli from Salerno's helped to organize the Classic Car Show. The car show was an exciting and upbeat event. Over 200 automobiles of all kinds and vintage were showcased at this festive event.

Land Donation Review Task Force

The LDRTF was involved with reviewing a proposed land donation from the Weston Trust. Owner Frederick S Weston c/o Rockland Trust Co. submitted a request to donate a piece of salt marsh off Swifts Beach Road known as lot 1060, map 48. The lot is vacant and is .76 acres in size. We responded to Rockland and stated that the Town would be interested in accepting the donation provided that the owner accept terms to pay for certain expenses. Rockland responded via phone and stated that they evaluated the costs and would not likely proceed as the costs were more than they wanted to expend. They said they would contact me if things changed.

11. TOWN BUSINESS

- a. Establish Town Meeting dates.

Selectman Holmes read the Process for Calling a Town Meeting into the record (see Attachment "A")

- b. Notice of Intent to call Town Meeting.

MOTION: Selectman Holmes moved to approve the Notice of 2011 Fall Town Meeting (see Attachment "B"). Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

- c. Discussion re. 2 Beach Street Ext.

Present before the Board: Greg Medeiros, Attorney for Michael LaCava
Michael LaCava, property owner

Attorney Medeiros explained that the Board of Selectmen never voted to accept a deed restriction on the property. Since the Selectmen did not vote to accept the deed restriction,

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

it is not necessary to obtain a release via Town Meeting vote. He is requesting an acknowledgement from the Board of Selectmen that the Board did not vote on a deed restriction for 2 Beach Street Extension. Discussion pursued.

MOTION: Selectman Winslow moved that a meeting take place between attorney Medeiros, Town Counsel, the appropriate attorney from Town Counsel's law firm and the chairman of the Board of Selectmen no later than August 12, 2011.

VOTE: 2-2-0 (Selectmen Cruz and Begley opposed)

Consensus is that the Chairman would be in touch with Town Counsel the next day for his recommendation.

d. Any other town business.

Selectman Holmes expressed his disappointment with the current Town Counsel.

MOTION: Selectman Holmes moved that Chairman Cruz contact Town Counsel and have them come before the Selectmen to discuss their participation in the Town's legal issues. Selectman Winslow seconded.

No vote taken

Consensus is that the Chairman would contact Town Counsel and have them come before the Board of Selectmen on August 23, 2011.

12. SEWER BUSINESS

a. Vote on FY'12 1st half Sewer Usage Billing.

MOTION: Selectman Holmes moved to send a letter of commitment for the 1st half billing for FY2012 Sewer User Fees the amount of \$2,513,668.74. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

b. Vote set EDU rate.

Present before the board: Guy Campinha, Director of WPCF

Mr. Campinha gave a brief outline of his request for no increase in EDU rate for the coming year. Selectman Winslow raised the question if sewer usage rate could be determined based on the amount of water usage. Mr. Campinha suggested the probability of forming a committee to address other options for determining the sewerage usage rate.

MOTION: Selectman Holmes moved to set the EDU rate at \$596.00 the same as last year per dwelling unit and to include pamphlets be include with the billing. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

c. Any other sewer business.

Selectman Winslow suggested that the Board schedule workshops for presentations and discussion with Mr. Campinha.

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-9-11 (CONT'D)

13. LIAISON REPORTS

Selectman Winslow - Capital Planning Committee will be meet on Thursday morning at 11 a.m. Board of Library Trustees will meet on Thursday at 5:30 p.m. There are openings for new members. Recycling Committee is also looking for new members.

Selectman Begley - Board of Health is continuing working on the nitrogen regulations and will be posting public hearings soon. Minot Forest Committee meeting has been changed to 8/16/11 at 7:00 p.m. at Town Hall. A request for a meeting with Capital Planning and Selectmen sometime in September.

Selectman Holmes - Council on Aging Board of Director has received a resignation and an appointment needs to be made for an associate member. Selectman Holmes requested that the COA Board of Directors Chairman sent a letter to the Selectmen requesting the appointment. Selectman Holmes requested that the matter of the COA director be placed on the August 23, 2011 Selectmen's Agenda for discussion. Also requesting placement on the August 23, 2011 Agenda for discussion the CEDA director's position.

