



# 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. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
- b. Authorization to approve and sign the legal bills from Blatman, Bobrowski & Mead, LLC. Invoice # 7131 dated 12/20/11 in the amount of \$15,000.
- c. Approval of regular meeting minutes: September 13, 2011, December 13, 2011; December 20, 2011.

**6. LICENSES & PERMITS**

- a. **Hearing 7:15 P.M.** – Application for transfer of a Year Round Common Victualer All Alcoholic Beverages License from Welch Restaurant & Lounge, Inc. dba Pomodore's Restaurant & Lounge to Grill 28 Wareham Corp. dba Grille 28, Brian Welch, Manager, 2424 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.
- b. Application for Common Victualler's License from Wareham Subway, Inc. dba Subway of Walmart, 3005 Cranberry Highway, East Wareham, MA, under the provisions of Chapter 140 of the Massachusetts General Laws.
- c. Application for Common Victualler's License from Wareham Subway, Inc. dba Subway of Wareham, 3043 Cranberry Highway, East Wareham, MA, under the provisions of Chapter 140 of the Massachusetts General Laws.
- d. Application for Common Victualler's License from Target Corporation dba Target Store T2292, 2421 Cranberry Highway, Wareham, MA, under the provisions of Chapter 140 of the Massachusetts General Laws.
- e. Application for Common Victualler's License from Bryanne Tucz dba Victorian Cafe, 3 West Central Avenue, Wareham, MA, under the provisions of Chapter 140 of the Massachusetts General Laws.

## **MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS**

Date of Meeting: January 10, 2012  
Date of Transcription: January 11, 2012  
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**

Selectman Holmes read a list of vacancies for boards, committees & commissions as posted on the website.

On January 17<sup>th</sup> at the Wareham Free Library History or not series discussion continues starting at 1:30 p.m.

Wareham village Association will hold their annual meeting on January 12<sup>th</sup> from 5:30 – 6:30 p.m. at Eastern Bank 226 Main Street, Wareham.

The Council on Aging has urgent need for volunteers to deliver meals on wheels, please contact Cheryl or stop by the Council on Aging.

A. D. Makepeace has announced that Grant applications are now available on their website. In the past 6 years they have awarded over \$1 million in grants.

On Saturday, January 21<sup>st</sup> from 12:30-2:00 p.m. at the Wareham Free Library there will be a meeting of the Wareham Area Litter Mob.

On Monday, January 16<sup>th</sup> the Wareham Boys and Girls Club will host the 4<sup>th</sup> annual Martin Luther King, Jr's breakfast at 9:00 a.m.

The Wareham Historical Society will host a program on January 23<sup>rd</sup> at 7:00 p.m. at the Methodist meeting house entitled "Remember When".

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

**MOTION:** Selectman Holmes moved that they hold the minutes of December 13, 2011 pending further review. Selectman Winslow seconded.

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

**MOTION:** Selectman Holmes moved to approve the meeting minutes of December 20, 2011. Selectman Winslow seconded.

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

**6. LICENSES & PERMITS**

- a. **Hearing 7:15 p.m.** Application for transfer of Year Round Common Victualer All Alcoholic Beverages License from Welch Restaurant & Lounge, Inc., d/b/a Pomodore's Restaurant & Lounge to Grill 28 Wareham Corp., d/b/a Grille 28, Brian Welch, Manager, 2424 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.

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

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

Present before the board: Brian Welch

Mr. Welch was before the board for transfer of license and stated that they will have a new name along with a new menu. He was hoping to open on Thursday. Present before the board was Diane Fielding an abutter who had a question about the live entertainment. Mr. Welch said they might have a DJ once in awhile. Ms. Fielding also had a concern with the parking and asked if the delivery trucks could use the front door rather than the back door. Mr. Welch said he would talk with the delivery people and make sure they leave enough room for someone to get by. Selectman Schneider asked about the right of way and asked if Mr. Welch could include with any contracts with his vendors that they don't block the area and also place some signage. Mr. Welch stated he would talk with the vendors about parking closer to the building.

