



# 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**

LAST DAY TO SUBMIT PETITION ARTICLES TO BE INSERTED IN THE WARRANT IS FRIDAY, MARCH 9, 2012
4. **CITIZENS PARTICIPATION**
5. **WESTFIELD DISCUSSION**
6. **CONSENT AGENDA**
  - a. Authorization to sign bills and documents, etc.
    - i. Blatman, Bobrowski & Mead, LLC, Invoice #7225 dated January 20, 2012 in the amount of \$15,000.
  - b. Approval of regular meeting minutes: October 4, 2011, January 10, 2012, Workshop meeting minutes of January 14, 2012.
  - c. Interview and/or Appointment to Board of Assessors.
7. **LICENSES & PERMITS**
  - a. Application for Change of Manager from The Blue Dog LLC dba Piper Beau's, 207 Main Street, Wareham under the provisions of Chapter 138 of the Massachusetts General Laws.
  - b. Application for new license from Anthony L. Grosso dba Commodore Motor Enterprises, 24 Sandwich Road, Wareham under the provisions of Chapter 140 of the Massachusetts General Laws.
8. **TOWN ADMINISTRATOR'S REPORT**
  - a. Wareham's Police Department Attains Full Accreditation.
  - b. Leadership Team.
  - c. Rally in Support of Taunton State Hospital.

Continued – Board of Selectmen/Sewer Commissioners Meeting Agenda 2/7/2012

- d. Wareham's Plan to End Homelessness.
  - e. Massachusetts Municipal Association Annual Meeting.
- Status Report of ongoing issues/projects.

**9. TOWN BUSINESS**

- a. Meet with Bike Path Committee.
- b. Meet with COA, Board of Directors.
- c. ABCC – Vote on population estimates for seasonal licenses in 2012.
- d. Board of Sewer Commissioners.
- e. Any other Town business.

**10. SEWER BUSINESS**

- a. Sewer User Fee Abatement Request: Acct. No. 37040, Alice J. Holley, Map 14, Lot 1063, 11 Bertino Street for \$298.00.
- b. Request from Mark Nelson for extension of approximately 1 year to connect at 33 Crab Cove Terrace, Parkwood Beach.
- c. Any sewer business.

**11. LIAISON REPORTS**

**12. ADJOURNMENT**

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

3/22/2012

## MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: February 7, 2012  
Date of Transcription: February 9, 2012  
Transcribed by: Janet Wilson

### 1. CALL MEETING TO ORDER BY CHAIRMAN

### 2. ROLL CALL

Chairman Cruz called the meeting to order @ 7:15 p.m.

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

Also present: Mark J. Andrews, Town Administrator

### 3. ANNOUNCEMENT

The Council on Aging Food Pantry is desperately in need of donations if you can please help drop off your donations at the COA. They are in need of the following: Hot & Cold cereals, canned vegetables and fruits, applesauce and apple juice, chicken noodle soup, peanut butter & Jelly crackers, Pancake mix and syrup, canned tuna, baked and other canned beans, sugar, coffee and canned ravioli and other like meals.

The Wareham Middle School PTA will hold a presentation on bullying on Thursday, February 16<sup>th</sup> at 7:00 at the Wareham Middle School Auditorium.

Mini Golf returns to the Library on February 19<sup>th</sup> at 10 am – 4pm . Fee is \$5 children 12 and under \$3.

There will be a Valentine Dinner dance to benefit Turning Point on February 17<sup>th</sup> from 7pm –11 pm at the Wareham Elks Lodge. Tickets are \$15 per person in advance \$18 at the door.

The South Coast blood bank is on the move and if you donate a pint of blood in the month of February you will be eligible to win a family packet of Providence Bruins tickets.

Chemo Caps for kids fundraiser will take place on February 11<sup>th</sup> from 10am –4 pm at the Thomas Michaels Kitchens, 3127 Cranberry Highway.

The Wareham Village Association will hold their monthly meeting at 5:30 pm at Eastern Bank on Main Street.

The last day to submit petition articles to be inserted in the warrant is March 9, 2012.

