



TOWN of WAREHAM

Board of Selectmen/Sewer Commissioners

Workshop 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. Interview and/or appointments to the Cable Advisory Committee
7. **TOWN ADMINISTRATOR'S REPORT – POSTPONED TO 4/3/12**
8. **TOWN BUSINESS**
 - a. Any Town business.
9. **SEWER BUSINESS**
 - a. Continuation of Siemens presentation/ESCO.
 - b. Request for sewer tie from Wal-Mart.
 - c. Sewer Mitigation Account – Retreat at Union Pond.
 - d. David Simmons – re-submittal of abatement request previously denied.
 - e. Set Policy – EDU rates.
 - f. Garden Homes Estates – sewer usage bills and EDU adjustment.
 - g. Great Hill Mobile Home Park Sewer connection – requesting permission to connect 156 mobile homes to sewer system.
 - h. Guy Marino – sewer abatement
 - i. Judith Sousa – sewer connection.
 - j. Deborah Alfonso – sewer abatement
 - k. Mary Cherella – abatement on sewer usage bill.
 - l. Leigh & David Campano – sewer abatement.
 - m. Gerard Carcilio – sewer connection.
 - n. FY12 – 2nd half sewer usage omitted commitment.
 - o. Westfield
 - p. Any sewer business.
10. **LIAISON REPORTS**
11. **ADJOURNMENT**
12. **SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

MINUTES OF MEETING OF SELECTMEN / SEWER COMMISSIONERS

Date of Meeting: March 27, 2012
Date of Transcription: April 2, 2011
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Cruz called the meeting to order at 7:05 p.m.

2. ROLL CALL

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

Also present: Mark J. Andrews, Town Administrator, absent

MOTION: Selectman Begley moved to have Selectman Winslow serve as clerk.
Chairman Cruz seconded.

VOTE: 3-0-0 (UNANIMOUS)

3. ANNOUNCEMENT

Wareham Coffee Hour will take place on March 29th at 9:00 a.m. in room 225 at the Multi-Service Center. Guests for this week will be David Smith and Geoff Swett.

4. CITIZENS PARTICIPATION

Present before the board: Bob White

Mr. White stated that he holds interviews with Veterans in the Selectmen's meeting room and wanted to extend a thank to all that have made the room very tidy and neat and professional looking. Chairman Cruz stated that they can thank WCTV for their work.

Present before the board: Peter Teitelbaum

Mr. Teitelbaum wanted to thank Chairman Cruz for his time and service.

Present before the board: Gerald Barrows

Mr. Barrows asked if there was anyone going to be taking the place of Mr. Andrews in his absence?

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Present before the board: Sandy Slavin

Ms. Slavin thanked all who came out and helped with the litter mob on Minot Avenue. They have 2 more planned April 2nd at Redbrook Road and on April 22nd they will be cleaning up Onset Avenue. Ms. Slavin also thanked Chairman Cruz for recognizing her every time she put her hand up for citizens participation.

5. WESTFIELD DISCUSSION

Discussion held under sewer business

6. CONSENT AGENDA

a. Interview and/or appointments to the Cable Advisory Committee

Present before the board: Steve Ruiz

Mr. Ruiz stated that he served on the last round of negotiations with Comcast and Verizon and would like to lend his expertise to the board. He has been in the telecommunications business for 20 years. Selectman Begley asked Mr. Ruiz if he was a paid by WCTV? Mr. Ruiz stated that he is and some discussion ensued on if it would be a conflict of interest. Mr. Ruiz will check with the State Ethics Commission. Selectman Winslow said that he could call the State Ethics attorney and it might just be something as simple as filing a disclosure with the Town Clerk that states he is an employee. Selectman Winslow also clarified that the agreements do result in a fee that comes back to the town.

Present before the board: Jay Heard

Mr. Heard is the Executive Director of WCTV and is also a paid employee and his intentions are to get the best cable contract for the town. He said that he would like to continue to provide a good service to the town. Mr. Heard said that he is not a current member of the board of directors. Selectman Begley stated that it would be best for him to contact the State Ethics Commission as well.

Present before the board: Paul Ciccotelli

Mr. Ciccotelli said that his intention is that the town does end up with the best deal with the cable companies. He is a licensed FCC engineer as well as a broadband specialist. He is also on the board of directors for WCTV. He isn't a paid employee and was also asked to contact the state ethics commission.

Mr. Newman wasn't in attendance to be interviewed and will be invited to a future meeting.

