



TOWN of WAREHAM

Board of Selectmen/Sewer Commissioners

Meeting Agenda

7:00 P.M. Wareham Multi Service Center, Selectmen's Meeting Room 320, 48 Marion Road,
Wareham, MA

- 1. CALL TO ORDER BY CHAIRMAN**
- 2. ROLL CALL**
- 3. ANNOUNCEMENTS**
- 4. CITIZENS PARTICIPATION**
- 5. CONSENT AGENDA**
 - a. Authorization to sign bills and documents, etc.
 - b. Appointment of Board of Selectmen representative to the Transportation Action Committee.
 - c. Approval of meeting minutes of January 29, 2013.
- 6. LICENSES AND PERMITS**
 - a. PUBLIC HEARING – 7:15 P.M. – Application of Browne's Package Store, Inc. for Change of Location from 135 Marion Road to 189 Marion Road, Wareham.
 - b. Use of town roads by National Multiple Sclerosis Society, c/o Bill Sykes, 101A First Avenue, Suite 6, Waltham, MA for the use of Town roads to hold a MS 150 Cape Cod Getaway Bike Tour on Saturday, June 29, 2013 from 9:00 a.m.- 4:00 pm.
- 7. SEWER BUSINESS**
 - a. Funding source for contract 2.
 - b. Discussion of Wal-Mart sewer.
 - c. Any other sewer business.
- 8. TOWN BUSINESS**
 - a. CEDA TIF Request.
 - b. Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting.
- 9. TOWN ADMINISTRATOR'S REPORT**

Police strategic plan.

10. LIAISON REPORTS

11. ADJOURNMENT

12. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

2/20/2013

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: February 12, 2013
Date of Transcription: February 13, 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
Alan H. Slavin
Peter Teitelbaum

Also present: Derek Sullivan, Town Administrator
Attorney Rich Bowen

3. ANNOUNCEMENTS

Selectman Winslow thanked everyone for their hard work during the storm.

This weeks coffee hour will feature Selectman Teitelbaum who will be discussing the winter weekend reprise at 9am on Thursday February 14th.

Selectman Teitelbaum explained he was wearing a hat in solidarity with the Finance Committee Chairman Donna Bronk who is undergoing some medical issues.

On Monday the Wareham Historical Society will have a presentation by Town Counsel Rich Bowen.

The Library will be holding its' mini golf tournament on Sunday.

Selectman Slavin thanked the Board of Health and volunteers for helping with the Warming Center.

Chairman Holmes wanted to pass along condolences to Lt. Walcek during the recent passing of his Father.

Chairman Holmes thanked everyone for their help and also stated that he along with Mr. Sullivan spent time at the Police Station and said he watched the dispatchers on the phone and stated that everyone was very busy. He urged

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(CONT'D)

residents to not call on the Board of Selectmen when there is a storm that Mr. Sullivan and the Chief run the town during emergencies. He said that people were attending the warming center. Mr. Sullivan thanked Bob Ethier, Suzanne Burke, Dr. Weingandt as well as children that came to help at the warming center. He also praised the work of the Municipal Maintenance workers. He said that it was a job well done and he appreciated everything everyone has done.

Selectman Teitelbaum said that we have some tremendous people in town and was very touched at the generosity of the people who helped.

4. CITIZENS PARTICIPATION

Present before the board: Michael Jackman, Representative from Congressman Bill Keatings Office

Mr. Jackman said that his office is available to help with any federal agencies. He also said that people without power could also call him with any complaints. They can be reached by calling the office at 508-746-9000 or via the website www.keating.house.gov. The public is invited to attend office hours on March 8th from 1-3 pm in room 225 at the Multi-Service Center.

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc. (none)
- b. Appointment of Board of Selectmen Representative to the Transportation Action Committee.

MOTION: Selectman Winslow moved to appoint Selectman Slavin as the Board of Selectmen Representative to the Transportation Action Committee. Selectman Teitelbaum seconded.

VOTE: 3-0-1 (Selectman Slavin abstained)

- c. Approval of meeting minutes of January 29, 2013

MOTION: Selectman Winslow moved to approve the meeting minutes of January 29, 2013 as written. Selectman

VOTE: 4-0-0 (Unanimous)

6. LICENSES & PERMITS

- a. **PUBLIC HEARING:** 7:15 pm – Application of Browne's Package Store, Inc., for Change of location from 135 Marion Road to 189 Marion Road, Wareham

MOTION: Selectman Winslow moved to open the public hearing. Selectman Slavin seconded.

VOTE: 4-0-0 (Unanimous)

Present before the board: Monica Johar & Karan Johar

Ms. Johar was before the board seeking a change of location, which would be scheduled sometime in April.

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(CONT'D)

MOTION: Selectman Teitelbaum moved to close the hearing. Selectman Slavin seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Winslow moved to approve the application of Browne's Package Store, Inc., Karan Johar, Manager to a change of location from 135 Marino Road to 189 Marion Road in Wareham. Selectman Teitelbaum seconded.

VOTE: 4-0-0 (Unanimous)

b. Use of town roads by National Multiple Sclerosis Society, c/o Bill Sykes, 101A First Avenue, Suite 6, Waltham, MA for the use of town roads to hold a MS 150 Cape Cod Getaway Bike Tour on Saturday, June 29, 2013 from 9am – 4pm.

