



## 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. **WESTFIELD DISCUSSION**
6. **CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
  - i. Approval of regular meeting minutes: January 24, 2012, February 7, 2012, and March 6, 2012.
- b. Interview and/or Appointment Marine Resources Commission and Tremont Nail Master Plan Committee.

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

- a. **7:15 p.m. Hearing** – (1) On the application for transfer of license from Digital Federal Credit Union dba Bay Pointe Country Club to Bay Pointe Club, LLC, Sean Crump, Manager 19 Bay Pointe Drive, Onset under the provisions of Chapter 138 of the Massachusetts General Laws. (2) Public Amusement License on Weekdays for Dancing and Live Entertainment under the provisions of Chapter 140 of the Massachusetts General Laws. (3) Public Entertainment on Sunday License for Dancing and Live Entertainment under the provisions of Chapter 136 of the Massachusetts General Laws.
- b. Application for Change of hours from LR Hunt LLC dba Café Soleil, 241 Main Street, Wareham under the provisions of Chapter 138 of the Massachusetts General Laws.
- c. Application of late renewal from Guard's Services, Inc. dba Pro Team Quick Oil Change, 3067 Cranberry Highway, East Wareham, under the provisions of Chapter 140 of the Massachusetts General Laws.
- d. Use of town roads - application received from the Dick Melloni Youth Foundation, c/o Richard Melloni, 7 Peter Cooper Drive to hold a bicycle ride on Sunday, September 16, 2012.

- e. Application for one day wines and malt beverages license for Wine Tasting for Foundation for Wareham Education, c/o William Ellis, to be held on May 18, 2012 at the Box Mill Hall, Tihonet Marketplace in Wareham.

**8. TOWN ADMINISTRATOR'S REPORT**

- a. Leadership Team – 100<sup>th</sup> Centennial of the Cape Cod Canal Chamber of Commerce.
- b. Wareham's Brightside – External Painting of Memorial Town Hall.
- c. Veteran's Plaques Memorial Dedication.
- d. Traffic Enforcement Grant.

Status Report of ongoing issues/projects.

**9. TOWN BUSINESS**

- a. Approve and vote on annual town election.
- b. Discussion of Minot Forest Elementary School Building Committee.
- c. Discussion of liquor policy re. hours of operation.
- d. Discussion with Jeff Tatro, Transportation Dept. re. School Bus surplus.
- e. BETA – Sign Inventory Program.
- f. Discussion of fine re. illegal construction on a public way.
- g. Discussion of Town Administrator's contract.
- 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**

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

Date of Meeting: March 20, 2012  
Date of Transcription: March 26, 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, Absent

Also present: Mark Andrews, Town Administrator

### **3. ANNOUNCEMENTS**

Move Wareham forward in conjunction with Suffolk University is pleased to announce a community forum on March 26<sup>th</sup> at the Memorial Town Hall auditorium from 7pm – 9pm.

Annual Easter egg hunt will take place on March 31<sup>st</sup> at 10am. Cost is \$5 per child.

Every Thursday, starting at 5:30 pm there will be an auto gathering at AJ performance located on 16 Kendrick Road.

On March 24<sup>th</sup> from 10am – 4pm habitat for humanity will host a home and garden show at Tabor academy.

The 20<sup>th</sup> annual boys and girls club basketball challenge will be held on March 23<sup>rd</sup> from 6pm – 9pm. This will be held in New Bedford and admission is \$5 for adults, \$3 for students and \$2 for children. This event supports Wareham.

Congrats to the Wareham boys basketball team section 3 champions.

On March 24<sup>th</sup> there will be a Blues extravaganza from 8pm – midnight at the Onset VFW. Funds from this event will support the Blues Festival this summer.

### **4. CITIZENS PARTICIPATION**

Present before the board: Amit Johar

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

Mr. Johar was before the board stating that he has heard nothing but positive results from Mr. Andrews and asked if the board has considered a counter offer to Mr. Andrews? He also said that he is hearing rumors about his residency and has invited Chairman Cruz along with the Town Clerk to his home at 3150 Cranberry Highway anytime. He would hope that distractions and differences can be put aside.

Present before the board: Sandy Slavin  
Ms. Slavin wanted to let people know that the litter mob will be cleaning up Minot Avenue on Sunday and will meet at Minot Forest School at 10am.