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

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

**MOTION:** Selectman Holmes moved to approve the Application for transfer of Year Round Common Victualer All Alcoholic Beverages License from Welch Restaurant & Lounge, Inc., d/b/a Pomodore's Restaurant & Lounge to Grill 28 Wareham Corp., d/b/a Grille 28, Brian Welch, Manager, 2424 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Schneider seconded.

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

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

- f. Application for Class II License by Manuel DeMiranda, d/b/a Discount Auto, Inc., 2648 Cranberry Highway, W. Wareham under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Manny DeMiranda

**MOTION:** Selectman Holmes moved to approve the application for Class II License by Manuel DeMiranda, d/b/a Discount Auto, Inc., 2648 Cranberry Highway, W. Wareham under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

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

- g. Application for a Transporter Business Permit by Cheryl Jones-Hawkins, 21 Gitche Gume Road, Buzzards Bay under the provisions of Chapter 140 of the Massachusetts General Laws.

*Selectman Schneider recused himself from this license*

Present before the board: Cheryl Hawkins

**MOTION:** Selectman Holmes moved to approve the application for a Transporter Business Permit by Cheryl Jones-Hawkins, 21 Gitche Gume Road, Buzzards Bay under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

**VOTE: 4-0-0 (Unanimous)**

**7. TOWN ADMINISTRATOR'S REPORT**

**I. LEADERSHIP TEAM UPDATE**

1. Commissioner Amy Pitter, of the Massachusetts Department of Revenue, Division of Local Services, notified the Town on Wednesday, December 28, 2011 that our FY2012 tax rate has been certified. This result was Team oriented us, all of our Financial Management Leadership Team excelled in this important effort. As planned, our FY2012 Tax bills were mailed on December 29, 2012. Mr. Andrews thanked Mr. John Foster, Town Collector/Treasurer, Ms. Elsa Miller, Town Assessor, Mr. Justin Cole, Town Accountant, Mr. Derek Sullivan, Financial Analyst and Chairman Cruz and the entire Board of Selectmen for their support and assistance.

Present before the board: John Foster, Treasurer/Collector  
Mr. Foster was before the board for the BAN renewals.

**MOTION:** Selectman Winslow moved to approve the sale of \$1,950,000 general obligation bond anticipation notes referred to as the notes of the Town dated January 19, 2012 payable April 19, 2012 at par and accrued interest as follows: 1. For \$1,000,000 with an interest rate of 0.65% to

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

2. \$4,950 Grant Award from the Massachusetts Executive Office of Public Safety and Security. On December 15, 2011, Chief Stanley was notified by Ms. Mary Elizabeth Hefferman, Secretary of Public Safety and Security that the Wareham Police Department won this competitive grant. A required minimum federal in-kind match of 25%. Mr. Andrews congratulated the Chief and his staff for their fine work on this grant application.
3. FY2012 Tax Rate Set – John Foster, Treasurer/Collector’s Report – Bond Anticipation Note Renewal.

**NEW CODE ENFORCEMENT TASK FORCE**

On Thursday December 22, 2011, Mr. Andrews convened a working group meeting made up of Chief Richard Stanley, Bob Ethier, Health Agent, Myles Burke, Director of Inspectional Services, Rich Bowen, Town Counsel and Walter Cruz, Chairman of the Board of Selectmen. They met with Mr. Paul Halfmann, Assistant Director of Community Sanitation Program for the Department of Public Health of the Bureau of Environmental Health. Our discussion centered on code enforcement policies and procedures, enhanced programs to increase the effectiveness of the delivery of this program. This program is in its formative stages and Mr. Andrews will keep the board informed on its progress.

**UNITED STATES POSTAL SERVICE REVIEW COMMITTEE**

On Tuesday, January 3, 2012, Mr. Andrews testified before the United States Service Review Committee at 6:00 p.m. in our Town Hall Auditorium. Congressman William Keating led the presenters and he followed with his testimony. Selectwoman Ellen Begley joined Mr. Andrews in providing strong support for maintaining the U.S. Postal Processing Center located on Tobey Road. He emphasized the need to keep mail services in following communities, such as Wareham.

