



## 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 Delegate to SRPEDD
  - c. Appointment of Representative to the Joint Transportation Planning Group.
  - d. Appointment to the Old Colony Elderly Services.
6. **LICENSES AND PERMITS**
  - a. **HEARING: 7:15 PM.** Alteration of Premises for Hadley-MacIntosh Enterprises, Inc. dba The Stonebridge, 5 East Blvd., Onset under the provisions of Chapter 138 of MGL.
  - b. Application for a One Day Beer and Wine from Buzzards Play Productions, Inc. 3065 Cranberry Highway, East Wareham, MA, Janice M. Rogers.
7. **SEWER BUSINESS**
  - a. Funding source for contract 2.
  - b. Any other sewer business.
8. **TOWN BUSINESS**
  - a. **HEARING 7:30 P.M. Public Hearing:** Reorganization of Finance Department.
  - b. Discussion with Bike Path Committee.
  - c. Discussion with CEDA Director.
  - d. Chapter 61A land conversion – Pond at Fearing Hill.
  - e. Assignment of liaisons to boards, committees and commissions.
  - f. Discussion on guidance to Town Administrator for the next year.
  - g. Discussion on budget for FY 2014.

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- h. Discussion of board's policies:
  - i. 09-03 Code of Conduct – Contract Services
  - ii. 09-01 Wareham Traffic Policies to include the Chapters
  - iii. 08-01 Procedure for filling positions of Town Employment
  - iv. 11-02 Access to Town Counsel.
- i. Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting.

**9. TOWN ADMINISTRATOR'S REPORT**

**10. LIAISON REPORTS**

**11. ADJOURNMENT**

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

4/23/2013

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

Date of Meeting: April 16, 2013  
Date of Transcription: April 17, 2013  
Transcribed by: Janet Wilson

### **1. CALL MEETING TO ORDER BY CHAIRMAN**

Chairman Teitelbaum called the meeting to order

### **2. ROLL CALL**

Selectmen Present: Peter Teitelbaum, Chairman  
Alan H. Slavin, Clerk  
Stephen M. Holmes  
Judith Whiteside  
Patrick G. Tropeano

Also present: Derek Sullivan, Town Administrator

### **3. ANNOUNCEMENT**

Chairman Teitelbaum asked for a moment of silence in memory of the victims of the Boston Marathon bombing.

Chairman Teitelbaum stated that the School Committees organization is as follows: Rhonda Veugen, Chairman, Clifford Sylvia, Vice Chairman, Mike Flaherty, Secretary and Geoff Swett and Kenneth Fontes as members

### **4. CITIZENS PARTICIPATION**

Present before the board: Gerry Barrows  
Mr. Barrows commented on the lack of meetings the Commission on Disability is having.

Present before the board: Sharon Boyer  
Ms. Boyer was before the board to introduce her son Spencer Boyer who was chosen to attend the People to People ambassador program in Washington, D.C.

### **5. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
- b. Appointment of Delegate to SRPEDD

**MOTION:** Selectman Slavin moved to appoint Selectman Holmes as the Delegate to SRPEDD. Selectman Whiteside seconded.

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**VOTE: 5-0-0 (Unanimous)**

c. Appointment of Representative to the Joint Transportation Planning Group.

**MOTION:** Selectman Slavin moved to have Selectman Holmes as a Delegate to the JTPG and Selectman Slavin as the alternate. Selectman Whiteside seconded.

**VOTE: 5-0-0 (Unanimous)**

d. Appointment to the Old Colony Elderly Services

**MOTION:** Selectman Tropeano moved to appoint Pamela Dudley, 3132 Cranberry Highway as a member to the Old Colony Elderly Services, Board of Directors to a term to expire no later than June 30, 2013. Selectman Whiteside seconded.

**VOTE: 5-0-0 (Unanimous)**

**6. LICENSES AND PERMITS**

a. Hearing 7:15pm – Alteration of premises for Hadley-MacIntosh Enterprises, Inc., d/b/a The Stonebridge, 5 East Blvd., Onset under the provisions of Chapter 138 of MGL.

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

**VOTE: 5-0-0 (Unanimous)**

Present before the board: Justin Hadley & John Cornish

Mr. Hadley stated that at one time they did have a porch on the premises however it was taken down since it was in disrepair. Chairman Teitelbaum had a letter that was provided by the neighbors in the area asking that he read it into the record. He had some issues with the letter however he said that some of the correspondence in the letter isn't something the board as the liquor authority agent has control of. Selectman Slavin stated that they have approval from the Conservation Department and approval from the Zoning Board of Appeals. Selectman Holmes had some questions regarding the emergency exit and asked if the back door would be locked? Mr. Hadley stated that patrons would only be entering and leaving from the front door. Selectman Whiteside asked where the restrooms were for the marina? Selectman Slavin read the questions on the correspondence from the neighbors.

