

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: January 8, 2013
Date of Transcription: January 9, 2013
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Holmes called the meeting to order

2. ROLL CALL

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

Also present: Derek Sullivan, Interim Town Administrator

3. ANNOUNCEMENTS

Chairman Holmes wanted to wish everyone a Happy & Healthy New Year. Chairman Holmes also wanted to express the board's sympathies to Mike Flaherty's family due to the passing of his Father. Also, Chairman Holmes stated that Grant MacConnell has passed away after his 2-year battle with Cancer. Mr. MacConnell was the previous owner of the Onset Blues Café.

WCTV Live Auction & Entertainment – Take 4 will take place on May 28th. Information and applications are available at WCTV's station at 505 Main Street or via www.warehamtv.org or by contacting Sally Morrison at sammorrison@comcast.net Applications are due January 31st.

Affordable Housing Trust will be meeting on Thursday at 2pm and at 3pm in room 225 will be having a presentation on the draft plan.

The Wareham Historical Society will be holding an event on January 21st at 7pm. Frank Heath will be having a presentation on circus trains.

Chairman Holmes congratulated Claire Smith and Tom Strom for being nominated Women and Man of the year.

SELECTMEN/SEWER COMMISSIONERS MEETING 1-8-13
(CONT'D)

4. CITIZENS PARTICIPATION

Present before the board: Joe Mulkern, Commission on Disability member
Mr. Mulkern stated they would be meeting on the 3rd Tuesday of each month at 3pm. They discussed parking spaces and he stated they have three vacancies.

Present before the board: Resident of Cromesett Road
The resident was before the board questioning why he received two betterments?
He owns two parcels of lands and one has no frontage and is only 10,000 sq.
Chairman Holmes asked for him to give his contact information to Mr. Sullivan to have this looked into.

Wareham Hurricane Sandy Coalition update

Present before the board: Claire Smith

Ms. Smith stated that on December 22nd a very full u-haul was sent down to the people who were affected by the Hurricane. She also said that WCTV went down and to take photos and talk with people in the area and they held a live feed. At this time Jaime Rebhan from Wareham Week was before the board and stated that she did go with WCTV and she found roofs of homes blocks away from the ocean and realized they are not done cleaning up and they are still in need of donations. She stated that they were very appreciative of the donations. Present before the board was Sally Morrison. Ms. Morrison spoke about the "Coink" program going on at this time for the Guyon Rescue. She said that if anyone is interested in getting one of the piggy banks they could contact her at sammorrison@comcast.net or by calling 508-295-7410.

Present before the board: Sandy Slavin

Ms. Slavin stated that if anyone would like to look at the Housing Production Plan they can find it on the town's website under the Affordable Housing Trust Committee. She urged residents to pick up trash along the roads, not just on Minot Avenue but along other streets as well. Ms. Slavin also asked where she could find the Board of Selectmen's policies?

Present before the board: Dorothy Heath

Ms. Heath was before the board asking when is the decision going to be making on where the first \$50,000 payment is going to come from for the sewer betterment? Mr. Sullivan stated that the DOR legal staff has stated that you don't have the pay the deficit in the first year. He also stated this information just came to him last week and the board hasn't made a decision on where the funds will come from, they can come from retained hearings, the town budget or through the sewer user fees.

SELECTMEN/SEWER COMMISSIONERS MEETING 1-8-13
(CONT'D)

5. CONSENT AGENDA

a. Authorization to sign bills and documents, etc.

i. Law office of Richard Bowen, Invoice dated January 3, 2013 in the amount of \$15,000.

MOTION: Selectman Winslow moved to approve payment to the Law office of Richard Bowen, Invoice dated January 3, 2013 in the amount of \$15,000. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

b. Approval of meeting minutes of October 16, 2012 & December 18, 2012.

MOTION: Selectman Winslow moved to approve the meeting minutes of October 16, 2012 as written. Selectman Begley seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve the meeting minutes of December 18, 2012. Selectman Begley seconded.

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

6. LICENSES & PERMITS

a. Application from Bartending Services of New England, LLC, c/o William Fuller for a one day wines & malt license.

Present before the board: William Fuller

MOTION: Selectman Winslow moved to approve the special license application by Bartending Services of New England for a party on January 19, 2013 from 4-6:30pm at 146 Tihonet Road. Selectman Begley seconded.

VOTE: 5-0-0 (Unanimous)

7. SEWER BUSINESS

a. Funding sources for contract 2

Selectman Winslow would like the board to set a date on how they plan on paying for this. Selectman Begley asked Mr. Sullivan what his thoughts were? Mr. Sullivan stated that his opinion is that they will be paying interest over 20 years and if we have the funds available to pay in one lump sum that would be the best option. Selectman Winslow would like for the board to have a plan in place by the end of September.

b. Sewer connection – 3 Old Glen Charlie Road

Present before the board: Guy Campinha & Brian Grady from GAF Engineering

Mr. Grady stated that the property has a failed septic system and he was proposing connection to the municipal sewer system.