Selectman Winslow stated she would like to be on the board as the Board of Selectmen member. Selectman Begley would like to give Mr. Newman an opportunity to come before the board and have been scheduled on the April 10th agenda.

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7. TOWN ADMINISTRATOR'S REPORT – POSTPONED TO 4/3/12

8. TOWN BUSINESS

a. Any town business

Selectman Begley asked if everyone had a chance to read the letter addressed to the board from Chief Stanley dated March 21, 2012? The letter was a follow-up regarding the Liquor violations from Stonebridge Bistro and Ella's. Chief Stanley asked the board to hold a show cause hearing on these establishments.

MOTION: Selectman Begley moved that the board hold a show cause hearing for Stonebridge Bistro and Ella's Restaurant. Selectman Winslow seconded.

VOTE: 3-0-0 (UNANIMOUS)

Chairman Cruz spoke about the possibility of another establishment also being asked to come before the board since they have been closed for two days.

Selectman Winslow said that an interim Town Administrator needs to be discussed soon. Chairman Cruz stated that the MMA has been contacted and Mr. Andrews is working on a transitional plan.

9. SEWER BUSINESS

a. Continuation of Siemens presentation/ESCO

Present before the board: Eileen McHugh, Department of Energy Resources. She manages the program for this process called energy management services. This is an alternative type of public procurement that requires a competitive bid, as well as a limited exemption from chapter 149 so it's considered construction. Ms. McHugh stated the way this works is reallocating the operating budget to help pay for some capital costs. The energy services company acts like a general contractor and hires any sub-contractors. Ms. McHugh said for the 162 towns that have used this process 32 of them have reported the results from 2002 and they are up to 178 million in investment, which is covered by 10.7 million in energy and water savings. Selectman Winslow believes this is something the board should pursue. Selectman Begley said given the green initiatives federally and from the state is their monies available for something like this? Ms. McHugh said that some towns that have been designated green communities have used their performance contracting projects in their applications for grant money. Selectman Begley asked in her experience what was the initial startup cost for something like this? Ms. McHugh stated that once you get thru the RFP or RFQ process, which would cost staff time and if you hire an owner's agent for \$20,000 - \$25,000, then once you get to the investment grade audit stage the audit agreement will have a clause

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that states if you don't go ahead with the project you will have to pay them for the audit. She said the range for the audit would be between \$60,000 - \$160,000. Ms. McHugh said that she knows of only a handful of towns that have backed out and only a couple has had to pay for the audit fee without going forward to the project.

b. Request for sewer tie in from Wal-Mart

Mr. Campinha stated that Wal-Mart was suppose to make a formal request and they have not done so yet.

c. Sewer Mitigation Account – Retreat at Union Pond

Mr. Campinha stated that \$100,00 was generated from the Union Pond Comprehensive permits and this money was put aside. Mr. Campinha would like to use that money on the pump stations. Selectman Begley would like for Mr. Andrews to ask Mr. Cole what have the Representatives from Union Pond sent in? Where is the money and also, get a legal opinion on how it can be expended? Selectman Winslow would also like to have Mr. Andrews ask Mr. Cole about the process.

MOTION: Selectman Begley moved that this board direct the Town Accountant to direct the funds that were contributed to an account based on the application for a comprehensive permit by Union Pond Limited partnership number 88 page 28 of 37 for the sewer mitigate account and written legal opinion on how the funds can be expended. Selectman Winslow seconded.

VOTE: 3-0-0 (UNANIMOUS)

d. David Simmons – re-submittal of abatement request previously denied

MOTION: Selectman Winslow moved to grant the sewer user fee abatement request for account # 736227, map 3, lot 31, 56 Nanument Street for David Simmons in the amount of \$149.01 for the November 1, 2011 through January 31, 2012 on FY2012 2nd half billing and put this account on hold until such time as the water is turned back on. Selectman Begley seconded.

VOTE: 3-0-0 (UNANIMOUS)

e. Set policy – EDU rates

The board put this item off until they have the entire board present.

f. Garden Homes Estates – Sewer usage bills and EDU adjustment

This item has been tabled until they have a full board present.

Present before the board: Jeffrey Hallahan, co-owner of Garden Homes
He spoke about three different scenarios with the first being the purchase of a mobile home that is so sub-standard that they wouldn't allow anyone to live in it and they carry it off to the dump, leaving an empty lot for years in which nobody is using any water. He said that if he gets charged an EDU for that lot he would have to pass that along to his tenants. Chairman Cruz asked for a solution? Mr. Hallahan said that they should be required to have the sewer department sign off when a trailer leaves the lot and when one is brought on. Selectman Winslow

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stated that they were items drafted in the policy and will be discussed once they have a full board.

g. Great Hill Mobile Home Park Sewer connection – requesting permission to connect 156 mobile homes to sewer system
Nobody was before the board to discuss this item.