## SELECTMEN/SEWER COMMISSIONERS MEETING - 2-7-12 (CONT'D)

### **4. CITIZENS PARTICIPATION**

Present before the board: Alan Slavin

Mr. Slavin was before the board asking if the residents were going to have any assistance in submitting petition articles. Mr. Andrews said that anyone is welcome to come to his open hours on Thursdays between the hours of 2pm-4:30 pm. Mr. Andrews stated that the Article would have to be in some form for them to understand.

Present before the board: Sharon Gomes, Oakdale Resident

Ms. Gomes was before the board asking about the Workshop scheduled and asked if it was a public meeting? Selectman Schneider said that it would be appropriate for the residents to ask questions at this meeting. He also said that he was concerned about having the meeting scheduled for the Selectmen's meeting room and would like to have it held over at the Town Hall. She had a concern about the cost of the betterments and the usage fees and said that people in this area are retirees and this will have an impact on them.

Present before the board: David Walton

Mr. Walton was before the board talking about the trash along Merchant's Way and said that people have worked so hard to clean that up and now it's already filled with trash again.

### **5. WESTFIELD DISCUSSION**

Present before the board: Bill Heaney & Bruce Sauvageau

Mr. Heaney was before the board with an update on the Westfield RFP. He said that they would be including phasing in the next RFP but they have decided it makes more sense not to include numbers. They are going to add language in the RFP to ensure that the entire project gets built and would also include the executive summary. Mr. Heaney would like the board to tie up a loose end about the sewer capacity and the pump station issue and suggested that the board take a formal action that confirms the sewer department's information they sent to them early in the process it was not vetted with the board and he would like assurance if they need to upgrade the pump station or not or they can assure that there is sewer capacity. Mr. Heaney said they also need guidance on two components one is a tenant selection process and needs some clarification if there is a lottery for the selection and is the Wareham Housing Authority involved if there is a lottery. He also said they need some clarification on the fields are they in or are they out?

Selectman Begley said that the tenant selection wasn't in the article. Mr. Heaney said that they have done some updates and added some clarifications from the original RFP. Selectman Holmes said that he remembers a former Chairman talking about the lottery and the need for housing for Wareham residents and agrees with the lottery. Selectman Schneider thanked the committee for the work they have done and said he does differ with the logic and stated the with all his experience in developing affordable housing the more they limit the creativity of the developers by putting specific restrictions forward we do limit our creativity and would end up with proposals all the same. He said the more we limit then we restrict the creativity of the developers. Chairman Cruz asked if in the proposal they have what phase the ball fields would be included in or would that be left up to the developer? Mr. Heaney stated that they could put the ball fields wherever they want and there is no restriction on the phasing. Mr. Sauvageau said the issues he has heard was phasing, sewer, lottery and 40B. He wanted to clarify the phasing and would suggest that they specify the entire 280 units in phases and said the reason why is that

SELECTMEN/SEWER COMMISSIONERS MEETING - 2-7-12 (CONT'D)

all 280 units count immediately as 40B. He said as far as sewer they have capacity for the 175 and if they were going to phase they would have capacity for the first and would need another letter for the full count. He said as far as the lottery it's not going to be a negotiable with the developer it's between HUD and DCHD and the Wareham Housing Authority is required to regulate that lottery. Mr. Sauvageau said that Mr. Heaney was correct with the fields and said they need to make these RFP as attractive as possible. He would recommend to his committee as well as the Board of Selectmen that they go with the as close to the language as they possibly can with the original RFP which drew 5 bids notwithstanding the phase issue and work together to make this happen. Some discussion ensued about the ball fields and phasing. Chairman Cruz told Mr. Heaney that they are all in agreement with the tenant selection and to keep the baseball fields in. Mr. Heaney said they would go with what they got with the sewer until they get something from Mr. Campinha. Ms. Begley said that she would like to check with whomever maintains the Gateman fields and see what they use.

**6. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
  - i. Blatman, Bobrowski & Mead, LLC, Invoice #7225 dated January 20, 2012 in the amount of \$15,000

**MOTION:** Selectman Holmes moved to approve payment to Blatman, Bobrowski & Mead, LLC, Invoice #7225 dated January 20, 2012 in the amount of \$15,000. Selectman Begley seconded.