Present before the board: Susan Ricci  
Ms. Ricci was before the board thanking Mr. Andrews for his dedication and accomplishments.

Present before the board: Anne Eisenmenger, Founder, Publisher and owner of Wareham Week.

Ms. Eisenmenger was before the board stating that it's now been three times that the larger circulation paper has come on the losing end of legal advertising. She went on to say that there was no fair and transparent process that she can see. She has exchanged email with Mr. Andrews and stated that it hasn't changed the ultimate decision. Ms. Eisenmenger read a letter (as attached) she sent to Mr. Andrews. Mr. Andrews stated that in the past the town has sought out by charter a newspaper by circulation and her quote was \$400 larger than the Courier provided.

Present before the board: Ron Robinson

Mr. Robinson wanted to clear up the misconception about the Oakdale Sewer project. He said that the residents do not now, or have ever advocated that taxpayers of Wareham be burden with any funds that are not funded by any funds available for the sewer project. He went on to say that they have never asked Wareham residents to reach into their pockets for the shortfall as a result of the betterments being lower to a fair and reasonable amount. He said that the interested parties take a closer look at the various funds connected to the sewers and identify those funds which can be utilized to correct the situation as a result of unfair policies and practices and procedures.

**5. WESTFIELD DISCUSSION**

Present before the board: Sandy Slavin, Member of Westfield  
Ms. Slavin was before the board stating that they have several issues that they still need resolution on to finish the RFP. The first is the sewer capacity and the status of the pump stations at Tobey Road and Springborn, they need a comment on how to put that into the RFP, they are also waiting on the legal decision whether or not the Board of Selectmen can submit and article for the CPA funds up to \$500,000. They are also looking for meeting minutes from April 21, 2011 and March 26, 2011.

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

Selectman Holmes asked if Guy Campinha could attend the next meeting so that he can give the board the sewer capacity. Selectmen Holmes asked about the meeting locations. The meeting on April 21<sup>st</sup> was held in the Café in the Multi Service Center and the March 26<sup>th</sup> meeting was held in Conference Room 23 in the Town Hall. Mr. Mulkern was before the board at this time stating he remembers a meeting with the Selectmen when Mr. Campinha was talking about Swifts Beach having 400,000 gallons of storm water going into the system and he said that he asked him if there was capacity for Westfield and feels that they are dragging their feet. Ms. Slavin clarified that Mr. Campinha did send a letter to the RFP Westfield Committee saying that there was capacity at the sewer plant, but it's her understanding this had to be confirmed by the Board as Sewer Commissioners. She also went on to say there was no discussion of the two pump stations at that point. The board will also ask Attorney Bowen for an opinion on who submits the grant request and article.

**6. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
  - i. Approval of regular meeting minutes: January 24, 2012, February 7, 2012 and March 6, 2012

**MOTION:** Selectman Holmes moved to approve the meeting minutes of January 24, 2012. Selectman Winslow seconded.

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

**MOTION:** Selectman Holmes moved to approve the meeting minutes of February 7, 2012. Selectman Begley seconded.

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

**MOTION:** Selectman Holmes moved to approve the meeting minutes of March 6, 2012. Selectman Winslow seconded.

**VOTE: 3-0-1 (Selectman Cruz abstained)**

- b. Interview and/or Appointment Marine Resources Commission and Tremont Nail Master Plan Committee

Present before the board: Teddy O'Rourke

Mr. O'Rourke was before the board seeking appointment as an associate member to the Marine Resources Commission. He owns and operates Anchor Diving and said that he makes a living on the water and spends most of his time on the water. Selectman Holmes stated that there was a recommendation from the committee to appoint him as a member.

**MOTION:** Selectman Holmes moved to appoint Teddy O'Rourke as an associate member to the Marine Resources Commission to a term to expire no later than June 30, 2012. Selectman Winslow seconded.

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

Selectman Holmes stated that an email was received from Mr. Sauvageau asking that his application for Tremont Nail be placed on hold.