Mr. Andrews is still working with the senate and house on Article #48 Charter Change -

The Board of Selectmen will be meeting with the School Committee on January 18<sup>th</sup>.

Mr. Andrews met with Matt Underhill about the Town Hall Virtualization and the Police Department servers have been installed.

Selectman Schneider asked Mr. Andrews to provide at the next meeting the \$2.9 million free cash sewer enterprise fund. He was asking what it consists of?

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

c. Discussion: Cable Study Committee

Selectman Holmes said that the board about a month ago discussed having a cable review committee and they were to have Attorney Bowen look over the documents. Present before the board: Jay Heard

Mr. Heard was before the board and said that he believes there were two issues and thought they were going to put together a study committee to investigate the contract with the Town and Verizon and Comcast. He said looking at other towns a three-year time frame is appropriate. Selectman Winslow said that she would like to put this off until they receive back from the Attorney after he has reviewed the contract. Selectman Schneider stated that he is uncomfortable having asked for and not received the advise of counsel on a number of issues with this. He said that he does agree with Selectman Winslow and first seek the advise of counsel before putting together a study committee.

**MOTION:** Selectman Schneider moved to have Town Counsel present at the next available Selectmen meeting to discuss this matter at an executive session meeting. Selectman Winslow seconded.

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

Selectman Schneider also asked if it was possible to get some hand held cordless microphones.

d. Establish dates for April 2012 Town Meeting

**MOTION:** Selectman Holmes moved that the Board of Selectmen approve and establish dates for the annual town meeting (as attached). Selectman Winslow seconded.

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

**MOTION:** Selectman Holmes moved that the Board of Selectmen approve the Notice 2012 Annual Spring town meeting (as attached). Selectman Winslow seconded.

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

e. Meeting with Cape Cod Canal Chamber of Commerce

Present before the board: Tracy McCarthy, Rick Hollis, and Marie Oliveri

Ms. McCarthy stated this past year the Chamber had 24 events and produced \$353,000 in networking events. She went over the money donated to police, fire and for scholarships. She spoke about the referrals for small businesses. Mr. Hollis who is a business owner on Main Street said he was before the board tonight to support the regional Chamber of Commerce and said he's available to anybody and explain to them how the Chamber could help them. Ms. Oliveri said that everything the chamber does is in collaboration with other chamber on Cape Cod and Southeastern Massachusetts. She said that they work very closely with the Onset Bay Association as well as the Wareham Village Association, the Wareham Garden Club and the Wareham Boys and Girls Club.

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

to the disease and that the trees need to be cut down. Ms. Slavin also said that with the cutting it will also allow for a 6 car parking lot.

g. 118 Sandwich Road update

*(The Attorney notified the Board of Selectmen he wasn't able to attend due to a death in the family)*

Present before the board: Robert Ethier

Mr. Ethier stated that he took photos today of the property as requested by the Board of Selectmen. He said that Mr. Black has done a wonderful job with limited resources and has made some improvement. He said that it's mostly debris and wood out. Mr. Ethier has been at the site along with DEP to check for asbestos and hazard waste and reported that none was believed to be found at that time. He said that he found some shingles that seemed to be collected and not originally on the house which he suspected had asbestos and asked Mr. Black to cover them. Attorney Perry said that he knew someone that was certified in asbestos and would send them out to the lot before the town does anything. Also, Mark Gifford is on standby for cleanup. Mr. Black said that he would like another two weeks. Chairman Cruz said that by the time the town gets over there to clean up it may take up to 2-3 weeks which would allow him a little more town. Some discussion ensued.

h. Any other town business

Selectman Schneider asked if there was an update on the contractor who is parking trucks in zone 2 and also asked about the metal recycling plant on Cranberry Highway and also about the cease and desist order? Mr. Burke was before the board and stated that they did have compliance at 2 Sarabeth and said that he has renewed his lease on Depot Street. Mr. Burke drove by both locations today and reported that no violations were found and he will continue to monitor. Mr. Burke stated that the matter with the Atlantic Recycling Center is originally they applied to have only an indoor operation and then in June 2011, they applied to expand the operation to outdoors and he was told he would have to appear before the Zoning Board of Appeals. He started the outdoor operation without the proper permits and was given a cease and desist order by Mr. Burke. They are to appear before the Zoning Board of Appeals in January and the owner did state that he was currently looking for a location on the Industrial area.