SELECTMEN/SEWER COMMISSIONERS MEETING 1-8-13

(CONT'D)

MOTION: Selectman Winslow moved that the board approve the sewer connection at 3 Old Glen Charlie Road providing that any board or commission legal work is completed by the towns' satisfaction and that Mr. Campinha receives in writing from the DEP that it approves the project and is in compliance with the Waste Water Treatment agreement. Selectman Teitelbaum seconded.

VOTE: 4-0-0 (Unanimous)

Selectman Begley wasn't in the room at the time of the vote.

- c. Any other sewer business

Chairman reminded Mr. Campinha that he should be coming to the board to go over the policies.

8. TOWN BUSINESS

- a. Oyster Fishery Closure

Present before the board: Garry Buckminster, Harbormaster.
Mr. Buckminster was before the board requesting the Board of Selectmen to close the recreational oyster harvesting. Mr. Buckminster said that in the best interest of preserving the remainder of the depleted oyster stock he did close the commercial oyster season. Present before the board: Michael Besse – He said that the proposal does not affect the grant holders and he said that before you go to a full closure you would need to understand the demise of the fishery. Some discussion ensued. The board would like for Mr. Buckminster to come back with a motion as well as something from the Division of Marine Fisheries.

- b. Establish town meeting dates
The board had a discussion on the dates.

MOTION: Selectman Winslow moved to set the process for calling 2013 Spring Annual Town Meeting. (as attached). Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- c. Notice of intent

MOTION: Selectman Winslow moved to approve the Notice 2013 Annual Spring Town Meeting (as attached). Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- d. Appointment of Town Administrator

MOTION: Selectman Winslow moved to appoint Derek D. Sullivan as the Town Administrator in the Town of Wareham in accordance with article 4, section 4-1 of the Charter. The terms of this appointment will be as follows: The initial appointment is for the term of 1 year, if the majority of the board so agrees no

SELECTMEN/SEWER COMMISSIONERS MEETING 1-8-13
(CONT'D)

later than 6 months prior to the natural expiration of the agreement that the party shall meet to negotiate an extension of the agreement. This is a full time position and Mr. Sullivan's base salary shall be an annual salary of \$98,500 pro-rated as appropriate. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

e. Appointment of Further Study Review Committee for Sewer Commissioners as passed at town meeting.

Chairman Holmes placed this on the agenda to let the people know that this isn't a dead issue and the citizens are welcome to bring this back for further study. Selectman Teitelbaum said that Town meeting did move for further study however they didn't create a means to further study which he states basically shoots down the article. He went on to say that anybody could by March 8th submit an article to create a board of sewer commissioners. Selectman Slavin stated that if there is a group of citizens that what to follow-up on this they have two choices they can pick from either previous article or make up one of their own. Selectman Begley stated that she agrees with Selectman Teitelbaum and she feels that the Selectmen don't have the authority to deal with this.

f. Town Counsel RFP discussion

The board is looking to have something ready to go by January 29th.

g. Discussion of board policies.

- i. 09-03 Code of Conduct – Contract Services
- ii. 09-04 Code of Conduct – Outside Employment
- iii. 09-01 Wareham Traffic Policies to include the Chapters
- iv. 08-01 Procedure for filling positions of Town Employment

Chairman Holmes stated that he would like to have 4-5 polices a week to look at and have the board make any revisions and then they can also get 4-5 the following week.

h. Any other town business not reasonably anticipated 48 hours prior to the positing of this meeting.

The House Bill for the House Meals tax has been signed by the Governor and is in effect immediately.

Selectman Begley announced that she would be resigning from the Board of Selectmen effective either January 11th or the following week. She feels that her family and God are no longer her first priority and would regretfully she has made the decision to resign.

SELECTMEN/SEWER COMMISSIONERS MEETING 1-8-13
(CONT'D)

Mr. Sullivan stated that during the next storm he will be having the Police out enforcing parking.

9. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan stated that he would be posting for the positions of Town Accountant and Inspector of Buildings next week.

10. LIAISON REPORTS

Selectman Slavin said that during the Cape Cod Canal Celebration in 2014 we are expected to have 350,000 visitors. The town will be responsible to make sure that we have EMS, Fire and Police for traffic issues in place.