**7. LICENSES & PERMITS**

- a. **7:15 pm. hearing** – (1) on the application for transfer of license from Digital Federal Credit Union, d/b/a Bay Pointe Country Club to Bay Pointe Club, LLC, Sean Crump, Manager, 19 Bay Pointe Drive, Onset under the provisions of Chapter 138 of the Massachusetts General Laws. (2) Public Amusement License on weekdays for dancing and live entertainment under the provisions of chapter 140 of the Massachusetts general laws.

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

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

Present before the board: Sean Crump

Mr. Crump was before the board to transfer the license and stated they were seeking an entertainment license for some events such as a golf outing. Chairman Cruz asked if anyone from the audience was there to speak? Present before the board: John Cronan asking if liquor was going to be served anyplace other than the clubhouse? Mr. Crump stated that liquor would be served in the clubhouse and there is also a second license in which digital is still waiting on a response from the ABCC at the pavilion building. Mr. Crump stated that they hired a terrific chef who is very skilled and said the team they have is fantastic. They have been going through the property and making improvements.

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

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

**MOTION:** Selectman Holmes moved to approve the application for transfer of license from Digital Federal Credit Union, d/b/a Bay Pointe Country Club to Bay Pointe Club, LLC, Sean Crump, Manager, 19 Bay Pointe Drive, Onset under the provisions of Chapter 138 of the Massachusetts General Laws. (2) Public Amusement License on weekdays for dancing and live entertainment under the provisions of chapter 140 of the Massachusetts general laws. (3) Public Entertainment on Sunday License for Dancing and Live Entertainment under the provisions of Chapter 136 of the Massachusetts General Laws. Selectman Winslow seconded.

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

- b. Application for change of hours for LR Hunt, LLC, d/b/a Café Soleil, 241 Main Street, Wareham under the provisions of chapter 140 of the Massachusetts General Laws.

Present before the board: Robert Hunt

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

Mr. Hunt was before the board looking for a change of hours. He stated that they would like to be open Wednesday – Saturday 4:30pm – 8:30pm. Selectman Winslow asked Mr. Hunt was his existing hours were? Mr. Hunt stated Wednesday – Saturday with Saturday starting at noon and they would like to now be open at 4:30 on Saturdays. Selectman Begley asked if there were previously open on Sundays? Mr. Hunt stated they were however; it was costing them money to be open so they cut back on Sunday.

**MOTION:** Selectman Holmes moved to approve the Application for change of hours for LR Hunt, LLC, d/b/a Café Soleil, 241 Main Street, Wareham under the provisions of chapter 140 of the Massachusetts General Laws changing the hours from Wednesday – Saturday 4:30 pm – 8:30 pm. Selectman Winslow seconded.

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

- c. Application of late renewal for Guard's Services, Inc., d/b/a Pro Tem Quick Oil Change, 3067 Cranberry Highway, E. Wareham, under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Joe Guard

Mr. Guard was before the board stating the reason for the late renewal was due to some economic hardships. Selectman Begley asked if he did anything with his Class II during the lapse? Mr. Guard stated they had not conducted any Class II business during that time.

**MOTION:** Selectman Holmes moved to approve the renewal for Guard's Services, Inc., d/b/a Pro Tem Quick Oil Change, 3067 Cranberry Highway, E. Wareham, under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Winslow seconded.

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

- d. Use of town roads - Application received from the Dick Melloni Young Foundation, c/o Richard Melloni, 7 Peter Cooper Drive to hold a bicycle ride on Sunday, September 16, 3012.

**MOTION:** Selectman Holmes moved to approve the application received from the Dick Melloni Young Foundation, c/o Richard Melloni, 7 Peter Cooper Drive to hold a bicycle ride on Sunday, September 16, 3012 as amended without the use of the Onset parking lot. Selectman Winslow seconded.

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

- e. Application for one day wines and malt beverages license for Wine Tasting for Foundation for Wareham Education, c/o William Ellis, to be

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

held on May 18, 2012 at the Box Mill Hall, Tihonet Marketplace in Wareham

Selectman Holmes asked if anyone from the audience was before the board for the application? Selectman Winslow stated that she didn't see any email or notice advising Mr. Ellis to be in attendance. Selectman Winslow asked that Mr. Ellis be invited to an upcoming meeting to discuss this application.