First question: How will the noise level of the all the additional 52 people be addressed, previously addressed by the Bistro owner Justin Hadley there will be no entertainment on the outside deck, is this still the case? Mr. Hadley said that he isn't planning on having entertainment. He said that he is aware of the neighbors and said this intention is to try and keep noise indoors which is why he built a bar in the anticipation of the deck. He would like to have just dining outside. Mr. Cornish said the primary function of that property is a marina and he will not let

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anything interfere with that. He said that he has 60 boats with families and wouldn't let noise interfere. He said this would be a higher end restaurant lounge and not a loud and rowdy place.

Question #2: Currently there is entertainment inside the Bistro, will all doors and windows leading to the deck be closed to mitigate the noise to the surrounding East Blvd North and South Water Streets and the Riverside area of the neighborhoods, noise from establishments from the neighborhood has caused problems to the board in the past by resulting in restrictions being placed on other liquor licenses. Mr. Cornish said that it would be dangerous to have all the windows closed and they would do everything they can to keep the noise levels down. Mr. Hadley stated that there wouldn't be a sit down bar outside and Mr. Cornish stated that they would like to have a frozen drink maker and perhaps some iced beers out on the deck. The names of the persons asking the questions were Steven Bell, Anna Child, Thomas McManus, Shaun Harrison, Hannah Benoit, Arthur Fertman, and Richard W. Post, Jr. and Richard Greig all residents of East Blvd.

Present before the board: Tom McManus

Mr. McManus brought up some questions regarding policies & procedures, he claims that Mr. Hadley started work on the deck without approval from the Board of Selectmen, also he said that in his lease it states that it's a set amount per month or a % of the proceeds whichever is greater, which he states is a violation of the liquor policy. Mr. McManus went over some of the restrictions that he felt should be placed on their license.

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

**VOTE: 5-0-0 (Unanimous)**

**MOTION:** Selectman Tropeano moved to approve the alteration of premises for Hadley-MacIntosh, Enterprises, Inc., d/b/a Stonebridge, 5 East Blvd Onset under the provisions of Chapter 138 of MGL. Selectman Slavin seconded. Chairman Teitelbaum asked about any conditions and amended the Motion to include the following conditions: 1. Decibel levels to based on the town bylaw 2. Trash container to be fenced. 3. Entertainment remains indoors. 4. The back gate to have a mechanism, which allows for emergency exit only.

**VOTE: 5-0-0 (Unanimous)**

- b. Application for a one-day Beer & Wine from Buzzards Play Productions, Inc., 3065 Cranberry Highway, E. Wareham, MA – Janice Rogers

Present before the board: Janice Rogers

Ms. Rogers was seeking a one-day license for a Comedy Show scheduled for Saturday, April 20<sup>th</sup>.

**MOTION:** Selectman Tropeano moved to approve the application for a one-day beer & wine license from Buzzards Play Productions, 3065 Cranberry Highway on Saturday, April 20<sup>th</sup> from 7-10pm and that they fulfill the requirements of providing the responsible person and tips certification. Selectman Whiteside seconded.

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**VOTE: 5-0-0 (Unanimous)**

**7. SEWER BUSINESS**

- a. Funding source for contract 2
- b. Any other sewer business

**8. TOWN BUSINESS**

- a. **Hearing 7:30 pm.** – Public Hearing: Reorganization of Finance Department

Selectman Slavin read the public hearing notice into record (as attached)

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

**VOTE: 5-0-0 (Unanimous)**

Mr. Sullivan went over Article #21 To see if the town will vote pursuant to section 6-3 of the Charter to approve the reorganization plan which creates a finance Department by restructuring the Accounting and Treasurer/Collector departments and any other Wareham finance and technology department, by placing them under the direction of the Finance Director. Mr. Sullivan stated that the town needs a working Town Accountant who is constantly manning the books and working to close the books. The Finance Director will have direct reports from Accounting, Treasurer/Collector and IT offices and also will serve as the Town Administrator's liaison to the Assessing office. Selectman Holmes stated this is best for the town and will be a cost savings. Selectman Whiteside also agrees that this position would be in the best interest of the town and hard decisions are going to be made. Selectman Tropeano said this is the kind of thing that the town would need to do in order to get out of the mess we are in. Selectman Slavin said that he would like to see another piece added down the line and adding a Purchasing Agent who is well rounded. Present before the board was Sandy Slavin asking if the School Committee was against this position? Chairman Teitelbaum stated that the School Committee was concerned to some extent about getting independent financial advice. Selectman Whiteside said that she believes they are concerned because they have five administrators that are going to be retiring in June.

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

**VOTE: 5-0-0 (Unanimous)**

**MOTION:** Selectman Slavin moved favorable action on article #21 on the annual town warrant. Selectman Whiteside seconded.

