

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: August 27, 2013
Date of Transcription: September 4, 2013
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

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

Also present: Derek Sullivan, Town Administrator
Attorney Rich Bowen

3. ANNOUNCEMENTS

Selectman Whiteside wanted to remind residents that open fires or grills are allowed on any public property.

Selectman Whiteside is working on a social media policy and will bring it before the board in 2 weeks.

The Taste and Sounds of Mexico will be celebrated on September 21st at 6:30 pm at Salerno's to benefit MA Children's Relief, Guyon Rescue and the Turning Point Day Resource Center. Tickets are \$35 in advance or \$40 at the door.

Chairman Teitelbaum attended the groundbreaking today along with Selectman Slavin at Rosebrook. He wanted to thank the citizens for voting for the TIFF agreement.

4. CITIZENS PARTICIPATION

Present before the board: Sandy Slavin

Ms. Slavin spoke about the trees half dead at Pezzoli Square as well as the grass that is full of weeds. She would like someone to check on a 1 year warranty to get this replaced.

Present before the board: Peggy Race

Mr. Race was before the board with a complaint about the lighting at the Garden Center located on Cranberry Highway.

5. CONSENT AGENDA

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-27-13 (CONT'D)

- a. Authorization to sign bills and documents, etc. (none)
- b. Appointment/Interview to Beach and Tourism Committee

Present before the board: Bruce Hutchins

Mr. Hutchins was interested in serving on the Beach & Tourism Committee and gave a background of his experience.

MOTION: Selectman Slavin moved to appoint Bruce Hutchins as a member to the Beach & Tourism Committee to expire no later than June 30, 2016. Selectman Whiteside seconded.

VOTE: 4-0-0 (Unanimous)

Present before the board: Linda Burke

Ms. Burke was before the board seeking appointment to the Committee and provided the board with her experience as well.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Slavin moved to appoint Linda Burke as a member to the Beach & Tourism Committee to a term to expire no later than June 30, 2016. Selectman Tropeano seconded.

VOTE: 4-0-0 (Unanimous)

6 LICENSES & PERMITS
(none)

7. SEWER BUSINESS

- a. Funding source for contract 2 (this will be an agenda item in September)

8. TOWN BUSINESS

a. Discussion on guidance to Town Administrator for the next year
Selectman Slavin would like to have an RFP put out for a full-time Town Planner as soon as we can.

b. Reading of Citation for Howard Andersen
Selectman Slavin read the Citation for Mr. Andersen and stated that he would be missed by the community as he retires.

c. Vote on Town Administrator's contract (not discussed)

d. Discussion re: Use of Hammond School by the Boys' and Girls Club and Pre-School

Chairman Teitelbaum said that the Town had put out an RFP and the two parties interested in the space were the Boys and Girls Club and the Early Childhood Pre-School. The superintendent is meeting with them to see if they both can utilize the building. Some discussion ensued on the lease of the building.

e. Adopt policy – Remote Participation
The board adopted policy # 2013-04 (as attached)

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-27-13 (CONT'D)

MOTION: Selectman Whiteside moved to adopt policy # 2013-04 Remote Participation. Selectman Tropeano seconded.

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

- f. Discussion re: BoS Mission Statement (not discussed)
- g. Discussion re: Condensing Town Committees (this will be discussed at 9/17/13 meeting)
- h. Discussion re: Cemetery Commissioners

Selectman Whiteside said as the liaison to this committee she attended a posted meeting and only one member was present. She stated that the committee has been having problems with quorums. She also was unhappy with the lack of maintenance at the cemeteries.

- i. Facebook Informational Page

Selectman Whiteside will bring before the board the policy on September 17th

- j. FEMA flood insurance update

Selectman Slavin spoke about the increase in flood insurance with the new FEMA regulations and stated that some areas could increase from \$3000 per year to \$10,000. The board would like to reach out to Representative Keating on this issue.

- k. Presentation of Fields & Grounds Site Survey from October 2010

Selectman Whiteside went over a study that was prepared by John Kelly from the Fields & Grounds. Mr. Kelly went to every playground in the town and gave a detailed report on what needs to be done. Selectman Whiteside wanted to thank Mr. Kelly for his time and energy that he put into the presentation.

- l. Vote to authorize letter in support of Municipal Maintenance dam grant application

Mr. Menard asked the board to provide a letter of support to a grant to repair the Parker Mill Dam. Selectman Slavin stated that they do need a long term plan to repair the dams and would like to seek the help from the Cranberry Growers.