Selectman Holmes asked how people knew about Mr. Andrews's evaluation on the next agenda when the board wasn't aware? Mr. Holmes asked what the evaluation process was? Selectman Winslow asked if the board could receive a copy of the Town Administrators contract.

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

**10. SEWER BUSINESS**

a. Any Sewer Business

**11. LIAISON REPORTS**

Selectman Begley asked if the board could start inviting different boards and committees in to update the board. She would like to start with the Recycling Committee along with the Capital Planning Committee. She also like to see the Mass Estuary project on the agenda to question what the delay is.

Selectman Begley would like to have Contract #3 on future agendas and also take a look at the design. She would also like to see Contract #2 as well on the agenda so that project can move along with the betterments.

**12. ADJOURNMENT**

**MOTION:** Selectman Winslow moved to adjourn. Selectman Begley seconded.

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

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

Respectfully submitted

***Janet Wilson***

Department Assistant

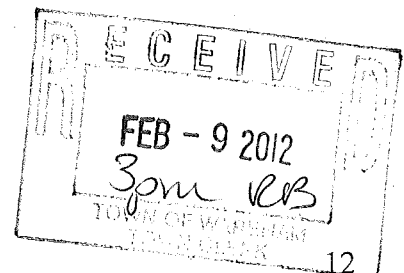
The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: *2-7-12*

Attest:

*[Signature]*  
***Stephen M. Holmes, Clerk***

Date Signed: *2-7-12*

Date sent to the Town Clerk: *2-8-12*





SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

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SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

Selectman Winslow thanked the chamber for coming in. Selectman Schneider also thanked them and stated he was confused as to why both chambers were appearing before the board lately? Ms. Oliveri said that they develop relationships with the Selectmen from other towns as well as the Town Administrators and said they need the support from the elected officials and leaders of the town. Selectman Begley asked how many towns were in the regional chamber? Ms. Olivieri stated that primarily it's Bourne, Sandwich and Wareham but they also have members in Plymouth and also on the Cape. Selectman Begley said that she would hope that the Chamber would like to see the Gateway Chamber succeed and work together with them. Ms. Oliveri stated that their record is about collaboration and they have no issue collaborating with any organization. Chairman Holmes thanked them for coming in. Selectman Holmes stated that he has attended some of the business working events and stated they were very instrumental working with Mr. Andrews on the initial Safe Summer programs and said that the town and businesses appreciate their efforts.

f. Minot Forest Presentation

Present before the board: Angela Dunham, Sandy Slavin, Peter Teitelbaum along with Phil Benjamin, Licensed Forrester

Mr. Benjamin spoke about the planted Red Pine that has gone from thriving to dead in a very rapid period of time. He said that a number of insects and fungi are moving north affecting the red pine. He said that there are about seven acres of red pine that are now dead. Mr. Benjamin said that all the trees they are talking about tonight are dead and have been dead for going on a year and half. He did speak with someone to see if they could salvage that wood for the value of the wood. He said that this wood is being used as woodchips and used for fuel chips and most of the mills that take the trees charge plus they take the wood. Mr. Teitelbaum explained they would like to talk with Town Counsel since a project like this requires bringing in heavy-duty equipment and he wants to make sure that they have a good contract with the service provider and deal with liability and insurance issues. Selectman Schneider asked if any thought was given regarding noise with the impact of cutting down the trees. Mr. Benjamin stated that the entire process should only take about three weeks.

**MOTION:** Selectman Holmes moved to go beyond the hour of 10:00 p.m. Selectman Schneider seconded.

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

Ms. Slavin stated that once the trees are removed it would be a quick development to bring up the seedlings and smaller trees. She said these trees were planted in 1938. They are also considering asking Conservation to have a sign placed on the property as to what was happening with the cutting of the trees in order to alert the public. Selectman Begley said it would be a good idea to alert the press so that people are aware why the red pines are being cut due

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

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**MOTION:** Selectman Schneider moved to have Town Counsel present at the next available Selectmen meeting to discuss this matter at an executive session meeting. Selectman Winslow seconded.

