MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting:

November 2, 2021

Date of Transcription:

November 16, 2021 Cassandra Slaney

Transcribed by:

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1. CALL MEETING TO ORDER BY CHAIRMAN

Remote meeting due to COVID 19

2. ROLL CALL

Selectmen Present: Judith Whiteside, Chairman

Patrick G. Tropeano, Clerk

James M. Munise Alan H. Slavin

Peter W. Teitelbaum, Esq.

Also Present:

Rich Bowen, Town Counsel

Not Present:

Derek Sullivan, Town Administrator

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

Selectman Slavin thanked the first responders during the storm.

The Wareham Redevelopment Authority will be hosting a workshop on November 3, 2021 at 5:30 at the Multi-Service Center, Room 320. There will be a presentation on the Tremont Nail property and there will be another workshop on Saturday, November 6th at the Tremont Nail freight building.

Selectman Teitelbaum thanked the citizens who were present for Town Meeting.

There is a Carver Marion Wareham Regional Refuse virtual meeting on Wednesday, November 3^{rd} at 5pm.

On Saturday, November 13, 2021 from 10:00am to 2:00pm, the First Congregational Church of Wareham will be hosting its Harvest and Holly Fair. The fair will include baked goods, candy and fudge, handcrafted decorations, raffles, and vendors. Lunch will be take-out only. Call 508-295-1630 for the menu or to place an order.

The Council on Aging has planned a busy month of activities for Wareham seniors. For a complete schedule, visit https://www.wareham.ma.us/council-aging. Please note that the dates and times of some classes have changed since the printing of the Senior Beacon. To sign up for classes, call 508-291-3100. On Nov. 10 at 1 p.m., mandala classes will begin. Registration required.

November 12th- Garden Therapy will be held at 10:30 a.m. with the Wareham Garden Club. Registration required.

November 13th- the COA will be hosting an open house from 10 a.m. to noon, with a variety of activities: learn to make a sleeping bag from recycled plastic bags, watch a chair volleyball demo, meet with a SHINE rep to review medical coverage, talk to a rep from the Assessor's Office about tax exemptions, check out the upgraded facility and enjoy refreshments. November 17th- learn to make greeting cards at 9:15 a.m. Registration is required, and a \$3 donation is requested.

November 18th- get preventative dental services at affordable rates. Call 508-827-6725 to make an appointment or for more information.

November 19th- 5 p.m., enjoy free dinner from Mumma Mary's on Main St. and watch a movie. Registration required.

Regular activities are continuing:

On Mondays, play cribbage from 10 a.m. to noon in Room 208. From 9 to 10 a.m., take a circuit exercise class with Marge Blinstrub temporarily at the Wareham Free Library. No registration is required. Pay \$3 at the door.

On Tuesdays, join seniors for coffee and conversation from 9 to 10 a.m. in the Cranberry Cafe. Play chair volleyball at 10 a.m. or practice Tai Chi at 1:30 p.m. Learn to play Mahjong from noon to 1 p.m., followed by games at 1 p.m., in the Cranberry Cafe.

On Wednesdays, drink coffee and knit or crochet at 10 a.m. At 1 p.m., learn to make mats for the homeless in Room 102. The Walking Group meets at 10 a.m. at the Middle School track (registration required).

On Thursdays, Chair Yoga with Pam meets at 2 p.m. Registration required.

On Fridays, learn country line dancing at the Wareham Free Library with Marge Blinstrub from 9 to 10 a.m. No registration is required. Pay \$3 at the door.

Grab and Go Lunches continue Tuesdays and Thursdays. Pick up the free lunches courtesy of the Old Colony Elder Services at the Multi-Service Center handicap ramp between 9 and 9:30 am. Lunches must be reserved at least 3 days ahead of the scheduled delivery date by calling the COA. The menu is available on Facebook.

Senior Tax Work-Off Program forms are available in the COA Office. Volunteers are needed. Call for more information. Virtual Bereavement Support Group help is available by calling Ken at 508-399-5900. Consultation appointments with Attorney Jillian Morton can be made at 508-291-3130.

The Wareham Junior Basketball Association will hold sign-ups on Saturday, Nov. 13 and Saturday, Nov. 20 only from 2 to 6 p.m. at the Pier View Restaurant located at 201 Onset Ave. Due to time constraints, these will be the only two opportunities to sign up for this season. For boys and girls in grades three through eight, the cost is \$80 per player with a \$5 discount for each sibling. The mites program for first and second graders will cost \$50 per player with a \$5 discount for each sibling.

The Wareham Tiger Midgets team will be playing in the Cranberry Bowl at Spillane Field Sunday, November 7th at 1:00 pm. They will be playing Nantucket. The Tigers Mites squad will be playing at Spillane Field as well on November 13th at 5:00 pm. The Peewee and Midget squads will be playing in Hull on November 14th. All three squads have made the playoffs.

5. CITIZEN'S COMMENTS

None.

6. BOARD'S COMMENTS

Booster shots are available at Southcoast.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

a. Wareham Veterans Council

i. Ryan Langlois

Present before the Board: Ryan Langlois

MOTION: Selectman Tropeano moved to appoint Ryan Langlois to the Wareham Veterans Council to a term to expire no later than June 30, 2024. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

b. Wareham Cultural Council

i. Amariet Karahalis

Present before the Board: Amariet Karahalis

MOTION: Selectman Tropeano moved to appoint Amariet Karahalis to the Wareham Cultural Council to a term to expire no later June 30, 2023. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

8. LICENSES AND PERMITS

a. HEARING 7:15 PM – Application from ACAP, Inc. d/b/a Wines & More, 2421 Cranberry Hwy, Ste 460, Wareham MA for a Transfer of Stock, Change of Manager and Change of Directors/Officers of an existing Year Round Common Victualler All Alcoholic Beverages license under the provisions of Chapter 138 of the Massachusetts General Laws.