**VOTE: 5-0-0 (Unanimous)**

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b. Discussion with Bike Path Committee

Present before the board: Mike Langford, Dale Scott & Eileen Allgor  
The Committee was before the board looking for approval to allow Municipal Maintenance to stripe Onset Avenue for a Bike Lane.

**MOTION:** Selectman Slavin moved to ask the Director of Municipal Maintenance to paint the bike path lines on Onset Avenue as described in the maps supplied by the Bike Path Committee (as attached). Selectman Holmes seconded for discussion. Selectman Whiteside said that she is concerned with this bike lane and finds it extremely dangerous for bicyclists. Selectman Holmes had some questions on the lines? Selectman Slavin asked once the Bike Path committee has it's own money would they be willing to reimburse the town? Mr. Langford didn't feel they would be able to reimburse the town.

**VOTE: 5-0-0 (Unanimous)**

c. Discussion with CEDA Director (Mr. Pina wasn't present)

d. Chapter 61A land conversion – Pond at Fearing Hill

Present before the board: Sandy Slavin

Ms. Slavin stated that the Open Space Committee hasn't met yet and will be meeting on April 18<sup>th</sup>. (This was tabled until April 22<sup>nd</sup>).

e. Assignment of liaisons to boards, committees and commissions

The board went over which committee they would like to be a liaison to (attached is the list)

f. Discussion on guidance to Town Administrator for the next year

Chairman Teitelbaum stated that the Finance Committee asked that the board attend the meeting and listen to the presentation and their thoughts first. The board had some discussion on supporting the Town Administrators budget. Selectman Tropeano stated that the board would need to make the case that is more responsible to vote for the Town Administrators' budget. Selectman Whiteside said they should vote to reaffirm the original vote taken prior to her and Selectman Tropeano being elected.

**MOTION:** Selectman Whiteside moved to reaffirm the vote previously taken on the budget article. Selectman Tropeano seconded.

**VOTE: 5-0-0 (Unanimous)**

**MOTION:** Selectman Tropeano moved to go beyond the hour of 10pm.  
Selectman Slavin seconded.

**VOTE: 5-0-0 (Unanimous)**

g. Discussion on budget for FY2014

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(CONT'D)

The budget was discussed under item f.

- h. Discussion of boards policies:
- i. 09-03 Code of Conduct – Contract Services

**MOTION:** Selectman Holmes moved to approve policy 09-03. Selectman Whiteside seconded.

**VOTE: 5-0-0 (Unanimous)**

- ii. 09-01 Wareham Traffic Policies to include the Chapters  
(The board didn't vote on this policy, will review at a later date)
- iii. 08-01 Procedure for filling positions of Town Employment  
(The board didn't vote on this policy, will review at a later date)
- iv. 11-02 Access to Town Counsel

**MOTION:** Selectman Holmes moved to approve policy 11-02. Selectman Slavin seconded.

**VOTE: 5-0-0 (Unanimous)**

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

**9. TOWN ADMINISTRATOR'S REPORT**

Mr. Sullivan said that the Public Employee Committee did accept the change in the health care with the splits and will be moving forward with a contract.

Mr. Sullivan stated that CEDA, Cape Cod Canal Region Chamber of Commerce and Eastern bank would be hosting a Business-to-Business Expo on May 17<sup>th</sup> at 11am at the Bay Pointe Country Club. For more information contact Terry at 508-759-6000, Ext. 10.

**10. LIAISON REPORTS**

Selectman Holmes wanted to clear up a misconception regarding the CEDA Board and the Hammond School. He stated that CEDA doesn't have any control over the Hammond School and the potential lease of the building by the Boys and Girls Club is strictly between the Boys & Girls Club and the School.

Selectman Whiteside stated that she did attend the School Committee budget workshop and hopes that the board will have a better working relationship with the School Committee. She also mentioned that she does appreciate all the correspondence that she receives to keep her up to date.

Selectman Slavin said that the Historic District and the Historical Commission are meeting on April 25<sup>th</sup> to discuss the request submitted by the owner of the property located near Besse Park to demolish the building.



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Selectman Slavin said the deadline is approaching for the Community Events Assistance application.

**11. ADJOURNMENT**

Selectman Holmes moved to adjourn. Selectman Tropeano seconded.

**VOTE: 5-0-0 (Unanimous)**

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

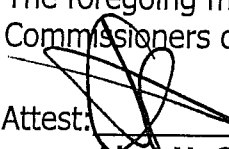
Respectfully submitted,

***Janet Wilson***

Department Assistant

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on:

Attest:

  
\_\_\_\_\_  
**Alan H. Slavin, Clerk**

Date Signed: 4-30-13

Date sent to the Town Clerk: 5-9-13