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

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d. Establish dates for April 2012 Town Meeting

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

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SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

Selectman Holmes asked about the time for the School Committee meeting?

**MOTION:** Selectman Schneider moved to take item 7 B out of order.

Selectman Winslow seconded.

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

**8. DISCUSSION RE: CEDA DIRECTOR**

Mr. Andrews spoke about the applications received for the CEDA position and advised the board they had them in their packets for this evening. Some discussion ensued about having a screening committee. Ms. Connaughton, Chairman of CEDA asked that they be involved in the screening process of the applicants.

**MOTION:** Selectman Schneider moved that the Board of Selectman, Chairperson of CEDA and the Town Administrator be the preliminary screening committee along with an additional member of the CEDA board to be determined by them for the Community & Economic Development Director's position. Selectman Begley seconded.

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

Selectman Begley asked if it would be possible to meet at 10:30 a.m. after the Westfield meeting scheduled for Saturday.

**MOTION:** Selectman Schneider moved to schedule a Board of Selectmen's Meeting for the preliminary screening committee on Saturday January 14, 2012. Selectman Begley seconded.

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

**9. TOWN BUSINESS**

a. Presentation from Treasurer/Collector re: Quarterly Reports.

b. Certificate of Appreciation presented by James Newman

Present before the board: James Newman & Charles Vanderstaay

Mr. Newman presented a certificate of appreciation to Frank Bergamasco, Glenn Barrows and Joe Edwards for putting the honor roll for the Veterans at the Town Hall. Mr. Edwards took the board's home and sanded them down and put some polyurethane on them. Mr. Vanderstaay said that someone had previously broken into the board and removed names from the WWII memorial. He wanted to thank everyone for putting the board together and giving them the names and if anyone knows of a name that is not there please let them know. Mr. Bergamasco stated that Mr. Andrews should also be commended as well. Mr. Newman also thanked Linda Burns for helping chase down names for the board.

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

2. \$4,950 Grant Award from the Massachusetts Executive Office of Public Safety and Security. On December 15, 2011, Chief Stanley was notified by Ms. Mary Elizabeth Hefferman, Secretary of Public Safety and Security that the Wareham Police Department won this competitive grant. A required minimum federal in-kind match of 25%. Mr. Andrews congratulated the Chief and his staff for their fine work on this grant application.
3. FY2012 Tax Rate Set – John Foster, Treasurer/Collector’s Report – Bond Anticipation Note Renewal.

**NEW CODE ENFORCEMENT TASK FORCE**

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**UNITED STATES POSTAL SERVICE REVIEW COMMITTEE**

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Mr. Andrews met with Matt Underhill about the Town Hall Virtualization and the Police Department servers have been installed.

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SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

Century Subsidiary Investments Inc., 2. For \$1,950,000 with an interest rate of 0.70% to Eastern Bank further voted that in connection with the marketing and sale of the notes the preparation and distribution of a note of sale and preliminary statement dated December 29,2011 and a final official statement dated January 5, 2012 each and in such form as may be approved by the Town Treasurer be and hereby are ratified confirmed approved and adopted. Further voted that the Town Treasurer and the Board of Selectmen be and hereby are authorized to execute and deliver significant events disclosure undertaking in compliance with SEC rule 15C-2-12 in such form that may be approved by bond council which undertaking shall be incorporated by referenced in the notes for benefit of the holders of the notes from time to time further voted that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and Bond Counsel see deemed sufficient or if such procedures are in place to review and update said procedures in order to monitor and maintain the tax exempt status of the notes. Further voted that each member of the Board of Selectmen the Town Clerk, Town Treasurer be in hereby are authorized to take any and all actions and execute and deliver such certificates received or other documents as may be determined by them or any of them to be necessary or convenient to carry into effect the provisions of the forth going votes. Further we certify that the votes were taken at a meeting open to the public that not vote was taken by a secret ballot that a notice of meeting with date, place and time and agenda for the meeting which agenda included the adoption of the above votes were filed with the Town Clerk and a copy then posted in a manner conspicuously visible to the public in all hours in a municipal building, at the office of the Town Clerk is located or if applicable in accordance with an alternative method of notice prescribed and approved by the Attorney General and said forth in 940 CMR 29.03, Section 2B at least 48 hours not including Saturdays and Sundays and legal holidays prior to the time of the meeting and remain so posted at the time of the meeting that no deliberations or decisions in connection with the sale of the notes were taken in executive session all in accordance with general laws chapter 30A Sections 18-25 as amended. Selectman Begley seconded.

