



TOWN of WAREHAM

Board of Selectmen/Sewer Commissioners

Meeting Agenda

7:00 P.M. WAREHAM 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.
 - b. Interviews to the CEDA, Cable Advisory Commission and Library Board of Trustees.
 - c. Interviews for reappointments to: CEDA, Recycling, Board of Health & Zoning Board of Appeals and Tremont Nail Masterplan Committee.
7. **LICENSES AND PERMITS**
 - a. 7:15 p.m. Hearing – Captain Als – application for Sunday Entertainment License and Weekdays Amusement License for Live Entertainment.
 - b. Application from Bay Pointe Country Club, LLC for three one-day wines and malt beverages license.
 - c. Use of Shell Point Beach by Onset Bay Association for the 4th of July Fireworks.
 - d. Use of the Onset Bandshell and the Bluffs by the Cape Verdean Festival Association for the Cape Verdean Festival
8. **SEWER BUSINESS**
 - a. Sewer tie in – 4 Dusty Lane.
 - b. Policy Update.
 - c. Set Date for Public Meeting (Contract 2)
 - d. Any other sewer business.
9. **TOWN BUSINESS**
 - a. Routes 6 & 28 Reconstruction presentation.

- b. Review Town Administrators Job Description.
- c. Dog By-Law Committee Appointment.
- d. Ratification of Accountant Hiring.
- e. Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting.

10. TOWN ADMINISTRATOR'S REPORT

Update Earth removal fee collection status.

Discuss recycling Committee Budget

11. LIAISON REPORTS

- a. **BOS Policies**
- b. **Liquor Policies**

12. ADJOURNMENT

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

6/13/2012

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: May 15, 2012
Date of Transcription: May 16, 2012
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Holmes called the meeting to order and welcomed Selectman Teitelbaum

2. ROLL CALL

Selectmen Present: Stephen M. Holmes, Chairman
Cara A. Winslow, Clerk
Ellen M. Begley
Alan H. Slavin
Peter Teitelbaum

Also present: John D. Foster, Interim Town Administrator

3. ANNOUNCEMENT

The Garden Club Spring plant and bake sale will be held on Saturday, May 19th at the Old Methodist Meeting House on Main Street.

A Reception to honor Veterans will be held on May 24th at the Wareham Free Library from 6-8-pm.

Eat at Cusi and help Bob's buddies raise funds for cystic fibrosis on May 16th from 5-9pm. Cusi will donate 10% of the proceeds during the fundraiser. Great strides walk will be held at the Cape Cod Canal on May 19th.

Show off your dancing skills at a dance tournament at the Wareham Free Library on May 19th from 11am to 1:30pm for teens and tweens and Seniors.

Online Job and Resume transmittal workshop will be held on May 16th. Register in person at the Library's main desk or by calling 508-295-1473 x 1010

Wareham Town wide cleanup will be held on May 18th-21st. Residents are encouraged to cleanup their neighborhood and beaches. Litter drop off will be at the Municipal Maintenance building on Charge Pond Road on May 18th from 8am-3pm, May 19th 10am-2pm, May 20th 10am-2pm and May 21st 9am-3pm. If you need pickup please call 508-245-0445

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Max Performance will hold it's Escape the Cape Triathlon on June 3rd in Onset.

Wareham Little League 24 hr baseball game will begin at 10am June 9th through June 10th at the Little League field on Charge Pond Road. Selectman Winslow challenged Chairman Holmes to the dunk tank.

Summer fun program at the Boys and Girls June 18th – August 31st. Applications are available at 54 Viking Drive or via www.bgcnb.org

The Harbormaster has asked if anyone is interested in a Memorial bench on the Onset Pier. Two locations are available and both benches need to be identical. Also they will be placing 19 trash barrels with covers on the beaches.

The Community Preservation Committee deadline for submitting any applications for CPC funds is June 1st.

The Scotty Monteiro Golf Tournament will be held this Saturday

Resident Dick Wheeler will begin the process of paddling from Rhode Island to the Cape and will begin his journey around May 19th. He is participating with area schools and meeting with children and you will be able to track him on the Internet.

