

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: May 21, 2019
Date of Transcription: May 22, 2019
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Patrick G. Tropeano, Chairman
Mary Bruce, Clerk
Alan H. Slavin
Peter W. Teitelbaum
James M. Munise

Also Present: Derek Sullivan, Town Administrator
Richard Bowen, Town Counsel

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

The Wareham Redevelopment Authority will be going over the Redevelopment Strategy Plan on Thursday, May 30th at 7pm & Saturday, June 1st at 10am in the Wareham Town Hall Auditorium.

The Onset Water District elections are taking place this evening.

The Tobey Hospital Guild will be selling raffle tickets at the gift shop.

The Wareham Land Trust May Volunteer Trail Workday will be held on Wednesday, May 22nd from 3-5pm. Volunteers are asked to help clear the Fearing Hill trail. Parking is available on Wyndmoor Run in West Wareham.

The Wankinquoah Rod & Gun Club will host its annual Tihonet Pond Fishing Derby on Sunday, June 3rd.

A Community Outreach Meeting for a proposed recreational cannabis multi-use establishment to be located at 2400-2402 Cranberry Highway, Wareham, MA is scheduled for Friday, May 31st at 3pm. The meeting will be held at the Wareham Multi-Service Center, 48 Marion Road, Room 320. The proposed facility will feature a recreational cannabis micro-business, a private members only social consumption lounge and a craft cultivation site. There will be an opportunity for the community to

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ask questions. (*note: Selectman Slavin didn't want residents to think that this is a meeting put on by the town even though it's at one of our locations and that the state announced they are doing test modules in cities and not towns also, an article at the next town meeting would have to be in place for this*).

Safe boating week will be May 18th – 24th so please remember to wear your life vests and respect the waters when you are out on the boat.

The new floating docks are about 95% complete and should be installed by Memorial Day weekend.

5. CITIZENS COMMENTS

(None)

6. BOARDS COMMENTS

Selectman Slavin stated the Veterans will be making several stops on Memorial Day and would like for people to stop and show their respect for the Veterans.

The Onset Water District held their town meeting last night and it was over in less than an hour.

Selectman Munise along with Mr. Sullivan attended the grand opening at Zero Waste facility and took a tour of the facility.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

a. Constables

- i. Michael Diesso
- ii. Gregory Kamon
- iii. William McCusker

MOTION: Selectman Bruce moved to appoint Michael Diesso, Gregory Kamon & William McCusker as Constables for the Town of Wareham to a term to expire no later than June 30, 2020. Selectman Slavin seconded.

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

b. Cemetery Commissioners

- i. Kathleen Bird
- ii. Susan Akins

Present before the board: Susan Akins

Ms. Akins was before the board seeking appointment as a Cemetery Commissioner. Ms. Akins stated that she has attended several meetings and feels sad about the state of the cemeteries. She said that people are very distraught with the new regulations and would like to be part of the solution and not part of the problem. She feels that there is a need for more communication. She stated that one person she spoke with was very distraught because they couldn't afford a stone and had a marker that had

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been removed and now she wasn't sure where her loved one was buried. Selectman Tropeano asked that she contact the office to get his phone number so that he can personally purchase a stone for her grave.

MOTION: Selectman Bruce moved to appoint Susan Akins as a Cemetery Commissioner to a term to expire no later than June 30, 2022. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Bruce moved to appoint Kathleen Bird as a Cemetery Commissioner to a term to expire no later than June 30, 2021. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

8. LICENSES AND PERMITS

- a. Application from Paul Rose for (3) one-day liquor licenses to be held on Saturday, June 8, 2019 from 12pm-5pm; Sunday, June 16, 2019 from 12pm-6pm & Wednesday, June 19, 2019 from 4pm-9pm.

MOTION: Selectman Bruce moved to approve the applications from Paul Rose the (3) one-day liquor licenses to be held on Saturday, June 8, 2019 from 12pm-5pm; Sunday, June 16, 2019 from 12pm-6pm & Wednesday, June 19, 2019 from 4pm-9pm. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- b. Application from D.J. Sullivan, LLC, d/b/a Sullivan Wine & Spirit, 260 Marion Road, Wareham, MA for a Change of Hours.

Present before the board: Joel Sullivan & Mrs. Sullivan

They were before the board seeking a change of hours at their package store.