12. ADJOURNMENT

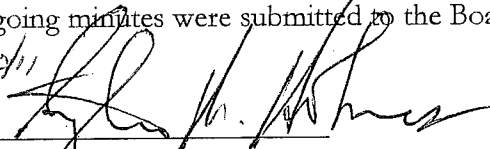
MOTION: Selectman Winslow moved to adjourn the meeting. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted
Rebecca Benitez-Figueroa
Transcriptionist

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: 12/20/11

Attest: 
Stephen M. Holmes, Clerk

Date Signed: 12/20/11
Date sent to the Town Clerk: 12/21/11



TOWN OF WAREHAM
54 Marion Road
Wareham, Massachusetts 02571

meeting minutes 8-9-11

Attachment "A"

PROCESS FOR CALLING A TOWN MEETING

October 24, 2011 General Business

TUESDAY, August 9, 2011

Board of Selectmen should establish all dates for completion of a Warrant for the Fall Town Meeting.

FRIDAY, August 19, 2011

Last day to post in at least one public place in each precinct, Notice of Intention of Board of Selectmen to call the Fall Town Meeting for October 24, 2011. (By-Law Div. I, Art. I, Sec. 3.) - **10 days notice before Warrant closes.**

FRIDAY, September 2, 2011

Last day to submit petitions (articles) to be inserted in the Warrant. (WHRC Section 2-4 (c) - **45 days or more before Town Meeting convenes.**

TUESDAY, September 13, 2011

Board of Selectmen should officially close the Warrant.

FRIDAY, September 16, 2011

Last day to post in each precinct and deliver a copy of Warrant to the Town Moderator and to the Chairman of each Committee established by Section 2-5 of WHRC. (WHRC Section 2-4 (d) - **Within 3 days of closing of Warrant**

MONDAY, September 19, 2011

Last day to submit to the Finance Committee articles included in Warrant. (By-Law Div. I, Art. I, Sec. 1.) - **No later than 35 days before Town Meeting convenes.**

THURSDAY, September 22, 2011

Last day to publish entire Warrant in a local newspaper. (WHRC Section 2-4 (d) - **Not less than 14 days before Town Meeting.**

MONDAY, October 24, 2011

Commencement of Annual Town Meeting. (By-Law Div. I, Art. I, Sec. 1.) - **Fall Town Meeting shall be held on the fourth Monday of October.**

meeting minutes 8-9-11
Attachment "B"



TOWN OF WAREHAM
54 Marion Road
Wareham, Massachusetts 02571

NOTICE OF 2011 FALL TOWN MEETING

Commonwealth of Massachusetts
Plymouth, s.s.

To either of the Constables of the Town of Wareham

Greetings:

In the name of the Commonwealth of Massachusetts and in accordance with the provisions of Division I, Article I, Section 3, of the By-Laws of the Town of Wareham, amended, you are hereby directed to notify and warn the legal voters of the Town of Wareham that the Fall Town Meeting has been called by the Board of Selectmen to be held at **7:00 P.M. on Monday, October 24, 2011** at which time the business of the Town Meeting shall be transacted. The last day for submission of articles to be inserted in the Warrant is **Friday, September 2, 2011**.

The Warrant for this meeting will close on **Tuesday, September 13, 2011**.

And you are hereby directed to serve this notice by posting attested copies thereof in at least one public place in each precinct within the Town on or before **Friday, September 16, 2011**.

Hereof fail not and make due return of this posting with your doings thereon to the Town Clerk.

Given under our hands at Wareham this 2nd day of August in the year 2011.

A True Copy
Attest

WAREHAM BOARD OF SELECTMEN

Walter B. Cruz, Sr., Chairman

Stephen M. Holmes, Clerk

Constable of Wareham
Steven P. Coughlin

Cara A. Winslow

Ellen M. Begley

J. Michael Schneider



TOWN of WAREHAM

Board of Selectmen/Sewer Commissioners

Meeting Agenda

7:00 PM – Wareham Multi-Service Center, Room 320, 48 Marion Road, Wareham Massachusetts