4. CITIZENS PARTICIPATION

Present before the board: Claire Smith, Town Moderator
Ms. Smith stated that Special Town Meeting would be held on May 21st, which is the same date as the Onset Fire District meeting. She stated that if they don't have a quorum at Town Meeting then she would have the discretion to hold the meeting to a date and time specific which the will of the moderator would be Wednesday night at 7pm.

Present before the board: Joe Mulkern
Mr. Mulkern was before the board asking about the property located on 118 Sandwich Road. Chairman Holmes stated that right now there is a legal issue and this shouldn't be brought up under Citizen's participation.

Present before the board: Bob White
Mr. White was before the board talking about this weeks coffee hour. He said that representative from DECA would be attending. Coffee hour begins at 9am and will be held on Thursday in Room 225 at the multi-service center.

Present before the board: Jim Newman

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Mr. Newman said that the Sea Cadets in Bourne have already placed the flags on the graves for Memorial Day.

Present before the board: Mike Flaherty, Chairman of Library Board of Trustees. Mr. Flaherty was before the board stating that they have a vacancy on his board. He had a question about the process of appointing to the Library. Chairman Holmes stated that it's highly recommended to attend three meetings, the Board of Selectmen interviews them and once they get a recommendation from the committee they would then appoint.

Present before the board: Sharon Gomes, Oakdale resident
She was before the board asking for a breakdown of contract #1 and #2. She is also asking when the meeting will take place to speak with the residents?
Chairman Holmes said it's on the agenda this evening to pick a date.

Present before the board: Ron Robinson
Mr. Robinson said they should have the figures in a timely manner that the previous resident asked for. He would like to be able to look and analyze the figures.

5. WESTFIELD DISCUSSION

Chairman Holmes stated that they have received the final version of the RFP and is sending it to Mr. Foster to go over with Attorney Bowen. The name was changed from Mark Andrews to John Foster and to set dates for the walk thru for the bids. Mr. Sullivan said in section 10 the ball fields were suppose to be changed to simply one field according to Babe Ruth standards and one field according to American Little League standards. Selectman Begley said that on page 8 it had two different languages and it should have the same.

6. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.(none)
- b. Interviews to the CEDA, Cable Advisory Committee, and Library Board of Trustees,
- c. Interviews for reappointments to: CEDA, Recycling, Board of Health, ZBA and Tremont Nail Masterplan Committee

Present before the board: Robert Powilatis

Mr. Powilatis was before the board expressing his interest in serving on the CEDA board. He went on to say that in previous towns he served on the Board of Selectmen, Personnel Board, Board of Assessors, Housing Authority and also was on the Water Commission.

Present before the board: Jim Newman

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Mr. Newman was looking to serve on the Cable Advisory Committee. He stated that he was on the previous Cable Advisory Committee ten years ago. He said that he was an unpaid member of the Board of Directors.

Present before the board: Pat Rumney

Ms. Rumney would like to serve on the Cable Advisory Committee and said that she currently runs a live TV show at WCTV every morning. She said that she was previously on the Finance Committee for four years and would like to serve on the Cable Advisory Committee.

Present before the board: Raymond Davies

Mr. Davies was interested in serving on the Library Board of Trustees. He did say that he does travel a bit and is usually away for the months of January, February and March. He provided the board with his experience.

Present before the board: David Smith

Mr. Smith was before the board seeking reappointment to the CEDA board. He said he has been on the board for three years and is fully engulfed in the process. He said that he's also enthusiastic about the new director and would like to help him succeed him with his new plans.

Present before the board: Charlene Price

Ms. Price was before the board seeking reappointment to the Recycling Committee. She has been a volunteer for over 20 years and is seeking her 4th term.

Present before the board: Gary Franklin

Mr. Franklin was before the board seeking reappointment to the Historical Commission. He has been on the board for 3 years.