**8. TOWN ADMINISTRATOR'S REPORT**

- a. Leadership team – 100<sup>th</sup> Centennial of the Cape Cod Canal Chamber of Commerce

Present before the board: Jackie Lindsey & Marie Olivia

Ms. Olivia spoke about the plans for the 100<sup>th</sup> centennial of the Cape Cod Canal and said they have been meeting for 1-½ years now and spoke about money received from the mass office of tourism. Ms. Lindsey spoke about the sail trail and how the sails are decorated for businesses. Each sail will be sold for \$1300 and the Town of Sandwich has already approved them in their town. The money is needed to get this event off the ground.

**MOTION:** Selectman Holmes moved to support the sails program, which allows for the adjustment of the current town guidelines for compliance of these types of dates where we now have a maximum of a three day lead way the town would extend that lead way from the period of August 2013 through November 2014. Selectman Winslow seconded.

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

Mr. Andrews stated they have received responses for the Town Accountants positions, and please be advised that he has activated the Town Accountant screening committee which comprises of John Foster, Selectman Begley, Anna Miranda and Sam Gray from the Finance Committee.

- b. Wareham's Brightside - External painting of Memorial Town Hall  
On Wednesday, March 7, 2012, our Municipal Maintenance opened bids for the exterior painting of the Town Hall. This project was initiated at Town Meeting and approved on October 24, 2011, Article # 15. The firm of BSA Painting was selected to complete this project. It is an important project that was funded by CPC funds and was committed in 2010. Mr. Andrews keep you posted on the progress of this matter

- c. Veteran's Plaques Memorial dedication  
On Tuesday, March 13, 2012, Mr. Andrews presided over the Veteran's Plaques Memorial Ceremony held at 5:00 pm in the 2<sup>nd</sup> floor foyer of Memorial Town. He was joined with Chairman Walter B. Cruz, Sr., Selectwoman Ellen Begley, Senator Marc Pacheco, Congressman William Keating, State Representative Susan Williams-Gifford, Ervin Russell



SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

representing U. S. Representative Barney Frank, Veterans Agents Ed Merrigan and James Crockett, and James Newman. This prestigious ceremony marked the rehabilitation of the Veterans Plaques from the Revolutionary War to present day. Families, friends and representatives of key Veterans Affairs organizations joined us. Mr. Andrews would like to extend an appreciation and thank you to Dunkin's Donuts for the donation of refreshments, which were enjoyed by all in attendance. Mr. Newman spoke about the dedication.

d. Traffic enforcement grant

On Tuesday, March 13, 2012, Mr. Andrews was informed by Chief Richard Stanley of a \$6,000 Traffic Enforcement Grant from the Massachusetts Department of Public Safety for the May ***Click It or Ticket*** and ***Drive Sober or Get Pulled Over Mobilizations*** as part of the FFY 2012 Traffic Enforcement Grant Program. Our police department will receive \$3,300 for each of these two mobilizations.

Mr. Andrews along with Mary Ann Silva and Town Counsel are working on the final language for the Sewer Commissioners.

Mr. Andrews is meeting the Superintendent to go over some budget issues.

**9. TOWN BUSINESS**

a. Approve and vote on annual town election

Selectman Holmes moved to vote on the notice of the annual town election (as attached) Selectman Winslow seconded.

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

b. Discussion of Minot Forest Elementary School Building Committee.

Mr. Andrews said last week they held a meeting with the Massachusetts School Building Authority and posed questions. They said the first part revolves around the study, the 2<sup>nd</sup> is the design and the 3<sup>rd</sup> is the building of the school.

**MOTION:** Selectman Holmes moved to appoint Selectman Begley. Selectman Winslow seconded.

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

c. Discussion of liquor policy re: hours of operation

Discussion of Policy Statement 88-19 Alcoholic Beverages/Hours of Operation. Chairman Cruz stated this was added since Chairman Begley has asked for a show cause hearing. Selectman Begley said that the policy states that each applicant shall provide the licensing authority with the actual hours they shall be open, in advance, including, but not limited to, vacations, when the facility will be closed to the public, and holidays the facility will be closed early. She would like a show cause hearing after receiving a report from the Chief of Police dated February 15<sup>th</sup> that two establishments were open on a day that

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

they were not licensed to serve alcohol. She is asking that the Chief along with the owners of the establishment appear before the board for a show cause hearing. Selectman Winslow asked if the Chief did go into the establishment and inform them they shouldn't be open that day? Selectman Begley stated yes. Selectman Begley stated that she is respectfully asking for a show cause hearing. Chairman Cruz felt that a show cause wasn't needed and stated they already have notification from the Chief of Police. Selectman Holmes spoke about the policy and said that one issue he had was with emails being sent from establishments stating that they were opening longer or opening later or closing on a certain date. Selectman Holmes stated that this is a violation of the policy and was concerned that they haven't been called in for a show cause hearing. He said their needs to be a response from the licensing authority. Selectman Holmes stated that they should hold a workshop with the business owners and explain the policies to them.