1. **CALL TO ORDER BY CHAIRMAN**
2. **ROLL CALL**
3. **ANNOUNCEMENTS**
4. **CITIZENS PARTICIPATION**
5. **DISCUSSION RE. WESTFIELD**
6. **CONSENT AGENDA**
 - a. Authorization to sign bills and documents, etc.
 - b. Interviews/appointments to: Clean Water Committee, Council on Aging Board of Directors, Board of Health, Zoning Board of Appeals and Library Board of Trustees.
7. **LICENSES & PERMITS**
 - a. Application for Change of Location of Cape Cod Choppers & Custom Bikes, Inc. from 13 Garage Street to 2554 Cranberry Highway, Wareham under the provisions of Chapter 140 of the Massachusetts General Laws.
 - b. Application for Common Victualler's License from Ariadne Loss d/b/a The Fresh Food Café, 1 West Central Avenue, Onset, MA, under the provisions of Chapter 140 of the Massachusetts General Laws for the year 2011.
 - c. Application for a one-day all alcoholic beverages license permit by Box 5 Association, c/o Johnathan Gordon, PO Box 5, Onset for an association fund raiser to be held at the Pavillion at the Bay Pointe Country Club, 10 Bay Pointe Drive, Onset on October 1, 2011 from 5:00 p.m. to 10:00 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws.
8. **TOWN ADMINISTRATOR'S REPORT**
 - a. Leadership Team.
 - b. Remembrance 2011 – We Will Never Forget.
 - c. Open Meeting Law and Ethics Seminar.
 - d. Massachusetts Interlocal Insurance Association Rewards Program – Risk Analysis Tool Kit.
 - e. Town Crosswalks.

Status Report of ongoing issues/projects.

9. TOWN BUSINESS

- a. Discussion with Alan Slavin re. Intern Program.
- b. Policy – audio recording for boards, committee and commissions.
- c. Vote on Town Meeting Warrant articles.
- d. Any town business.

10. SEWER BUSINESS

- a. Any sewer business.

11. LIAISON REPORTS

12. ADJOURNMENT

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: September 20, 2011
Date of Transcription: November 14, 2011
Transcribed by: Rebecca Benitez-Figueroa

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

MOTION: Selectman Schneider moved to appoint Selectman Cara Winslow as Clerk, pro temp. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

Selectmen Present: Walter B. Cruz, Sr., Chairman
Stephen M. Holmes, Clerk (absent)
Cara A. Winslow, Clerk pro-tem
Ellen M. Begley
J. Michael Schneider

Also present: Mark J. Andrews, Town Administrator

3. ANNOUNCEMENTS

Last date to register to participate in Fall Town Meeting will be October 4, 2011. Town Clerk's office will be open until 8:00 p.m.

Municipal Open Space Seminar for Wareham will be held on September 29, 2011 from 6:30 p.m. to 7:30 p.m. at the Town Hall cafeteria. The seminar is being sponsored by the Wareham Land Trust.

Friends of Wareham Free Library will be a 'Friends of Wareham Free Library Day' on October 5, 2011 at Chili's restaurant from 11:00 a.m. to 11:00 p.m. Presentation of a Wareham Free Library Day flyer will result in 10% of all proceeds on that day being donated to the Friends of Wareham Free Library. Flyers are available at the Wareham Free Library and Spinney Memorial Free Library and will soon be available on the Library's website.

4. CITIZENS PARTICIPATION

(None)

5. DISCUSSION RE. WESTFIELD

Mr. Andrews updated the Board with a written memorandum to the members. There are a number of items being worked on and he is working with the CEDA director. The deadline for submission of bids is November 10, 2011 at 3:00 p.m.

6. CONSENT AGENDA

SELECTMEN/SEWER COMMISSIONERS MEETING - 9-20-11 (CONT'D)

- a. Authorization to sign bills and documents, etc.
(None)
- b. Interviews/appointments to: Clean Water Committee, Council on Aging Board of Directors, Board of Health, Zoning Board of Appeals and Library Board of Trustees.

Clean Water Committee

Letters of recommendation for applicants from Clean Water Committee chairman read and noted.

Present before the Board: Janet Jones and George Hempel

Both Ms. Jones and Mr. Hempel expressed their desire to serve on the committee.

MOTION: Selectman Winslow moved to appoint Janet Jones a member to the Clean Water Committee to a term to expire no later than June 30, 2013. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Winslow moved to appoint George Hempel a member to the Clean Water Committee to a term to expire no later than June 30, 2014. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

Council on Aging

MOTION: Selectman Winslow moved to appoint Kathleen Moore Minkle an Associate member to the Council on Aging Board of Directors to a term to expire no later than June 30, 2012.