MOTION: Selectman Winslow moved to place on hold to be rescheduled no later than May 8, 2012. Selectman Begley seconded.

VOTE: 3-0-0 (UNANIMOUS)

h. Guy Marino – sewer abatement
This item has been tabled until they have a full board present.

i. Judith Sousa – sewer connection
This item was placed on hold until the board gets clarification on the bylaw regarding the waiver. Some discussion ensued on when the 60-month waiver starts.

j. Deborah Alfonso – sewer abatement
This item has been tabled until they have a full board present.

k. Mary Cherella – abatement on sewer usage bill
This item has been tabled until they have a full board present.

l. Leigh & David Campano – sewer abatement
MOTION: Selectman Begley moved to deny the request. Selectman Winslow seconded.

VOTE: 3-0-0 (UNANIMOUS)

m. Gerard – sewer connection
This item has been tabled until they have clarification on the 60-month waiver.

n. FY12 – 2nd half sewer usage omitted commitment
MOTION: Selectman Winslow moved to accept the letter for the 2nd half omitted commitment for the FY12 Sewer user fee in the amount of \$23,667.74. Selectman Begley seconded.

VOTE: 3-0-0 (UNANIMOUS)

o. Westfield
Present before the board: Sandy Slavin
The board asked Mr. Campinha about the sewer capacity for Westfield. Mr. Campinha stated that in the upgrade to the Springborn pump station the town has asked for 40 gallons per minute for town use, which equates to approximately 56,000 gallons. He said that he thinks the development of Westfield was asking for approximately 42,000, which is well within the upgrade. Ms. Slavin stated that if she is hearing this correctly the Westfield RFP could read the Water Sewer Commissioners have determined that the town has adequate sewer capacity to support Westfield? Selectman Begley suggested that Ms. Slavin bring this information back to her committee. Ms. Slavin stated that she is hearing that they have the capacity for the 280 units and they don't have any issues with the pumping stations. Mr. Campinha stated that was correct it could hand the 44,000 gallons.

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MOTION: Selectman Begley moved that the sewer commissioner approve Mr. Campinha's letter as written that assures capacity for the Westfield project. Selectman Winslow seconded for discussion. Selectman Winslow asked if the board put this in there as definitely as they are asking are there any land mines out there? Mr. Campinha said that he did speak with Mr. Keith, at the DEP and he stated to Mr. Campinha that after filing notice of project change it could be done. He also stated that keep in mind that once they run sewer to that project if there is land that was previously undeveloped due to no sewer, then all that land does become developable. Some discussion ensued.
(The board never took a vote after Selectman Winslow seconded for discussion)

p. Any sewer business
MOTION: Selectman Winslow moved to put on hold item # E, F, H, J, K to a meeting no later than May 8, 2012. Selectman Begley seconded

VOTE: 3-0-0 (UNANIMOUS)

Selectman Begley stated that she wasn't in possession of all the sewer policies and asked Mr. Campinha to provide them to each member of the board of Selectmen.

Selectman Begley asked where they were in setting the betterments? Mr. Campinha said they have been working on it and spoke about 2 properties into one lateral. He said they are about 1-2 weeks away finishing up on the walking around to the properties. He has been in contact with CDM and Town Counsel. Mr. Campinha stated that originally he did say that he would have that information in the middle of April. Selectman Begley asked that this be placed on the next agenda and the one after that. Selectman Winslow stated that Mr. Guidice stated he would have the amount for the betterments by mid April.

10. LIAISON REPORTS

Selectman Begley stated that Board of Health has met and feels that 118 Sandwich Road is now a town issue. The Board was looking for an update from Mr. Andrews.

Selectman Winslow stated that she won't be at the meeting next week and thanked Chairman Cruz and said it's been a pleasure serving with him and wished him the best with his future endeavors.

11. ADJOURNMENT

Selectman Winslow moved to adjourn. Selectman Begley seconded.

VOTE: 3-0-0 (UNANIMOUS)

12. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted,

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(CONT'D)

Janet Wilson
Department Assistant

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

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

Date Signed: 4-10-12
Date sent to the Town Clerk: 4-11-12