Present before the board: Frank DeFelice

Mr. DeFelice was before the board seeking reappointment to the Board of Health. He stated that he has been on the board for about 4 months and he's learned quite a bit and said that his background is in municipal government. He is Title V certified by the state and has his wastewater treatment plant license. He said that he was pleased that the Board of Health now has a Doctor on the board.

Present before the board: Mary Scarsciotti

Ms. Scarsciotti was before the board seeking reappointment to the Zoning Board of Appeals. She said the board is filled with very knowledgeable people and stated that the Town Planner works well with the board as does the Board of Selectmen's Liaison.

Present before the board: Jean Connaughton

Ms. Connaughton was before the board seeking reappointment to the CEDA board. She stated that she is looking forward to working with a full time Director. She said that they have a lot of exciting things.

7. LICENSES AND PERMITS

- a. 7:15 p.m. hearing – Captain Al's – Application for Sunday Entertainment License and Weekdays Amusement License for Live Entertainment.

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

VOTE: 5-0-0 (Unanimous)

Present before the board: Atty. Robert Perry and Judith Harrington
Ms. Harrington was seeking an entertainment license. Chairman Holmes asked if anyone was there to speak for or against the application?

MOTION: Selectman Winslow moved to close the public hearing section. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve the application for Sunday Entertainment License and Weekdays Amusement License for Live Entertainment. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- b. Application from Bay Pointe Country Club, LLC for three one-day wines and malt beverages license.

MOTION: Selectman Winslow moved to approve the application from the Bay Pointe Club, LLC, 10 Bay Pointe Drive, Onset, MA for for a one day wines and malt beverages license to be drunk on the premises for May 25, 2012 from 10am – 8pm. This license is granted in conformity with the Statutes and ordinances relating thereto, an expires on May 26, 2012 unless sooner suspended or revoked. Subject to receiving the copy of tips training certificate from Mr. Crump. Selectman Begley seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve the application from the Bay Pointe Club, LLC, 10 Bay Pointe Drive, Onset, MA for for a one day wines and malt beverages license to be drunk on the premises for June 14, 2012 from 10am – 8pm. This license is granted in conformity with the Statutes and ordinances relating thereto, an expires on June 15, 2012 unless sooner suspended or revoked. Subject to receiving the copy of tips training certificate from Mr. Crump. Selectman Begley seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve the application from the Bay Pointe Club, LLC, 10 Bay Pointe Drive, Onset, MA for for a one day wines and malt

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beverages license to be drunk on the premises for June 16, 2012 from 10am – 8pm This license is granted in conformity with the Statutes and ordinances relating thereto, an expires on June 17, 2012 unless sooner suspended or revoked. Subject to receiving the copy of tips training certificate from Mr. Crump. Selectman Begley seconded

VOTE: 5-0-0 (Unanimous)

- c. Use of Shell Point Beach by Onset Bay Association for the 4th of July Fireworks

Present before the board: Mary Lou Payton & Eleanor Martin

Ms. Payton was before the board seeking approval to hold the fireworks in Onset on July 7th to be held on Shell Point. Fundraisers for the event include a fire truck outside of Stop and Shop on Cranberry Highway on May 19th from 10am – 2pm thanks to Claire & Howie Smith and also on June 7th a fundraiser will be held at Mezza Luna Restaurant from 5:30pm – 8:30 pm. Tickets for that event are \$10 each. Checks for the fireworks can be made payable to Town of Wareham Fireworks Fund and sent to PO Box 799, Onset MA 02558.

MOTION: Selectman Winslow moved to approve the application for the use of Shell Point Beach by the Onset Bay Association for the use of the fireworks on July 7th from 9:20pm to 9:40pm (rain date July 8th). Selectman Begley seconded.

VOTE: 5-0-0 (Unanimous)

- d. Use of the Onset Bandshell and the Bluffs by the Cape Verdean Festival Association for the Cape Verdean Festival

Present before the board: Mike Roderick

Mr. Roderick stated that this year they would like to have a small parade from Lopes field to the Pier. He would also like to use the parking lot located that borders CW Bishop, Highland Ave & 10th Ave for the purpose of parking motorcycles.