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

- b. Approval of regular meeting minutes: October 4, 2011, January 10, 2012 and Workshop meeting minutes of January 14, 2012

**MOTION:** Selectman Holmes moved to approve the meeting minutes of October 4, 2011. Selectman Schneider seconded.

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

**MOTION:** Selectman Holmes moved to approve the meeting minutes of January 10, 2012. Selectman Begley seconded.

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

**MOTION:** Selectman Holmes moved to approve the meeting minutes of the Workshop meeting minutes of January 14, 2012. Selectman Schneider seconded.

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

Selectman Begley asked that a copy of the approved minutes be sent to every member of the Westfield Study Committee.

- c. Inter and/or Appointment to the Board of Assessors

Present before the board: Robert Bunstein

Mr. Bunstein was before the board seeking appointment to a vacancy on the Board of Assessors until the April election. He is currently retired and for the past 10 years he has worked part time for the Assessors office as a Data Collector and Inspector of building permits. Mr. Bunstein stated he feels he does have the experience to help out. Mr. Curry came before the board and

## SELECTMEN/SEWER COMMISSIONERS MEETING - 2-7-12 (CONT'D)

stated that they have a vacancy due to a resignation. He stated that Mr. Bunstein would be a great asset moving forward. Selectman Begley asked how many applications they have received since she thought that three people applied. Mr. Curry stated that they did receive only two applications. Selectman Schneider and Begley would like the opportunity to interview the other candidates. Selectman Holmes stated that this isn't the typical Board of Selectmen appointment and that is the only reason they didn't interview all candidates.

**MOTION:** Selectman Holmes moved to appoint Robert Bunstein to the Board of Assessors to a term to expire April 3, 2012. Chairman Cruz seconded. Selectman Schneider said that he disagrees with Selectman Holmes and this to him is an issue with respect to the charter and an issue he has had from the beginning that we are not doing things consistently and the charter is pretty consistent in what it says in far as notices of vacancies and read the following section 7-8 of the charter notice of vacancies. Whenever a vacancy occurs, or is about to occur, in any town office, including membership on any multiple member board, or town employment, except for positions covered under the state civil service law or otherwise provided for under a collective bargaining agreement, the appointing authority shall, forthwith, cause public notice of such vacancy, or impending vacancy, to be posted on the town bulletin board and shall give such further public notice as may be provided by by-law. Any person who desires to be considered for appointment to the said office or employment, may, within ten days following the date of notice was posted, file with the appointing authority, a statement setting forth in clear and specific terms his qualifications for the office or the employment. No permanent appointment to fill a vacancy in a town office or in town employment shall be effective until at least fourteen days have elapsed following such a posting, and until all persons who have filed statements shall have been considered. Selectman Schneider stated he takes that to be all of the committees, boards or commissions of the town. He said in fact, he feels any appointments this board has done has been consistent with the charter and stated this is why he has been adamant that they discuss a policy regarding appointments. He said that he isn't willing to violate the charter and he doesn't know that all these conditions have been met and that all these people have that have applied for this position have been duly considered. Chairman Cruz said that right now they are in a predicament that they need someone on and asked if there were any other questions?

**VOTE: 2-2-0 (Selectman Schneider & Begley opposed)**

### **7. LICENSES & PERMITS**

- a. Application for Change of Manager from The Blue Dog LLC, d/b/a Piper Beau's, 207 Main Street, Wareham under the provisions of Chapter 138 of the Massachusetts General Laws.

This item will be placed on a future agenda at the request of the Blue Dog, LLC due to litigation.

- b. Application for a new license from Anthony L. Grosso, d/b/a Commodore Motor Enterprises, 24 Sandwich Road, Wareham under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Anthony Grosso

Mr. Grosso was before the board was before the board for a renewal on his Class II license.

**MOTION:** Selectman Holmes moved to approve the application for a new license from Anthony L. Grosso, d/b/a Commodore Motor Enterprises, 24 Sandwich Road, Wareham under

SELECTMEN/SEWER COMMISSIONERS MEETING - 2-7-12 (CONT'D)

the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Schneider seconded.