- d. Discussion with Jeff Tatro, Transportation Department re: School bus surplus

Present before the board: Jeff Tatro

Mr. Tatro was before the board requesting permission to allow the scrap sale of four old school busses. Selectman Begley asked if this was the first sale of any surplus since he's been the director? Mr. Tatro stated that this is the first to sell surplus they have however, in the past traded the surplus. Selectman Begley asked who determines the value of that? Mr. Tatro said that he doesn't recall. Selectman Begley asked that he provide to the Board of Selectmen with a list of what was traded as surplus? Mr. Tatro said that it was declared prior to him starting as the Transportation Director.

**MOTION:** Selectman Holmes moved to declare school bus B9, B28, B1 and B40 scrap. Selectman Winslow seconded.

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

**MOTION:** Selectman Begley moved to that the board have any surplus that has been declared by the Transportation department for the last four years. Selectman Holmes seconded.

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

- e. BETA – Sign Inventory Program

(This has been postponed due to an emergency with a representative from BETA)

- f. Discussion of fine re: Illegal construction on a public way

Present before the board: Myles Burke, Director of Inspectional Services

Mr. Burke was before the board for approval to authorize to request a fine to Mr. Kevin Welch owner of 60 Robinwood Way. He has erected stone pillars on the entryway of the street, which is not located on his property. Mr. Burke said

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

Mr. Welch assured him that he was going to take them down. Mr. Burke said that he isn't getting volunteer compliance from him and he said that Mr. Welch feels that he was just replacing fencing and was told by the realtor it was part of his property which it isn't. Mr. Burke said that the residents have requested that he take the pillars down. They pillars are not obstructing the way and Mr. Burke is requesting a fine under 1432 of lack of prosecution of violation that the board can fine him up to \$300 per day. Mr. Burke said that he would feel that \$100 per day fine would be in order and would like to send him a letter notifying him of the fine. Selectman Winslow asked if this was a public way? Mr. Burke stated that it was and she also asked if he was notified of tonight's meeting in which Mr. Burke stated that he was also notified. Selectman Begley stated that this issue has been going on for some time now.

**MOTION:** Selectman Holmes moved to support Mr. Burke and send Mr. Welch a letter to rectify the situation and if not rectified within a week and if heavy equipment is needed 2 weeks then Mr. Burke beginning fining \$100 per day. Selectman Winslow seconded.

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

g. Discussion of Town Administrator's contract

Mr. Andrews said that his decision comes with a heavy heart and he would like to thank the board of their support. Mr. Andrews said that he will be accepting a position in the Town of Wenham and he is working on a transition plan. Chairman Cruz said that the board did waive the 90-day notification at their Saturday meeting and Mr. Andrews will stay on until April 13, 2012.

**MOTION:** Selectman Winslow moved that the board waive the provisions under section 7B of Mr. Andrews contract and allow him to leave his employ on Friday, April 13, 2012 until 5:00 pm. Selectman Holmes seconded. Selectman Begley said that there are people that support Mr. Andrews and there were a few that didn't support him and wished Mr. Andrews well.

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

Selectman Begley recommended that the MMA be contacted to assist the town in finding an interim Town Administrator. Selectman Begley would also like to also keep Mr. Sullivan on at this time as the financial person full time.

**MOTION:** Selectman Begley moved that the board demonstrate a vote of confidence in the Town Administrator, Mr. Mark Andrews. Selectman Holmes seconded.

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

h. Any other town business

Selectman Holmes spoke about a policy the board recently passed regarding the use of Town Counsel by boards and committees. He said that the boards are going to have issues if they fail to follow that policy and submit bills to the Town Administrator. Mr. Andrews said that all boards and committees have

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

been reminded along with department heads. He said that he would hold the Department head responsible for this.