11. ADJOURNMENT

Selectman Winslow moved to adjourn. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (unanimous)

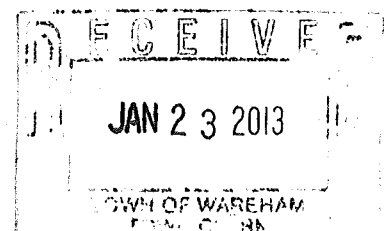
12. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted,
Janet Wilson
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: 1-15-13

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

Date Signed: 1-15-13
Date sent to the Town Clerk: 1-16-13



Attachment 1/8/13
minutes



Town of Wareham
54 Marion Road
Wareham, MA 02571

NOTICE 2013 ANNUAL SPRING TOWN MEETING

Commonwealth of Massachusetts
Plymouth §

To the elected Constable in the Town of Wareham:

Greetings:

In the name of the Commonwealth of Massachusetts and in accordance with the provisions of Division I, Article I, Section 3, of the By-Laws of the Town of Wareham, amended, you are hereby directed to notify and warn the legal voters of the Town of Wareham that an Annual Town Meeting has been called by the Board of Selectmen to be held at **8:00 AM on Tuesday, April 2, 2013** for the election of officers and to be adjourned until **7:00 PM on Monday, April 22, 2013** at which time the general business of the Town Meeting shall be transacted. The last day for submission of citizen petitioned articles for insertion in the Warrant is **5 PM Friday, March 8, 2013**.

The Warrant for this meeting will close on **Tuesday, March 12, 2013**.

And, you are hereby directed to serve this notice by posting attested copies thereof in at least one public place in each precinct within the Town on or before **Friday, March 15, 2013**.

Hereof fail not and make due return of this posting with your doings thereon to the Town Clerk.

Given under our hands at Wareham this 8th day of January in the year 2013:

WAREHAM BOARD OF SELECTMEN

A True Copy
Attest

Stephen M. Holmes, Chairman

Cara A. Winslow, Clerk

Constable of Wareham

Ellen M. Begley

Alan H. Slavin

Peter W. Teitelbaum

Attachment 1/8/13
minutes

Plymouth §

Date: _____

Pursuant to the within notice, I have notified the inhabitants of the Town of Wareham herein described, of the date and time of the Annual Spring Town Meeting and of the date of the closing for said Warrant by posting attested copies thereof in at least one public place in each precinct within the Town on or before March 15, 2013.

Date: _____

Steven P. Coughlin
Constable of Wareham

The original posting with return made was delivered to Mary Ann Silva, Town Clerk.

Date: _____

Steven P. Coughlin
Constable of Wareham

Attachment 1/8/13
minutes



TOWN OF WAREHAM
54 Marion Road
Wareham, Massachusetts 02571

PROCESS FOR CALLING 2013 SPRING ANNUAL TOWN MEETING

APRIL 2, 2013- Elections
APRIL 22, 2013 - General Business

- TUESDAY, January 8, 2013 Board of Selectmen should establish all dates for completion of a Warrant for the Annual Town Meeting.
- FRIDAY, February 15, 2013 Last day to post in at least one public place in each precinct, Notice of Intention of Board of Selectmen to call the Annual Town Meeting for April 22, 2013. (By-Law Div. I, Art. I, Sec. 3.) - **10 days notice (by posting in precincts) before Warrant closes,**
- FRIDAY, February 15, 2013 Any article that is not a citizen petitioned article; that would be a Department Head, Board or Committee, must be submitted by the close of business for consideration and inclusion in the warrant.
- FRIDAY, March 8, 2013 Last day to submit citizen petitions (articles) to be inserted in the Warrant. (WHRC Section 2-4 (c) - 45 days before Town Meeting convenes.
- TUESDAY, March 12, 2013 Board of Selectmen should officially close the Warrant.
- FRIDAY, March 15, 2013 Last day to post in each precinct and deliver a copy of Warrant to the Town Moderator and to the Chairman of each Committee established by Section 2-5 of WHRC. (WHRC Section 2-4 (d) - **Within 3 days of closing of Warrant**
- MONDAY, March 18, 2013 Last day to submit to the Finance Committee articles included in Warrant. (By-Law Div. I, Art. I, Sec. 1.) - **No later than 35 days before Town Meeting convenes.**
- TUESDAY, April 2, 2013 Commencement of Annual Town Meeting. Election Day. (By-Law Div. I, Art. I, Sec. 1.) - First Tuesday of April
- THURSDAY, April 7, 2013 Last day to publish entire Warrant in a local newspaper. (WHRC Section 2-4 (d) - **14 days before Town Meeting.**
- MONDAY, April 22, 2013 General Business portion of Annual Town Meeting. By-Law Div. I., Art. I, Sec. 1.) - Fourth Monday of April