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

**8. TOWN ADMINISTRATOR'S REPORT**

a. Wareham's Police Department attains Full Accreditation

Present before the board: Chief Stanley & Officer Bill Fihlman

On Thursday, January 26, 2012 Chief Stanley, Selectman Winslow and Schneider, Lt. Walcek, Lt. Walsh and Officer Fihlman attended the awards ceremony at 9:00 am at the Andover Country Club. Mr. Andrews joined this esteemed groups in this prestigious events.

Chief Stanley spoke about the accreditation and how hard they worked to gain this accreditation and he also wanted to thank Officer Fihlman for his expertise quality assurance and his follow up on working on it. Chief Stanley presented Mr. Fihlman with a plaque thanking him for his hard work. Mr. Fihlman said that this was a team effort and a lot of people played a role in achieving this accreditation.

b. Leadership team

Present before the board: John Charbonneau, Town Planner

Mr. Charbonneau was before the board updating them on the proposed Walmart and stated that although Mass Highway cannot commit until the permitting is done they do agree that the improvements to the intersection meets all their standards. The process with Walmart should come to a conclusion within the next couple of months. They are scheduled before the Conservation Commission next week and the only remaining issue would be with the sewer connection. The next meeting is scheduled for February 16<sup>th</sup> at 7:00pm in the Wareham Town Hall Auditorium. At that time they will be discussing traffic issue and the results of the conservation issue. He also said that the Planning Department has utilized someone in the past from the Senior Work-off program and it's been very useful. Mr. Charbonneau spoke about the rectification for 53G accounts and will continue working on the issues to get the money released.

c. Rally in support of Taunton State Hospital

On January 29, 2012, Mr. Andrews attended a meeting at the First Parish Church of Taunton to support an effort to keep Taunton State Hospital open. Senator Marc Pacheco organized this meeting to focus attention on a proposal drafted by Governor Patrick's Administration to close Taunton State Hospital. Mr. Andrews participated in the rally 12:00 pm to 2:00 pm. Mr. Andrews drafted a resolution and letter of support for the board to consider.

**MOTION:** Selectman Holmes moved to support the resolution (as attached) and allow Selectman Winslow to sign the certificate before sending out. Selectman Begley seconded.

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

d. Wareham's Plan to end homelessness

On Thursday, February 1, 2012 Mr. Andrews joined Walter Cruz, Chairman of the Board of Selectmen in a planning meeting with Ms. Kerry Melo, Southcoast Hospitals Group, Ms. Marcine Fernandes, Turning Point, John O'Brien and Father Bill's of MainSpring and Tom

## SELECTMEN/SEWER COMMISSIONERS MEETING - 2-7-12 (CONT'D)

Fitzpatrick, Turning Point. The discussion centered upon a new initiative directed to provide in depth planning for a program to eliminate homelessness in Wareham. This working group needs feedback and input from the Board, the Leadership Team, Businesses and Industry, Social and religious organizations.

### e. Massachusetts Municipal Association Annual Meeting

Mr. Andrews attached materials relative to a workshop he found very interesting, Christopher Ketchen, Deputy Director of General Government from the Town of Wellesley and Capital Planning workshop hosted by Charles Foscett.

Article #48 Charter Change – Board of Sewer Commissioners. Mr. Andrews asked that this be held until the next meeting to allow time to update some of the language.

Selectman Holmes asked that Mr. Andrews have Justin Cole, Town Accountant come before the board at the March 6<sup>th</sup> meeting.

Selectman Schneider said that he thinks it's important for the board to invite Mr. Cole as well and thanked Mr. Andrews for providing the Financial Management Action Plan. He also spoke about adding another column on the chart.

## 9. TOWN BUSINESS

### a. Meet with the Bike Path Committee

Present before the board: Mike Langford, David Howard, Eileen Ormand, & David Smith  
Mr. Langford stated that currently they have a full board and in the fact-finding stages of the bike path. He said they did just receive a list of all the abutters along the pathway of Phase I so that they can be invited to any hearings. Mr. Langford stated that it's not mandated by the state to send out the notices via return receipt requested and wanted to know if the board felt the same way. He spoke about the survey on website and how 96% of the people do support it and want to see a pathway. The board will check with Town Counsel and get back to them on whether they have to send out the notifications via certified. They also asked about having a representative from the town be included in District 5 meetings.