MOTION: Selectman Winslow moved to approve the Use of town roads by National Multiple Sclerosis Society, c/o Bill Sykes, 101A First Avenue, Suite 6, Waltham, MA for the use of town roads to hold a MS 150 Cape Cod Getaway Bike Tour on Saturday, June 29, 2013 from 9am – 4pm. It is understood and agreed that the Town will be held harmless from all liability as to damage to property or injuries to any persons. Selectman Teitelbaum seconded.

VOTE: 4-0-0 (Unanimous)

7. **SEWER BUSINESS**

a. Funding source for contract 2
(no discussion)

b. Discussion of Wal-mart sewer

Present before the board: Susan Kincade, Attorney & Matt Smith from Bohler Engineering.

MOTION: Selectman Winslow moved the following with respect to the Walmart request for sewer capacity: 1. Finding: The Board of Selectmen, Acting as Sewer Commissioners (the "Board"), has received the comments of Town staff on the application, and through the public meeting process on the application, has reviewed the needs of the Town with respect to the potential impacts of the development of the proposed approximately 160,500 square foot Walmart store (the "Walmart Store") on the municipal sewer system and on the general welfare of the Town and public safety needs of the Town, including without limitation those in the West Wareham area. Based upon the information provided to the Board through such review and process, the Board finds that such impacts are adequately mitigated by the requirements imposed on the applicant pursuant to the conditions of this permit, as set forth below. 2) Conditions: First within 30 days of the date of issuance of a permit from the Board for the connection to the municipal sewer system to Walmart for 10,000 gallons per day from the proposed Walmart Store to be located on a parcel of land at the northwest corner of Cranberry Highway and Seth F. Tobey Road (the "Retail Site"), Walmart will place into escrow with Chicago Title Insurance Company, or another national title

insurance company, the amount of \$100,000 (the "Funds"), which Funds will be released from escrow, upon issuance of a certificate of occupancy for the Walmart Store, to the Town for studies, repairs, replacements and improvements as may be determined by the Board as needed with respect to the portion of the Town sewer system served by the Sanborn Pump Station. Second, within 30 days of the receipt of a Certificate of Occupancy for the proposed Walmart Store, Walmart will pay the Town of Wareham the amount of \$250,000, which shall be used by the Town as follows: (a) \$50,000 for studies, repairs, replacements and improvements related to inflow and infiltration in the Town sewer system; and (b) \$200,000 toward the purchase of an ambulance or other public safety equipment or to address public safety or other needs of the Town, as determined by the Board. Nothing contained herein or such escrow agreement shall require Walmart to commence construction or construct the Walmart Store, and if construction of the Walmart Store does not proceed, the escrow agreement will provide for return of the Funds to Walmart. Third, this permit and authorization shall lapse if the connection from the Walmart Store to the municipal sewer system is not made within two (2) years of the date hereof, provided that such period shall be tolled for the duration of any appeals. Such period may be extended for one (1) additional year upon notice to the Board. If such connection is not made within such period, as the same may be tolled or extended, then the applicant shall be required to re-apply for a new permit in order to make such connection. Selectman Teitelbaum seconded.

VOTE: 4-0-0 (Unanimous)

c. Any other sewer business

8. TOWN BUSINESS

- a. Discussion of board policies (no discussion)
 - i. 09-03 Code of Conduct – Contract Services
 - ii. 09-02 Code of Conduct – Outside Employment
 - iii. 09-01 Wareham Traffic Policies to include the Chpaters
 - iv. 08-01 Procedure for filling positions of Town Employment
- b. CEDA TIF Request

Present before the board: Sal Pina, Mike Hogan & Richard LaFrance
Mr. Hogan said that the request is not from A.D. Makepeace they are leasing the land to the LaFrance family therefore the request would come from them. Mr. LaFrance said that his company is committed to the area and have doing business for the past 55 years. They have put up Hotels in Fairhaven, Franklin, and Plymouth and just recently in New Bedford. They are looking to develop in the Makepeace Rosebrook property. He said that the TIF agreement is a very important part of the project. The hotel would have about 90 rooms as well as a function facility and would create about 50 jobs.

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

9. TOWN ADMINISTRATOR'S REPORT

- a. Police strategic plan (this will take place at the next available meeting)

Selectman Winslow would like to recognize employees that assisted during the blizzard.

10. LIAISON REPORTS

Selectman Teitelbaum has been keeping an eye on the Red Pine Harvest at Minot Forest and the logger has returned.

Selectman Slavin said that the Historical Commission met on Wednesday and they had 4 buildings for demolition and will report back next week once he finds out what the status is. Selectman Slavin said that the Historic District Commission was working on the issue at Centre Park and he hasn't received any information on that.

Selectman Winslow said the golf tournament is this weekend at the Library and she hopes to see everyone there to raise money for the Library.

Chairman Holmes said they have openings on the Council on Aging Board of Directors as well as the Open Space Committee.

11. ADJOURNMENT

Selectman Winslow moved to adjourn. Selectman Teitelbaum seconded,

VOTE: 4-0-0 (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:

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

Date Signed: 2-19-13

Date sent to the Town Clerk: 2-20-13