MOTION: Selectman Bruce moved to approve the new hours as Jan 1st-March 31st Mon-St 9am-9pm; Sun 10am-5pm; April 1st-Sept 30th Mon-Thursday 9am-9pm, Fri & Sat 9am-10pm & Sun 10am-6pm; October 1st – Dec 31st Mon-Thur 9am-9pm Fri & Sat 9am-10pm & Sunday 10am-5pm.

- c. Application from Wareham Oyster Festival, Inc., P.O. Box 904, E. Wareham, MA 02538 for the use of Town Roads for their 5k Run on Sunday, May 26, 2019.

MOTION: Selectman Bruce moved to approve the application from Wareham Oyster Festival, Inc., P.O. Box 904, E. Wareham, MA 02538 for the use of Town Roads for their 5k Run on Sunday, May 26, 2019 once an updated insurance binder is provided. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

9. DOG HEARING AT 7:15 P.M.

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MOTION: Selectman Slavin moved to open the hearing. Selectman Bruce seconded. Poll vote: Selectman Slavin-yes, Selectman Munise-yes, Selectman Bruce-yes, Selectman Tropeano-yes, Selectman Teitelbaum-yes. Selectman Teitelbaum asked that anyone who was going to speak at the hearing please stand so that they could be sworn in.

Present before the board: Brandon Higgins, Jennifer Camara & Cheryl Gorgeatt-Dill, Animal Control Officer

Ms. Gorgeatt-Dill read into record the complaint (as attached). Selectman Teitelbaum explained that due to the fact that Ms. Camara attempted to secure the dog in its owner's backyard they couldn't deem the dog as dangerous only at risk. Ms. Gorgeatt-Dill agrees that the dog should be deemed at risk. Mr. Higgins acknowledged that the dog did bit Ms. Camara and have been loose on occasion. Ms. Higgins stated that she was trying to get the dogs into the yard because they seemed very scared and that is when the dog bit her. Selectman Tropeano explained to Mr. Higgins that it's very important that these dogs do not get loose again and urged him to do whatever he has to do to make sure they stay contained and don't leave the property.

MOTION: Selectman Bruce moved to close the hearing. Selectman Slavin seconded. Poll vote: Selectman Slavin-yes, Selectman Munise-yes, Selectman Bruce-yes, Selectman Tropeano-yes, Selectman Teitelbaum-yes.

MOTION: Selectman Teitelbaum moved to deem Peaches the dog at risk and the following conditions be imposed – When not under direct control of the controlling person, the dog shall be contained in a building, vehicle or secure enclosure and the dog can only leave owners property by a controlling person on a leash not more than 4' having the minimum tensile strength of 300 lbs. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

a. Proclamation – Race Amity Day

Present before the board: Matthew Stanton & Nicholas Dix

Both were before the board asking the board to declare the 2nd Sunday in June as Race Amity Day. Selectman Bruce read the proclamation into record.

MOTION: Selectman Slavin moved to proclaim the 2nd Sunday in June as Race Amity Day. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

b. Approval of Seasonal Recreational Soft-Shell Clamming areas.

MOTION: Selectman Bruce moved to approve the Seasonal Recreational Soft-Shell Clamming area as presented (attached). Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

c. Discussion of Constable Appointment process.

Selectman Munise would like to see a vetting process regarding reappointments of Constables, he said that he would like a checklist so he knows if they have had a

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CORI done and also have a bond submitted. Attorney Bowen spoke a bit about what other communities handle the reporting of services and fees. Also some discussion on putting a cap on the amount of Constables they will appoint.

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

The board signed a certificate for Eagle Scout Justin Charles Schluter, Selectman Tropeano will be presenting this to him during an event the family has planned.

10. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan had nothing to report.

11. LIAISON REPORTS/INITIATIVE REPORTS

Selectman Slavin stated that the Buzzards Bay Coalition is meeting this evening, he attended a GATRA meeting in which they went over the budgets and they are fighting with the state for more funding also Frank Gay will be retiring. Selectman Slavin also attended the MPO meeting and plans for roadwork to make rte. 6 from Fairhaven, Mattapoisett, Marion and Wareham a 2 lane road vs a 4 lane with a lane for turning and another for a bike path.

12. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.

13. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

14. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted

Janet Wilson

Department Assistant

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

Attest:


Mary Bruce, Clerk

Date Signed: 6-4-19

Date sent to the Town Clerk: 6-5-19

*Attachment to 5/21/19
meeting minutes*

Commonwealth of Massachusetts

Complaint of Vicious or Barking Dogs

Section 157, Chapter 140, General Laws

April 25, 2019

I hereby make complaint hereon, that dogs owned or harbored by:

Brandon Higgins
33 Terry Lane
Wareham MA 02571

Is a danger by reason of:

1. Vicious, disposition

On April 25, 2019 I spoke with Jennifer Camara, who reported that on the previous day, at 3:45 PM, she saw her neighbors, Brandon Higgins, dog, described as a Belgian Melinois Shepard named Peach, running loose. While she attempted to secure it in the owner's backyard the dog attacked her. She stated it had bitten her left thigh resulting in 4 puncture wounds and several bruises. She has seen the dog loose prior and witnessed it chasing people, so she was trying to prevent an incident and secure it the dog, which is familiar with the victim, for the owner when it turned on her.

The dog owner admitted the dog had bitten the neighbor when the neighbor, Jennifer Camara, was attempting to secure the dog after it got loose.

This complaint is made under the penalties of perjury.

Complainant's signature and address:

Cheryl Gorveatt-Dill Animal Control/Inspector

Department of Natural Resources

Town of Wareham

48 Marion Road

Wareham, MA 02571



Town of Wareham

Department of Natural Resources

54 Marion Road, Wareham Massachusetts 02571
508-291-3100 Extension 3180
dnr@wareham.ma.us

*Attachment to 5/17/19
meeting minutes*

TO: Board of Selectmen

FROM: Garry Buckminster, Director of Natural Resources

DATE: May 15, 2019

RE: Seasonal recreational soft-shell clamming areas

I am requesting the Board of Selectmen to take action to affirm the seasonal soft-shell clam harvesting locations for recreational shellfishing.

1. Per the Wareham Shellfish Rules and Regulations, the Board of Selectmen shall establish seasonal soft-shell clam harvesting locations per the Town of Wareham Shellfish Rules and Regulations for the taking of shellfish.
2. Seasonal Harvesting Restrictions – The harvesting location restriction will go into effect starting June 1, 2019 and continue through September 15, 2019. The harvest of soft-shell clams shall be restricted to the recommended harvesting location areas as proposed below.

Proposed Motion:

In accordance with Division VIII, Article I, Section II of the Town of Wareham Shellfish Rules and Regulations for the Taking of Shellfish, the Board of Selectmen shall close all areas to the harvesting of soft-shell clams, effective June 1, 2019 through September 15, 2019 with the exception of the following seasonal recreational soft shell clam harvesting areas:

AREAS OPEN MONDAY THRU SATURDAY

1. Warren Point - Westerly to the eastern corner of Management Area #3 (67 Towhee Rd)
2. Cromesett Point facing Swifts Beach, from the shoreline in front of #4 Seahorse Lane, southeasterly to the fixed wood pier located at 22 Nobska Way.
3. Stony Point Dike
4. Widows Cove/Bass Cove
5. Southern tip of Burgess Point to Codman's Point.
6. Southern tip of Burgess Point to the northern most point of Lydia's Island.
7. The southern shoreline of Shell Point Bay from the northern most point of Lydia's Island to westerly side of the fixed stone pier located at 21 Over Jordan Road.
8. Wickets Island
9. Portions of Sunset Cove rainfall area as identified on the shellfish status map

AREAS OPEN THURSDAY, FRIDAY, SATURDAY

1. Management Area # 3 --- Long Beach



Town of Wareham

Department of Natural Resources

54 Marion Road, Wareham Massachusetts 02571

508-291-3100 Extension 3180

dnr@wareham.ma.us

All areas approved by the Board of Selectmen will be identifiable by the shellfish status maps located at the multi-service building near the Harbormaster's office, Tempest Knob Boat Ramp, and the Onset Pier Harbormaster's seasonal office as well as the on-line map located on the Town of Wareham web site.

Honorable Board of Selectmen,

Patrick Tropeano
Board of Selectmen
Chairman

Mary Bruce
Clerk

Alan Slavin

Peter Teitelbaum

James Munise