VOTE: 4-0-0 (Unanimous)

Library Board of Trustees

Present before the Board: Liz McDonald and Megan Singleton

Both Ms. McDonald and Ms. Singleton stated their reason and desire to serve on the Committee.

MOTION: Selectman Winslow moved to appoint Liz McDonald a member to the Library Board of Trustees to a term to expire no later than June 30, 2013. Selectman Begley seconded.

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

MOTION: Selectman Winslow moved to appoint Megan Singleton a member to the Library Board of Trustees to a term to expire no later than June 30, 2013. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

Board of Health

MOTION: Selectman Winslow moved to appoint Robert Brady as a full member to the Board of Health to a term to expire no later than June 30, 2013. No second

SELECTMEN/SEWER COMMISSIONERS MEETING - 9-20-11 (CONT'D)

MOTION: Selectman Winslow moved to appoint Frank DeFelice as a full member to the Board of Health to a term to expire no later than June 30, 2013.
Chairman Cruz seconded.

VOTE: 2-2-0 (Selectman Begley and Schneider opposed)

MOTION: Selectman Winslow moved to appoint Joan Holmes as a full member to the Board of Health to a term to expire no later than June 30, 2013. **No second**

MOTION: Selectman Winslow moved to appoint Joseph Mulkern as a full member to the Board of Health to a term to expire no later than June 30, 2013.
Selectman Begley seconded.

VOTE: 2-2-0 (Selectman Cruz and Winslow opposed)

MOTION: Selectman Winslow moved to appoint Glenn Monteiro as a full member to the Board of Health to a term to expire no later than June 30, 2013.
Selectman Schneider seconded.

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

Zoning Board of Appeals

Present before the Board: Michael Johnson

MOTION: Selectman Winslow moved to appoint Michael Johnson as an Associate member to the Zoning Board of Appeals to a term to expire no later than June 30, 2012. Selectman Schneider seconded.

VOTE: 4-0-0 (Unanimous)

7. LICENSES & PERMITS

- a. Application for Change of Location of Cape Cod Choppers & Custom Bikes, Inc. from 13 Garage Street to 2554 Cranberry Highway, Wareham under the provisions of Chapter 140 of the Massachusetts General Laws.

MOTION: Selectman Begley moved to open the public hearing on the application for Change of Location of Cape Cod Choppers & Custom Bikes, Inc. from 13 Garage Street to 2554 Cranberry Highway, Wareham under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

Present before the Board: Attorney Lawrence Winiker for applicant and
Charles Rowley

Presentations were made by both Attorney Winiker and Mr. Rowley.

Gerald Barrows spoke in favor of the change of location

No opposition.

MOTION: Selectman Begley moved to close the hearing. Selectman Winslow seconded.

VOTE: 4-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING - 9-20-11 (CONT'D)

MOTION: Selectman Winslow moved to approve the change of location of Cape Cod Choppers & Custom Bikes, Inc. from 13 Garage Street to 2554 Cranberry Highway, Wareham under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Schneider seconded.

VOTE: 4-0-0 (Unanimous)

- b. Application for Common Victualler's License from Ariadne Loss d/b/a The Fresh Food Café, 1 West Central Avenue, Onset, MA, under the provisions of Chapter 140 of the Massachusetts General Laws for the year 2011.

Present before the Board: Ariadne Loss, owner

MOTION: Selectman Winslow moved to approve the application for Common Victualler's License from Ariadne Loss d/b/a The Fresh Food Café, 1 West Central Avenue, Onset, MA, under the provisions of Chapter 140 of the Massachusetts General Laws for the year 2011. Selectman Schneider seconded.

VOTE: 4-0-0 (Unanimous)

- c. Application for a one-day all alcoholic beverages license permit by Box 5 Association, c/o Johnathan Gordon, PO Box 5, Onset for an association fund raiser to be held at the Pavillion at the Bay Pointe Country Club, 10 Bay Pointe Drive, Onset on October 1, 2011 from 5:00 p.m. to 10:00 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws.

Present before the Board: Rachel Gillette for the Box 5

Ms. Gillette made a brief presentation.