MOTION: Selectman Winslow moved to approve the application for the Onset Cape Verdean festival Association for the use of the Onset Bandshell and Bluffs scheduled for August 11, 2012 from 7am – 6pm with a rain date of August 12, 2012. Selectman Begley seconded.

VOTE: 5-0-0 (Unanimous)

8. SEWER BUSINESS

- a. Sewer tie in - 4 Dusty Lane

Mr. Campinha was before the board. The property was recently purchased and the homeowner is looking to tie in to the system due to his failed septic system.

MOTION: Selectman Winslow moved to approve the application for a sewer connection for 4 Dusty Lane made by Roland Michaud and Alan Rivers. Selectman Begley seconded.

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VOTE: 5-0-0 (Unanimous)

b. Policy update

Mr. Campinha stated that he met with Selectman Begley and they are working on some polices and he is in the process of doing some updates and will have them for the board next week.

c. Set date for public meeting (contract 2)

The board asked Mr. Campinha to put together a packet on how the sewer betterment is achieved, timeline as to the betterment, explain the cost of the betterment in detail and also asked that these packets go out prior to the meeting with the residents. Chairman Holmes also asked that Mike Guidice, Tom Casey, Marc Deshaies, and a Representative from the Police to be available for the meeting. Chairman Holmes asked that Mr. Camphina provide the board with a draft by June 1st, final by June 8th and distribution of information by June 22nd.

d. Any other sewer business

Mr. Camphinha spoke about an issue with grease in the sewer system from a business in the industrial park. He has asked to get on the Board of Health's agenda to have them assist them. He is also going to work on grease policy.

Selectman Begley asked Mr. Camphina to speak about the issue with the mitigation with the berm done and the town being charged \$5000. Mr. Camphina stated the charge was removed on contract 2, he told Mr. Guidice that the town isn't paying.

Mr. Camphina stated that the Cromesett pump station is taking on water. He suggested to the board they do not accept the project until that is taking care of otherwise, they will own it. Chairman Holmes asked that in the future that they he sends along an email with the issues so they can be placed on the agenda and not under any other sewer business.

9. TOWN BUSINESS

a. Route 6 & 28 Reconstruction presentation

Present before the board: Carrie Lavallee, Project Manager, Pam Hasner and Mr. Hatfield from SRPEDD

Ms. Lavallee gave a brief update on the project. She said the next step is to hold a public hearing which has been set for July 12th at 7pm in the Town Hall Cafeteria. She said that they will be advertising this hearing and will have a handout as well. The current cost is about \$10.5 million dollars and due to the cost of the project it would have been done over two fiscal years. Ms. Lavallee said the process would be holding the hearing, get feedback and then they start the right of way process. They have asked at this point to have the project pushed to FY2015 & FY2016. The project would need to be spread over two years due to the cost. The plans

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from Mass DOT are to discontinue the road after the project but they would also consider some options such as plowing for a certain number of years. Chairman Holmes asked what could be done to get this project moving forward. Ms. Hasner stated they should attend JTPG & MPO meetings to support the project. Ms. Lavallee said that it would be helpful to have the Selectmen along with fire and rescue who are support as well.

b. Review Town Administrators Job Description

The board will review this next week to allow time to look over the posting document.

c. Dog by-law committee appointment

A motion was made to amend the by-law article at town meeting to put in place a dog by-law committee. The Appointing Authority appointed Walter B. Cruz, Sr., Kenneth Levett and Manfred Weingandt. Also needed was one member from the board of Selectmen

