

## **MINUTES OF MEETING OF THE BOARD OF SELECTMEN**

Date of Meeting: January 7, 2020  
Date of Transcription: January 13, 2020  
Transcribed by: Cassandra Slaney

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

### **2. ROLL CALL**

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

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

### **3. PLEDGE OF ALLEGIANCE**

### **4. ANNOUNCEMENTS**

### **5. CITIZENS COMMENTS**

Present before the Board: Sam Corbett, 4 Jonathan Lane  
Mr. Corbett is concerned about not having the roads in the association he lives in plowed. He would like to be placed on a future agenda to discuss what can be done to have the roads plowed.

Present before the Board: Pamela Hamlett  
Ms. Hamlett also lives on Jonathan Lane and explained that she is concerned about the roads not being plowed in the event of a medical or fire emergency. She feels as a contributing tax payer to the town, roads being plowed should be included.

Present before the Board: Cheryl Yurasha  
Ms. Yurasha, also a resident in the development Mr. Corbett and Ms. Hamlett live in explained that the plowing became an issue last year. She reached out to the builder of the development and he reiterated that plowing would not be a problem. She has been told it is not the builders responsibility or the towns. At this time, she is asking for some type of lenience and if the road can be temporarily accepted until something is done.

**6. BOARDS COMMENTS**

The Plymouth 400 will be having a meeting and discussing how Wareham will be involved in the Plymouth 400th Celebration.

**7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS**

**8. LICENSES AND PERMITS**

a. **CONTINUATION HEARING AT 7:15 P.M.** – Inflammable Fluids License application submitted by Sam's Gas, 307 Main Street, Wareham, MA. 02571.

**MOTION:** Selectman Teitelbaum moved to open the hearing. Selectman Bruce seconded. Poll vote: Selectman Slavin=yes, Selectman Munise=yes, Selectman Bruce=yes, Selectman Teitelbaum=yes, Selectman Tropeano=yes.

Present before the Board: Ossama Mohammed, Owner; Sheila Tierney, Attorney; Chris Smith, Lieutenant of the Wareham Fire Department.

Lieutenant Smith stated that the tanks in the ground now were installed March 10, 1988. There are double wall tanks, they are composite, and they don't need cathodic protection. There are three tanks, 5,000 gallons each. It was reported on July 11, 2019 that tank one is holding 957 gallons of gasoline, tank two has 854 gallons, and tank three has 884 gallons. There is a compliance certification for January 17, 2018, they have been third party inspected as of May 13, 2019, and there was a new sump pump installed in 2017.

**MOTION:** Selectman Slavin moved to close the hearing. Selectman Munise seconded. Poll vote: Selectman Slavin=yes; Selectman Munise=yes; Selectman Bruce=yes; Selectman Teitelbaum=yes; Selectman Tropeano=yes.

Selectman Teitelbaum explained that a decision had been made approximately ten years ago at Town Meeting to amend the zoning by laws that eliminated additional gasoline stations in Town. However, the Zoning Board of Appeals does have the ability to grant use variances in zones where it isn't specifically prohibited for them to do so.

**MOTION:** Selectman Munise moved to approve the Inflammable Fluids License application submitted by Sam's Gas, 307 Main Street, Wareham, MA. Selectman Bruce seconded.

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

b. Application for a Change of Officer/Directors and Change of Ownership Interest from 99 West, LLC, d/b/a 99 Restaurant.

**MOTION:** Selectman Bruce moved to approve the application for a Change of Officers/Directors and Change of Ownership Interest from 99 West, LLC d/b/a 99 Restaurant. Selectman Teitelbaum seconded.

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

c. Application for a Change of Manager from Point Independence Yacht Club, 15 Independence Lane, Onset, MA.

SELECTMEN MEETING MINUTES-1/7/2020 (CONT'D)

**MOTION:** Selectman Bruce moved to approve the application for a Change of Manager from Point Independence Yacht Club, 15 Independence Lane, Onset, MA. Selectman Teitelbaum seconded.

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

d. Renewal of Year Round Common Victualler All Alcoholic Beverages License for the year 2020, under the provisions of Chapter 138 of the Massachusetts General Laws for Barnacle Bill's Seafood LLC d/b/a Barnacle Bill's Seafood, 3126 Cranberry Hwy, E. Wareham.

**MOTION:** Selectman Bruce moved to approve the renewal of Year Round Common Victualler All Alcoholic Beverages License for the year 2020, under the provisions of Chapter 138 of the Massachusetts General Laws for Barnacle Bill's Seafood LLC d/b/a Barnacle Bill's Seafood, 3126 Cranberry Hwy, E. Wareham. Selectman Slavin seconded.

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

**9. TOWN BUSINESS**

a. Establish dates for Spring Town Meeting.

Selectman Teitelbaum explained that the legislation at Town Meeting passed on to the legislature from last spring. It has cleared the Senate and is now in third reading in the House. This can potentially change some of the deadlines and move them closer to Town Meeting if it comes through before the warrant closes.

**MOTION:** Selectman Teitelbaum moved to establish dates and read (as attached). Selectman Bruce seconded.

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

b. Accept donation to the Wareham Free Library in the amount of \$10000.00 from the Westport Fund.

**MOTION:** Selectman Slavin moved to accept donation to the Wareham Free Library in the amount of \$10000.00. Selectman Bruce seconded.

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

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

**11. TOWN ADMINISTRATOR'S REPORT**

Derek Sullivan stated that additional Chapter 90 funds were released and Wareham's portion is \$74,768.00.

He also said there have been questions about the short term rental tax. This did not have to go to town meeting to be accepted because the town already has the hotel/motel excise tax, therefore the town was automatically entered into the full amount.

Selectman Munise questioned the revenues raised on the marijuana tax and what is the town doing with the revenues. Mr. Sullivan explained that the information can be found online by pulling up FY20 Wareham Budget. He also explained that all places

SELECTMEN MEETING MINUTES-1/7/2020 (CONT'D)

with licenses have been given host agreements and there is only one operation open in the Wareham community. The town does not get any funds until other communities are licensed by the Cannabis Control Commission and making sales. Anything outside of retail is an impact fee of 3% which can disappear after five years.

Selectman Munise also mentioned complaints about the increase on tax bills. Mr. Sullivan also explained that this increase is part of the shortfall from the estimated taxes already paid for the year.

**12. LIAISON REPORTS/INITIATIVE REPORTS**

Selectman Slavin attended the Route 6 meeting regarding the initial study of the modification. He also said that the Swifts Beach light project is moving ahead.

Selectman Munise said there will be a CMW subcommittee meeting on January 8<sup>th</sup> at 10:00 a.m. on Atlantis Ave, Marion.

**13. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes:

**14. ADJOURNMENT**

**MOTION:** Selectman Slavin moved to adjourn. Selectman Teitelbaum seconded.

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

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

Respectfully submitted  
*Cassandra Slaney*  
Department Assistant

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

Attest:

  
**Mary Bruce, Clerk**

Date Signed: 1-21-20

Date sent to the Town Clerk: 1-22-20