MOTION: Selectman Winslow moved to approve the application for a one-day all alcoholic beverages license permit by Box 5 Association, c/o Johnathan Gordon, PO Box 5, Onset for an association fund raiser to be held at the Pavillion at the Bay Pointe Country Club, 10 Bay Pointe Drive, Onset on October 1, 2011 from 5:00 p.m. to 10:00 p.m. under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Schneider seconded.

VOTE: 4-0-0 (Unanimous)

8. **TOWN ADMINISTRATOR'S REPORT**
LEADERSHIP TEAM - PERSONNEL UPDATE

Mr. Andrews stated that he appointed Gary Mihzer as Assistant Director of Assessment. Mr. Mihzer will be assisting Elsa Miller and has a great deal of experience in this field.

Mr. Andrews is conducting the final interviews for Town Accountant this week and is conducting a final background check for the local Building Inspector. Mr. Andrews will keep the Board informed.

B. **REMEMBRANCE 2011 - WE WILL NEVER FORGET**

On Sunday, September 11, 2011, Mr. Andrews participated in the Remembrance 2011 procession and ceremonies, along with Chairman Cruz, Selectmen Holmes,

SELECTMEN/SEWER COMMISSIONERS MEETING - 9-20-11 (CONT'D)

Winslow and Begley. This was a moving and emotional experience that was wildly received by the Community. Rear Admiral Richard Gurnon, President of Massachusetts Maritime Academy delivered the keynote address. Admiral Gurnon, is a 1970 Graduate of the United States Naval Academy. The ceremony was well organized and Mr. Andrews was proud to be a part of the day and evening events. Mr. Andrews wants to thank Mr. Rudy Santos, Winna Dean, Claire Smith and the entire committee for a job well done.

C. OPEN MEETING LAW AND ETHICS SEMINAR

On Thursday, September 15, 2011, we held an open meeting law and ethics seminar for all boards, commissions, and committees and staff. Attorney Rich Bowen, Town Counsel, led the seminar as it pertained to Chapter 28 of the Acts of 2009, a revision of the Commonwealth's Open Meeting Law. Attorney Bowen covered all of the pertinent facts and definitions of the Open Meeting Law. Also, he provided a superb primer on the Conflict of Interest Law and the State Ethics Commission (as attached) were in attendance. A follow up session will be held in the future to present additional material and information.

D. MASSACHUSETTS INTERLOCAL INSURANCE ASSOCIATION REWARDS PROGRAM - RISK ANALYSIS TOOL KIT

Mr. Andrews attended an updated MIIA "Rewards" program risk analysis tool kit that Mr. Andrews will provide to our leadership team for use in conducting a self-analysis for a workshop at our September 21, 2011 meeting. Mr. Andrews will keep the Board informed.

E. TOWN CROSSWALKS

On Thursday, September 15, 2011, our Municipal Maintenance Department completed the repainting of all Town crosswalks. This is an important public safety program for the Town.

STATUS REPORT OF ONGOING ISSUES/PROJECTS

Decas Safety Issues

Painting of the crosswalks was completed in June.

Cooperation and Update with School Committee -

"2GETHER WE WILL WORK AS ONE UNIT".

Selectman Begley asked for consideration of a seminar of parliamentary procedures for boards, committees and commissions. Mr. Andrews will work with Selectman Begley on this suggestion.

9. TOWN BUSINESS

a. Discussion with Alan Slavin re. Intern Program.

Present before the Board: Alan Slavin

Mr. Slavin explained the concept and the workings of the intern program. He explained the benefits of the program for the Town. The cost to the Town is minimum - about \$100.00 per

SELECTMEN/SEWER COMMISSIONERS MEETING - 9-20-11 (CONT'D)

student for about 1000 hours of work. Brief discussion ensued. The consensus of the Board is to continue with the intern program and for Mr. Slavin to work with the Town Administrator.

- b. Policy – audio recording for boards, committee and commissions.

Selectman Begley read into the records the draft of Policy 11-01 – Digital Recording. (see attached Addendum “A”).

MOTION: Selectman Schneider moved to adopt Policy 11-01 – Digital Recording as read. Selectman Begley seconded for purpose of discussion.

Selectman Winslow raised questions which included how long tapes must be kept, who will be the caretaker, who will provide the recorders and tapes and at what cost. Discussion continued.