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

Mr. Foster spoke about the office updating the tax title accounts and said that the collection rate thru June 30<sup>th</sup> was 96%. They foreclosed on three properties in the last quarter. He spoke about online billing and a program that will soon be in place for you to view a tax image of your tax bill. Some discussion ensued about the procedure for tax title.

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

- f. Application for Class II License by Manuel DeMiranda, d/b/a Discount Auto, Inc., 2648 Cranberry Highway, W. Wareham under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Manny DeMiranda

**MOTION:** Selectman Holmes moved to approve the application for Class II License by Manuel DeMiranda, d/b/a Discount Auto, Inc., 2648 Cranberry Highway, W. Wareham under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

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

- g. Application for a Transporter Business Permit by Cheryl Jones-Hawkins, 21 Gitche Gume Road, Buzzards Bay under the provisions of Chapter 140 of the Massachusetts General Laws.

***Selectman Schneider recused himself from this license***

Present before the board: Cheryl Hawkins

**MOTION:** Selectman Holmes moved to approve the application for a Transporter Business Permit by Cheryl Jones-Hawkins, 21 Gitche Gume Road, Buzzards Bay under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

**VOTE: 4-0-0 (Unanimous)**

**7. TOWN ADMINISTRATOR'S REPORT**

**I. LEADERSHIP TEAM UPDATE**

1. Commissioner Amy Pitter, of the Massachusetts Department of Revenue, Division of Local Services, notified the Town on Wednesday, December 28, 2011 that our FY2012 tax rate has been certified. This result was Team oriented us, all of our Financial Management Leadership Team excelled in this important effort. As planned, our FY2012 Tax bills were mailed on December 29, 2012. Mr. Andrews thanked Mr. John Foster, Town Collector/Treasurer, Ms. Elsa Miller, Town Assessor, Mr. Justin Cole, Town Accountant, Mr. Derek Sullivan, Financial Analyst and Chairman Cruz and the entire Board of Selectmen for their support and assistance.

Present before the board: John Foster, Treasurer/Collector  
Mr. Foster was before the board for the BAN renewals.

**MOTION:** Selectman Winslow moved to approve the sale of \$1,950,000 general obligation bond anticipation notes referred to as the notes of the Town dated January 19, 2012 payable April 19, 2012 at par and accrued interest as follows: 1. For \$1,000,000 with an interest rate of 0.65% to

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

- b. Application for Common Victualler's License from Wareham Subway, Inc., d/b/a Subway of Walmart, 3005 Cranberry Highway, E. Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Ms. Patel

**MOTION:** Selectman Holmes moved to approve the application for Common Victualler's License from Wareham Subway, Inc., d/b/a Subway of Walmart, 3005 Cranberry Highway, E. Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

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

- c. Application for Common Victualler's License from Wareham Subway, Inc., d/b/a Subway of Wareham, 3043 Cranberry Highway, E. Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws.

**MOTION:** Selectman Holmes moved to approve the application for Common Victualler's License from Wareham Subway, Inc., d/b/a Subway of Wareham, 3043 Cranberry Highway, E. Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

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

- d. Application for Common Victualler's License from Target corporation, d/b/a Target Store T2292, 2421 Cranberry Highway, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws.

**MOTION:** Selectman Holmes moved to approve the application for Common Victualler's License from Target Corporation, d/b/a Target Store T2292, 2421 Cranberry Highway, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws subject to signature and FID # being added on the DOR Attestation form. This will be placed on next week's agenda.