### b. Meet with COA, Board of Directors

Present before the board: Liz McDonald, Martha Strahan & Cara Pillsbury  
Ms. McDonald spoke about the donation of the freezer by the Friends of the Elderly and spoke about a list of service people that would be giving discounts to seniors. Ms. McDonald said if anyone listening and would like to give discounts to seniors please call Susan Green. Selectman Begley asked if anyone would be checking out the references on these builders, plumbers, mechanics, and etc. to ensure the safety of the Seniors? Ms. McDonald stated that she does believe that Ms. Green has been in contact with Town Counsel. Ms. McDonald said when the list was put together it wasn't something that said they were endorsing them it was more a less something they could have handy rather than thumbing through the yellow pages. Ms. McDonald stated that they do have one vacancy on the board and one member is getting ready to resign and just hasn't done so formally. Selectman Schneider had a concern about this list being affiliated with the town and wanted to make sure that some type of disclaimer was on the list so that the town isn't going to be held liable.

SELECTMEN/SEWER COMMISSIONERS MEETING - 2-7-12 (CONT'D)

**MOTION:** Selectman Begley moved to go beyond the hour of 10:00 p.m. to finish the agenda. Selectman Schneider

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

Ms. McDonald also stated that someone from the Plymouth County District Attorney's office would be in at Multi Service Center on Thursday at 10:00 a.m. to have an informational meeting regarding scams and how to avoid them. Ms. McDonald also stated that for the past 9 months they have been working on rewriting the bylaws.

They are also looking for drivers for meals on wheels and also the food pantry is open on Tuesdays from 1pm – 3pm for Wareham residents 60 years and older. Ms. McDonald stated that they would like to see a full time Council on Aging Director on board and stated that Ms. Green is doing a remarkable job.

c. ABCC – Vote on population estimates for seasonal licenses in 2012

**MOTION:** Selectman Holmes read the letter on the vote on the population for seasonal estimates (as attached) and asks to postpone until March when the board could have a chance to do what the letter is asking. Selectman Begley seconded. – Selectman Holmes withdrew his motion.

**MOTION:** Selectman Holmes moved to postpone the vote until February 21, 2012 and some kind of proof or information be provided to the licensing authority prior to the meeting. Selectman Begley seconded.

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

d. Board of Sewer Commissioners (was on Town Administrator's report and is being held)

e. Any other Town business

Selectman Schneider asked that discussion of junk dealers license be added to the next agenda.

**10. SEWER BUSINESS**

Present before the board: Guy Campinha

a. Sewer User Fee Abatement request: Acct # 37040, Alice J. Holley, Map 14, Lot 1063, 11 Bertino Street for \$298.00

**MOTION:** Selectman Holmes moved to approve the sewer User Fee Abatement request: Acct # 37040, Alice J. Holley, Map 14, Lot 1063, 11 Bertino Street for \$298.00. Selectman Begley seconded.

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

b. Request from Mark Nelson for extension of approximately 1 year to connect at 33 Crab Cove Terrace, Parkwood Beach

Mr. Campinha stated that the resident is asking for an extension since he has a lot of renovation to do and is looking to put a pre-fabricated house on the property.

**MOTION:** Selectman Holmes moved to grant the approval for an extension until August 15, 2013. Selectman Begley seconded.

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

SELECTMEN/SEWER COMMISSIONERS MEETING - 2-7-12 (CONT'D)

Some discussion ensued about the sewer workshop meeting scheduled for February 28<sup>th</sup>. He also stated that he has received a number of requests from residents that need an extension. Mr. Campinha stated that the bylaws currently state that the resident would be fined \$300 per day for every day they don't connect to the sewer. He went on to say that some residents have contracts in place however; they are going to need some extra time due to the work that is needed in some instances. He was before the board looking for guidance on how they wish to handle this. Chairman Cruz suggested sending out a letter to the approximately 200 residents that haven't hooked up yet stating that they will be given an extension of 6 months and the date they would be fined \$300 per day. Mr. Campinha feels they should take it case by case. Selectman Schneider asked if every resident has been sent a letter previously making them aware they need to hook up by February 15<sup>th</sup>? Mr. Campinha stated that a letter did go out over a year ago. The board had some discussion and feels that the extension should be on a case-by-case basis. The board asked for Mr. Campinha to send out a postcard to the residents.