Selectman Winslow spoke about reports of hunting stands along the Fearing Hill trails and spoke about a hunting policy.

Selectman Winslow asked if Mr. Andrews has heard anything about 118 Sandwich Road? Selectman Begley stated that it's scheduled on the next Board of Health meeting.

Mr. Andrews provided Chairman Cruz with a shirt with his name embroidered on it and thanked him for his service.

**10. SEWER BUSINESS**

a. Any Sewer Business

Selectman Holmes stated that Mr. Campinha or someone from the Sewer plant be in attendance at every meeting to provide updates with the status on contract #2 betterments.

**11. LIAISON REPORTS**

Selectman Begley said that the Transportation study committee met prior to the Board of Selectmen's meeting and they talked about plan b. She made a motion that plan b be brought before the school committee to deliberate and bring it to the school committee. She mentioned that her motion failed and Mr. Swett stated that he would however; bring it before the school committee. She said they went over the transportation revolving account. Selectman Begley stated that Mr. Tatro gave a presentation on the financial scenarios such as transporting k-6 grades, transporting students greater than 2 miles from school as well as fee for service.

Selectman Holmes urged residents and concerned taxpayers to watch the meeting that was taped on Saturday. Selectman Winslow stated what she didn't think was clear during Saturday's meeting was how much work Mr. Andrews and Dr. Rabinovitch along with the Chairman worked on the budget.

**12. ADJOURNMENT**

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

**VOTE**

**4-0-0 (unanimous)**

SELECTMEN/SEWER COMMISSIONERS MEETING - 3-20-12 (CONT'D)

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

Respectfully submitted

***Janet Wilson***

Department Assistant

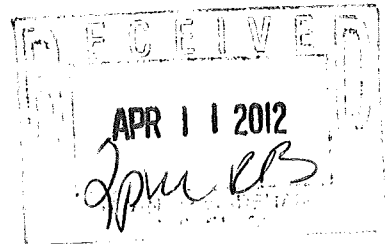
The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: 4-10-12

Attest:

  
***Stephen M. Holmes, Clerk***

Date Signed: 4-10-12

Date sent to the Town Clerk: 4-11-12



Attachment 3/20/12  
meeting minutes



**WarehamWeek**

Anne Eisenmenger, Publisher  
Wareham Week & WarehamVillageSoup  
219D Main St.  
Wareham, MA 02571  
March 20, 2012

Mark Andrews  
Wareham Town Administrator  
54 Marion Road  
Wareham, MA 02571

Dear Mr. Andrews,

Yesterday's communication that the spring Town Meeting Warrant will be published in The Wareham Courier rather than Wareham Week marks the third successive puzzling decision that you have made regarding legal advertising. The first two decisions, which I will describe below, most definitely cost Wareham significantly more money than it should have paid. None of the decisions seems to have been made with the goal of reaching the largest number of Wareham residents. The process itself appears irrational and decidedly non-transparent.

Let me be specific.

1. Last fall, Wareham Week and the Courier were asked to submit quotes for publishing the Fall Town Meeting warrant. Wareham Week submitted a substantially lower bid and the explanation that our circulation of 7,000+ is at least three times that of the Courier. Whether the decision were to be based on "best price" or "best value," the two precepts of any normal competitive bidding process, I was confident that we would be chosen to print the warrant.

Instead, I was informed that you had chosen to go with the Courier. Only after a strenuous protest that the decision violated competitive bidding requirements was the decision made to print the warrant in both papers – paying both the low bidder (Wareham Week) and the high bidder (The Courier).

Your rationale at the time was that printing in both papers provided the widest possible audience. I question that. Among town residents, there are VERY few Courier subscribers who are not also Wareham Week readers. 7,000+ Wareham Week copies in a town with 8,000+ households is darn close to 100% penetration.

2. Late last year, I saw that the town had published its proposed budget in The Courier. At two full pages in The Courier, it was an expensive ad. Plus, the Courier ad was difficult to read; the two pages were printed separate from each other in different parts of the paper with no cross-reference.

attachment 3/20/12  
meeting minutes

I called your office to inquire why Wareham Week, with its much greater circulation, lower prices and attention to quality control was not given an opportunity to bid on the business. You told me that the town would "be fair" and alternate big jobs between the two newspapers. It seemed an odd procedure for our cash-strapped town – or for any town interested in having the largest number of people see critical public information. But, knowing that the next "big job" was the spring warrant and anticipating this would be awarded to Wareham Week based on your rotation, I did not press the issue.