MOTION: Selectman Whiteside moved to authorize signature of the letter. Selectman Slavin seconded.

VOTE: 4-0-0 (Unanimous)

- m. Discussion re: Carver, Wareham, Marion Regional Refuse District & SEMASS agreements.

Selectman Slavin spoke about the contract that expires in 2016. Selectman Whiteside volunteered to look into the agreements and report back to the board in three weeks.

- n. Vote to relocate Precinct six polling location

MOTION: Selectman Slavin moved to incorporate precinct six with three at the Minot Forest School. Selectman Whiteside seconded.

VOTE: 4-0-0 (Unanimous)

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

SELECTMEN/SEWER COMMISSIONERS MEETING - 8-27-13 (CONT'D)

Selectman Slavin spoke about a petition submitted for Cranberry Lane and stated that the board needs to schedule a hearing. Attorney Bowen spoke about the process on accepting a road. He started first the Selectmen open a public hearing and then votes its intention to layout the public way, then refers the petition to the Planning Board for its review and recommendation. Upon receipt of the Planning Board recommendation or upon 30 days elapse the Selectmen may reopen the hearing and act on the application as it deems appropriate. Typically the Planning Board would go over the meets and bounds and quality of the road. If the board feels its satisfactory they can lay it out if they feel it needs more work they can vote not to lay it out. Town Meeting technically is not accepting the street it's accepting the Selectmen's layout of the Street. Town Meeting can only vote to accept the Selectmen's layout.

9. TOWN ADMINISTRATORS REPORT

Mr. Sullivan stated that the Municipal Maintenance will only accept brush on the 2nd Saturday of each month beginning Saturday, September 14, 2013. Since July 18th the parking kiosks have brought in a total of \$46,939.50. The Spring Town Meeting accepted the reorganization of the Finance Department and by Charter it takes 60 days. Mr. Sullivan stated that John Foster is now upgraded to the Finance Director/Treasurer Collector.

10. LIAISON REPORTS

Selectman Slavin stated the Planning Board met and they have the sign bylaw finished.

11. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn. Selectman Whiteside 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:


Alan H. Slavin, Clerk

Date Signed: 9-17-13
Date sent to the Town Clerk: 9-19-13

Attachment to 8/27/13
meeting minutes



**TOWN OF WAREHAM
BOARD OF SELECTMEN**

No. 2013-04

REMOTE PARTICIPATION

Whereas, the Attorney General issued new regulations under the Open Meeting Law that allow so-called "remote participation" by board members in very specific circumstances;

Whereas, the Board of Selectmen has authorized remote participation by a majority vote;

Now therefore, the Board of Selectmen adopts the following policy for itself and the boards which it appoints:

- 1) Remote participation technology is limited to telephone, internet, or satellite enabled audio or video conferencing, or any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another. Such technology shall allow remotely participating members and all persons present at the meeting location to be clearly audible to each other.
- 2) Members may participate remotely only if their physical attendance is "unreasonably difficult". The determination of whether a member's physical attendance is "unreasonably difficult" is at the sole discretion of the board's chair or, in the chair's absence, the person chairing the meeting. Such determination shall be made in consideration of whether one or more of the following factors exists:
 - (a) Personal illness;
 - (b) Personal disability;
 - (c) Emergency;
 - (d) Military service; or
 - (e) Geographic distance.
- 3) A quorum of the board must be "physically present" and the chair or acting chair must be "physically present".
- 4) This following is the mandatory procedure to be followed in the event of remote participation:
 - (a) Any member who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or acting chair of his or her desire to do so and the reason for and facts supporting his or her request.

attachment to 8/27/13
meeting minutes

- (b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason for his or her remote participation. This information shall also be recorded in the meeting minutes.
- (c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
- (d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.
- (e) When feasible, the chair or acting chair shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.
- (f) In the event that the remote participation technology fails and the remote participation is impaired by the failure, the chair is encouraged to suspend discussion during the failure. If the failure cannot be fixed, the failure and "departure" of the remotely participating member shall be noted in the minutes.

This policy shall take effect immediately.

Board of Selectmen

Date adopted: August 27, 2013

Peter W. Teitelbaum, Chairman

Alan H. Slavin, Clerk

Stephen M. Holmes

Patrick G. Tropeano

Judith Whiteside