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

- c. Vote on Town Meeting Warrant articles.

MOTION: Selectman Winslow moved favorable action on Article 1 – Capital Improvements. Selectman Begley seconded.

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

MOTION: Selectman Winslow moved favorable action on Article 3 – Distribution of Local Option Meal Tax. Selectman Begley seconded.

VOTE: 4-1-0 (Selectman Schneider opposed)

MOTION: Selectman Schneider moved favorable action on Articles 4 through 9 – Collective Bargaining contracts. Selectman Cruz seconded.

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

MOTION: Selectman Winslow moved favorable action on Article 10 – WPCF Capital Improvements. Selectman Begley seconded.

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

MOTION: Selectman Winslow moved favorable action on Article 11 – Transfer of Funds Harbormaster. Selectman Begley seconded.

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

MOTION: Selectman Winslow moved favorable action on Article 12 – CPC - Transfer of Funds. Selectman Begley seconded.

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

MOTION: Selectman Winslow moved favorable action on Article 13 – CPC – Approved at the Spring 2010 Town Meeting. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Winslow moved favorable action on Article 14 – CPC – Open Space. Selectman Begley seconded.

VOTE: 2-2-0 (Selectman Winslow and Cruz opposed)

SELECTMEN/SEWER COMMISSIONERS MEETING - 9-20-11 (CONT'D)

MOTION: Selectman Winslow moved favorable action on Article 15 – CPC – Historic Preservation & Town Hall repairs. Selectman Schneider seconded.

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

MOTION: Selectman Winslow moved favorable action on Article 16 – CPC – Conservation. Selectman Schneider seconded.

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

MOTION: Selectman Winslow moved favorable action on Article 17 – CEC – Hotel/Motel. Selectman Begley seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Winslow moved favorable action on Article 18 – Earth Removal Regulations. Selectman Begley seconded.

VOTE: (none taken)

MOTION: Selectman Winslow moved favorable action on Article 18 – Earth Removal Regulations. Selectman Begley seconded.

VOTE: (none taken)

MOTION: Selectman Winslow moved favorable action on Article 19 – Affordable Housing Local Initiative Program. Selectman Begley seconded.

VOTE: (none taken)

MOTION: Selectman Winslow moved favorable action on Article 20 – Petitioned Article – Checks and Balances (Flaherty et al). Selectman Begley seconded.

VOTE: 1-2-1 (Selectmen Cruz and Schneider opposed;
Selectman Winslow abstained)

MOTION: Selectman Winslow moved favorable action on Article 21 – Petitioned Article – Purchase of Bay Point Country Club (Cananze et al). Selectman Begley seconded.

VOTE: 0-3-1 (Selectmen Cruz, Begley and Schneider
opposed; Selectman Winslow abstained)

MOTION: Selectman Winslow moved favorable action on Article 22 – Petitioned Article – Town Meeting Information Distribution (Pacewicz et al). Selectman Begley seconded.

VOTE: 2-2-0 (Selectman Cruz and Winslow opposed)

d. Any town business.
(None)

10. SEWER BUSINESS

a. Any sewer business.
(None)

11. LIAISON REPORTS

SELECTMEN/SEWER COMMISSIONERS MEETING - 9-20-11 (CONT'D)

Note: Selectman Schneider left the meeting.

Selectman Winslow reported that there is still 1 vacant position on the Library Board of Trustees. Meetings are on the 3rd Thursday of each month at 6:00 p.m. at the Library. Capital Planning Committee will meet on Thursday, September 22, 2011 at 9:00 a.m. in Room 23 at Town Hall.

Selectman Begley stated the Board of Health still needs another member in order to have a quorum and hopes that an appointment will be made soon. Commission on Disability had not met due to a lack of a quorum until recently. A meeting is scheduled at end of the month.

Chairman Cruz stated that the Bike Path Committee will be meeting on October 5, 2011 at the Leadership Team.

12. ADJOURNMENT

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

VOTE: 3-0-0 (Unanimous)

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted
Rebecca Benitez-Figueroa
Transcriptionist

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on:
12-20-11

Attest: *Cara A. Winslow*
Cara A. Winslow, Clerk, pro-tem

Date Signed: *12-21-11*

Date sent to the Town Clerk: *12-21-11*