- e. Application for Common Victualler's License from Bryanne Tucz, d/b/a Victorian Café, 3 West Central Avenue, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Bryanne Tucz

**MOTION:** Selectman Holmes moved to approve the application for Common Victualler's License from Bryanne Tucz, d/b/a Victorian Café, 3 West Central Avenue, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

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



SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

**MOTION:** Selectman Holmes moved that they hold the minutes of December 13, 2011 pending further review. Selectman Winslow seconded.

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

**MOTION:** Selectman Holmes moved to approve the meeting minutes of December 20, 2011. Selectman Winslow seconded.

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

**6. LICENSES & PERMITS**

- a. **Hearing 7:15 p.m.** Application for transfer of Year Round Common Victualer All Alcoholic Beverages License from Welch Restaurant & Lounge, Inc., d/b/a Pomodore's Restaurant & Lounge to Grill 28 Wareham Corp., d/b/a Grille 28, Brian Welch, Manager, 2424 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.

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

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

Present before the board: Brian Welch

Mr. Welch was before the board for transfer of license and stated that they will have a new name along with a new menu. He was hoping to open on Thursday. Present before the board was Diane Fielding an abutter who had a question about the live entertainment. Mr. Welch said they might have a DJ once in awhile. Ms. Fielding also had a concern with the parking and asked if the delivery trucks could use the front door rather than the back door. Mr. Welch said he would talk with the delivery people and make sure they leave enough room for someone to get by. Selectman Schneider asked about the right of way and asked if Mr. Welch could include with any contracts with his vendors that they don't block the area and also place some signage. Mr. Welch stated he would talk with the vendors about parking closer to the building.

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

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

**MOTION:** Selectman Holmes moved to approve the Application for transfer of Year Round Common Victualer All Alcoholic Beverages License from Welch Restaurant & Lounge, Inc., d/b/a Pomodore's Restaurant & Lounge to Grill 28 Wareham Corp., d/b/a Grille 28, Brian Welch, Manager, 2424 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Schneider seconded.

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

SELECTMEN/SEWER COMMISSIONERS MEETING - 1-10-12 (CONT'D)

The Garden Club will hold a meeting at the First Congregational Fellowship Hall on January 12<sup>th</sup> at 9:30 a.m.

**4. CITIZENS PARTICIPATION**

Present before the board: Jane Donahue

Ms. Donahue thanked the board for their hard work and stated that she was aware that Mr. Andrews's evaluation was coming up next week. She wanted to remind the board that we have 2 years invested in him and she has heard good things around town about him.

Present before the board: Martha Strachan, Chairman of the COA

Ms. Strachan said the COA didn't meet last week and they have made a monthly change to accommodate one of their board members. They will be meeting January 11<sup>th</sup> at 6:30 p.m. in room 208.

Present before the board: Barbara Sullivan

She also mentioned the Martin Luther King breakfast and wanted to show the work on a poster done by one of the Wareham High School student. She also wanted to commend Mr. Andrews.

Present before the board: Dave Walton

Mr. Walton wanted to commend the Wareham area litter mob committee for all their hard work in the clean up over the weekend.

**5. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
- b. Authorization to approve and sign the legal bills from Blatman, Bobrowski & Mead, LLC., Invoice # 7131, dated 12/20/11 in the amount of \$15,000.00

**MOTION:** Selectman Holmes moved to approve payment to Blatman, Bobrowski & Mead, LLC, Invoice # 7131, dated 12/20/11 in the amount of \$15,000. Selectman Holmes seconded.

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

- c. Approval of meeting minutes: September 13, 2011, December 13, 2011 & December 20, 2011.

**MOTION:** Selectman Holmes moved to approve the meeting minutes of September 13, 2011. Selectman Winslow seconded.

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

**MOTION:** Selectman Holmes moved to approve the meeting minutes of December 13, 2011. Selectman Schneider asked that the board hold off on approving the minutes because he would like to review the portion when the attorney spoke about the open meeting law.