MOTION: Selectman Winslow moved that Selectman Teitelbaum serve as the Board of Selectmen's member to the dog by-law committee. Selectman Slavin seconded for discussion. Selectman Begley wanted to address a letter received and read into the record (as attached) from Judy Weatherby, 59 Oak Street regarding Selectmen's Teitelbaum's dogs and feels he cannot have an unbiased decision on any by-laws. Selectman Teitelbaum responded to the letter he said that it was true that one of his dogs did go over the fence and did order parts, which took a couple of days to come in. He stated that his dog in the meantime did jump over the fence and approached a cocker spaniel being walked by his owner and he said that he did go to the owner and insisted that she take the dog to the vet. He said that he did pay the vet bill immediately and took care of the escape issue. He said that their has been German Shepherds at that property for 16 years and the Saturday in April that the letter writer refers to was the first time that he has ever heard from Animal Control regarding barking dogs. He said that she informed him that she had six complaints and believes that two have come from the same person. He did canvass the neighbors and said that someone did say they called and that the dogs have been bothering them for some time and he asked why they didn't say something years ago? They said that they have called animal control in the past and nothing was ever done. He said that what he feels the letter states is that when he is confronted with a dog problem he deals with it and is a responsible dog owner. Selectman Begley stated that she has a problem since Selectman Teitelbaum's dogs are nuisance barkers and that another dog did have puncture wounds from his dog.

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

d. Ratification of Accountant hiring

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MOTION: Selectman Winslow moved to ratify the appointment of Brian Howard Kudish, Esq. CPA per the letter issued by Mr. Foster, Interim Town Administrator on May 17, 2012. Selectman Teitelbaum seconded.

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

- e. Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting.

Selectman Winslow asked if discussion of ballot questions could be placed on an agenda rather quickly. Chairman Holmes said that he did receive a letter from the School Department to attend for a presentation.

10. TOWN ADMINISTRATOR'S REPORT

Update Earth Removal fee collection status

Mr. Foster said a letter was sent out to Mr. Grazanio about overdue earth removal fees in the amount of \$24,479. The bill was mailed out on May 14, 2012.

Discuss recycling committee budget

Mr. Foster asked Mr. Sullivan to come before the board to answer Selectman Begley's question. She asked if the Town contributes \$5000 and it costs \$11,000 to run the recycling center where are the funds coming from? Mr. Sullivan said they have revenues from donated cans, bottles, batteries, etc...in FY10 they had revenues of \$2973, FY11 \$4,047, FY12 they are estimating \$3,579. He said that this year they did receive an additional grant of \$1250. They are projecting in March they would run out of funds. Selectman Begley said that most of their expense is for renting the containers. Mr. Sullivan said that have asked for an additional \$3000. Chairman Holmes asked if anyone wants to donate \$3000 for the recycling center it would be appreciated.

Mr. Foster has received a letter from Wareham Village Association to use part of Besse Park for a pumpkin patch to plant seeds in the tilled ground or raised bed. They would like to have family's plant seeds in May and harvest in October. He said that he contacted Town Counsel who has drafted a standard license agreement to use for this type of request. Mr. Foster provided a copy to the board. Selectman Winslow asked if this could be placed on the next agenda.

Mr. Foster asked if anyone had any interest in serving on the screening committee for the building and local plumbing positions.

MOTION: Selectman Winslow moved that Chairman Holmes continue on the local building and local plumbing screening committee. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

Chairman Holmes said perhaps next week Mr. Foster can have Justin Cole come in and give a report on the reconciliation. Mr. Foster stated that at the last

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Department Head meeting he discussed year-end budgets and all departments were asked to cease all non-essential spending. Coming into the end of this fiscal year, if they were promised any transfers or anything out of line in their budgets they were asked to let Mr. Foster know. Selectman Begley spoke about the posting of positions with the town

11. LIAISON REPORTS

a. BOS policies

Selectman Winslow has completed a spreadsheet with the policies.

b. Liquor policies

Selectman Winslow has forward all liquor policies to the board.

Selectman Begley stated that the Board of Health is still working on the nitrogen regulations.

Chairman Holmes will be emailing the board a document with the list of liaisons.

12. ADJOURNMENT

Selectman Winslow moved to adjourn. Selectman Slavin 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:

Attest: *Cara A. Winslow*
Cara A. Winslow, Clerk

Date Signed: 6-12-12

Date sent to the Town Clerk: 6-13-12