**11. LIAISON REPORTS**

The next Board of Health meeting is Wednesday, February 15<sup>th</sup>  
The Presentation action committee will be meeting on Wednesday, February 15<sup>th</sup> in the Selectmen's meeting room.

**12. ADJOURNMENT**

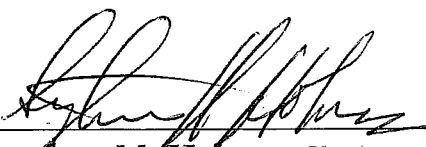
**MOTION:** Selectman Begley moved to adjourn the meeting. Selectman Schneider seconded.

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

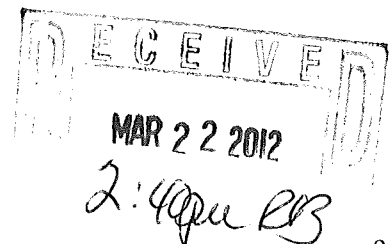
**13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

Respectfully submitted,  
*Janet Wilson*  
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: 3/20/12

Attest:   
Stephen M. Holmes, Clerk

Date Signed: 3/20/12  
Date sent to the Town Clerk: 3/22/12





TOWN OF WAREHAM  
54 Marion Road  
Wareham, Massachusetts 02571

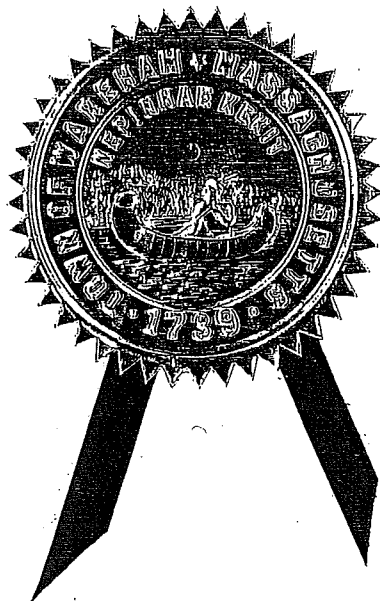
Attachment to 2/7/12  
Meeting minutes

## RESOLUTION

### ***IN SUPPORT OF TAUNTON STATE HOSPITAL***


- WHEREAS: Taunton State Hospital was established as a leader in the effective treatment of mental illness;
- WHEREAS: Taunton State Hospital has led the "moral good" movement anchored in the rich federalist architecture and pastoral grounds;
- WHEREAS: Taunton State Hospital has served thousands of critically ill mental health patients from the Southcoast region;
- WHEREAS: Taunton State Hospital has created an atmosphere of support that has assisted patients gain ground toward recovery;
- WHEREAS: Taunton State Hospital has endeavored to bring quality mental health care to the Town of Wareham and the Southcoast region;
- WHEREAS: Taunton State Hospital is an economic engine in our local economy that generates hundreds of jobs and local income;
- WHEREAS: The doctors, medical experts, health care professionals and entire staff have demonstrated their devotion, dedication and high level of professionalism for over 149 years.

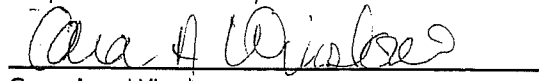
IN WITNESS THEREFORE, We the Wareham Board of Selectmen have hereunto set our hands and caused the OFFICIAL Seal of the Town of Wareham to be affixed this 7<sup>th</sup> day of February 2012.

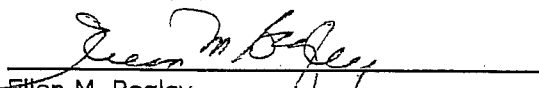



#### WAREHAM BOARD OF SELECTMEN

  
Walter B. Cruz, Sr., Chairman

  
Stephen M. Holmes, Clerk

  
Cara Ann Winslow

  
Ellen M. Begley

  
J. Michael Schneider