## **MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS**

Date of Meeting: January 10, 2012  
Date of Transcription: January 11, 2012  
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**

Selectman Holmes read a list of vacancies for boards, committees & commissions as posted on the website.

On January 17<sup>th</sup> at the Wareham Free Library History or not series discussion continues starting at 1:30 p.m.

Wareham village Association will hold their annual meeting on January 12<sup>th</sup> from 5:30 – 6:30 p.m. at Eastern Bank 226 Main Street, Wareham.

The Council on Aging has urgent need for volunteers to deliver meals on wheels, please contact Cheryl or stop by the Council on Aging.

A. D. Makepeace has announced that Grant applications are now available on their website. In the past 6 years they have awarded over \$1 million in grants.

On Saturday, January 21<sup>st</sup> from 12:30-2:00 p.m. at the Wareham Free Library there will be a meeting of the Wareham Area Litter Mob.

On Monday, January 16<sup>th</sup> the Wareham Boys and Girls Club will host the 4<sup>th</sup> annual Martin Luther King, Jr's breakfast at 9:00 a.m.

The Wareham Historical Society will host a program on January 23<sup>rd</sup> at 7:00 p.m. at the Methodist meeting house entitled "Remember When".

- f. Application for Class II License by Manuel DeMiranda dba Discount Auto, Inc., 2648 Cranberry Highway, West Wareham under the provisions of Chapter 140 of the Massachusetts General Laws.
- g. Application for a Transporter Business Permit by Cheryl Jones-Hawkins, 21 Gitche Gumee Road, Buzzards Bay under the provisions of Chapter 140 of the Massachusetts General Laws.

**7. TOWN ADMINISTRATOR'S REPORT**

- a. Leadership Team.
  - b. New Code Enforcement Task Force.
  - c. United States Postal Service Review Committee.
- Status Report of ongoing issues/projects.

**8. DISCUSSION RE. CEDA DIRECTOR**

**9. TOWN BUSINESS**

- a. Presentation from Treasurer/Collector re. Quarterly Report.
- b. Certificate of Appreciation presented by James Newman.
- c. Discussion: Cable study committee.
- d. Establish dates for April 2012 Town Meeting.
- e. Meeting with Cape Cod Canal Chamber of Commerce.
- f. Minot Forest Presentation.
- g. 118 Sandwich Road update.
- h. Any other Town business.

**10. SEWER BUSINESS**

- a. Any sewer business.

**11. LIAISON REPORTS**

**12. ADJOURNMENT**

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



**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. CONSENT AGENDA**
  - a. Authorization to sign bills and documents, etc.
  - b. Authorization to approve and sign the legal bills from Blatman, Bobrowski & Mead, LLC. Invoice # 7131 dated 12/20/11 in the amount of \$15,000.
  - c. Approval of regular meeting minutes: September 13, 2011, December 13, 2011; December 20, 2011.
- 6. LICENSES & PERMITS**
  - a. **Hearing 7:15 P.M.** – Application for transfer of a Year Round Common Victualer All Alcoholic Beverages License from Welch Restaurant & Lounge, Inc. dba Pomodore's Restaurant & Lounge to Grill 28 Wareham Corp. dba Grille 28, Brian Welch, Manager, 2424 Cranberry Highway, Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.
  - b. Application for Common Victualler's License from Wareham Subway, Inc. dba Subway of Walmart, 3005 Cranberry Highway, East Wareham, MA, under the provisions of Chapter 140 of the Massachusetts General Laws.
  - c. Application for Common Victualler's License from Wareham Subway, Inc. dba Subway of Wareham, 3043 Cranberry Highway, East Wareham, MA, under the provisions of Chapter 140 of the Massachusetts General Laws.
  - d. Application for Common Victualler's License from Target Corporation dba Target Store T2292, 2421 Cranberry Highway, Wareham, MA, under the provisions of Chapter 140 of the Massachusetts General Laws.
  - e. Application for Common Victualler's License from Bryanne Tucy dba Victorian Cafe, 3 West Central Avenue, Wareham, MA, under the provisions of Chapter 140 of the Massachusetts General Laws.