3. Late last week, I was e-mailed a copy of the spring warrant and asked to bid on the business. That in itself was strange, considering your promise that big jobs would be alternated between the two papers - - and that the previous big job had been awarded to the higher-priced, lower-circulation paper without being put out to bid.

But, confident that our best price and vastly larger audience would prevail, we presented a bid at the same rate for the same presentation as we had provided in the past. It is a LONG warrant, filling seven of our pages, for a price of \$2,450. Shortly thereafter, I was informed that the Courier was the low bidder at \$2,081.

That is troubling. It takes only a little math to know that Wareham Week is far and away the best value.

The Courier has not updated its published circulation number since before Wareham Week was launched two years ago. Back then, it claimed to have a circulation of 3,200. Our presence has clearly resulted in a reduction in that number. Being generous, let's say they still have 2,000 subscribers, albeit many of them out-of-town mail subscribers. Our current Wareham-only circulation is 7,200.

**Using those numbers, their bid comes out to \$1 per copy. Wareham week? 34 cents per copy.**

Furthermore Wareham Week's legal advertising is designed to be accessible and easy-to-read for residents of all ages. Knowing the Courier's legal advertising rates, I suspect its "winning" bid was made possible only by reducing type to a size that many Wareham residents will find unreadable. We could do that too, but doesn't that defeat the point of printing public notices for all to read?

We provide value. We provide free-of-charge accessibility for the maximum number of people in the community. We provide easy reading for the many senior citizens who cannot read itsy-bitsy type without a magnifying glass.

In addition to abandoning your stated system of alternating the "big jobs," this latest decision serves neither the public nor the public pocketbook.

If there is a method to this madness, I beg you to tell me what it is. As a citizen and taxpayer and straight-shooting local businessperson, I ask that a fair, rational process of selecting a vendor for legal advertising be clearly and publicly defined.

Sincerely,  
Anne Eisenmenger



Attachment 3/20/12  
meeting minutes

WAREHAM TOWN CLERK  
COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WAREHAM

To either of the Constables of the Town of Wareham:

**GREETINGS:**

In the name of the Commonwealth you are hereby required to notify and warn inhabitants of said town who are qualified to vote in the election to vote at:

Precinct 1 - Memorial Town Hall, 54 Marion Road  
Precinct 2 - Hammond School, 13 Highland Avenue  
Precinct 3 - Minot Forest School, Minot Avenue

Precinct 4 - Decas School, 760 Main Street  
Precinct 5 - Decas School, 760 Main Street  
Precinct 6 - Elks, 2859 Cranberry Highway

on **TUESDAY, APRIL 3, 2012**, from 8:00 A.M. to 8:00 P.M. to cast their votes in an Annual Town Election for the following:

Board of Selectmen	- One Position - Three Years
Board of Selectmen	- One Position - Two Years
Board of Assessors	- Two Positions - Three Years
Board of Assessors	- One Position - One Year
School Committee	- Two Positions - Three Years
Dep. Town Moderator	- One Position - Three Years
Housing Authority	- One Position - Five Years
Question	- Charter Change Article 38

And to attend the Annual Town Meeting in the Wareham High School Auditorium, Viking Drive, on Monday, April 23, 2012, at 7:00 p.m., to act accordingly.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said Election and Meeting.

Given under our hands this 20th day of March, 2012

\_\_\_\_\_  
Walter B. Cruz, Sr., Chairman

\_\_\_\_\_  
Stephen M. Holmes, Clerk

\_\_\_\_\_  
Cara Ann Winslow

\_\_\_\_\_  
Ellen M. Begley

\_\_\_\_\_  
J. Michael Schneider  
Board of Selectmen in the Town of Wareham

\_\_\_\_\_  
Constable

POSTED AT:

Memorial Town Hall  
West Wareham Post Office  
Onset Post Office

\_\_\_\_\_  
Date

Wareham Free Library  
East Wareham Post Office  
Lodge of Elks