MOTION: Selectman Tropeano moved to open the hearing. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

Present before the Board: Michael Rego, Manager, Keith Gillis and Jeffrey Padua, Attorney. Applicants are seeking approval for a Transfer of Stock, Change of Directors and Change of Manager.

MOTION: Selectman Tropeano moved to close the hearing. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to approve the application from ACAP, Inc. d/b/a Wines & More, 2421 Cranberry Hwy, Wareham for a Transfer of Stock and Change of Directors/Officers. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to approve the application from ACAP, Inc. d/b/a Wines & More, 2421 Cranberry Hwy, Wareham for a Change of Manager. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

b. Application for a Change of Manager from Pepper Dining, Inc. d/b/a Chili's Grill & Bar, 2885 Cranberry Hwy, E. Wareham, MA under the provisions of Chapter 138 of the Massachusetts General Laws.

Present before the Board: Joshua Sanchez, Manager; Andrew Upton, Attorney. **MOTION:** Selectman Tropeano moved to approve the application from Pepper Dining, Inc. d/b/a Chili's Grill & Bar, 2885 Cranberry Hwy, E. Wareham for a Change of Manager. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes,

Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

9. TOWN BUSINESS

a. Continued discussion and possible vote on Besse Park rain garden.
Present before the Board: Garry Buckminster, Director of the Department of Natural
Resources; Michele West, Senior Water Resources Engineer-Horsley Witten Group;
Richard Claytor, President-Horsley Group; Dr. Joseph Costa, Executive Director-Buzzards Bay
National Estuary Program.

Mr. Buckminster expressed his concerns regarding the design of the rain garden project and the potential disruption of the area that is used by auger "helical" anchors, therefore jeopardizing the integrity of the auger. He is also concerned about introducing more water to the auger area due to the large proposed pond that could compromise the holding strength. Dr. Costa stated that there were some issues with the original proposal that had not been resolved. The Town tried to secure grant funding from DEP and CZM to finish the designs, however, both applications were denied. He also stated that there will be grant funds specific to storm water projects the Town would be eligible for in the near future. Ms. West stated that the design of the rain garden is very flexible and can be modified to resolve the concerns brought forth.

b. Discussion and possible vote regarding the temporary closing of Stevie Bs, 270 Onset Ave., Onset, MA. The Board of Selectmen, as the local licensing authority must make a determination of what time frame is considered temporary closure.

Present before the Board: Steven Beranger, Owner of Stevie Bs.

Mr. Beranger stated he is planning to retire and close his establishment by November 6, 2021. He is seeking approval from the Board to hold the license until he can sell the building and transfer the liquor license. Selectman Whiteside stated that the Board, acting as the Local Licensing Authority, can approve holding the license for up to two years.

c. Discussion and possible vote to authorize the placement of signs for Southcoast Health, Tobey Emergency Center and other signage on public ways.

This item will be discussed at the next meeting.

- d. Discussion and possible vote to establish a Bylaw Review Committee. Selectman Whiteside provided two suggestions regarding the establishment of a Bylaw Review Committee (see attachment). Discussion ensued and the Board determined that the opinion of the Town Clerk would may be helpful in determining which suggestion works best.
- e. Vote to Authorize Veterans Day Proclamation.

 Selectman Whiteside read into record the Veterans Day Proclamation. (See attachment)

MOTION: Selectman Munise moved to authorize the Veterans Day Proclamation. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

f. Confirmatory vote for approval of the application for a One Day Liquor License from Steven Curry, 745 Main Street, Wareham for October 24, 2021.

MOTION: Selectman Tropeano moved to approve the confirmatory vote of the application for a One Day Liquor License from Steven Curry, 745 Main Street, Wareham for October 24, 2021, which vote was approved at the of October 19th meeting under 48 hour business. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

g. Confirmatory vote authorizing the Chair to provide a letter of support to Damien's Family Food Pantry for a grant to purchase equipment.

MOTION: Selectman Tropeano moved to approve the confirmatory vote authorizing the Chair to provide a letter of support to Damien's Family Food Pantry for a grant to purchase equipment which vote was approved at the meeting of October 19th under 48 hour business. Selectman Munise seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

h. Accept donation of \$1,000 from Nouria Energy Corporation to the Wareham Free Library for the Wareham Free Library Gift Fund.

MOTION: Selectman Tropeano moved to accept the donation of \$1,000.00 from Nouria Energy Corporation to the Wareham Free Library for the Wareham Free Library Gift Fund. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

i. Ratify hiring of Elena Jimenez for the full-time Principal Department Assistant for DNR.

MOTION: Selectman Tropeano moved to ratify the hiring of Elena Jimenez for the full-time Principal Department Assistant for the Department of Natural Resources. Selectman Munise seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

j. Discussion and possible vote to approve the opt-out and reduction fee applications for Curbside Billing FY22 in the amount of \$22,158.88.

MOTION: Selectman Tropeano moved to approve the opt-out and reduction fee applications for Curbside Billing FY22 in the amount of \$22,158.88. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-no.

VOTE:

4-1-0 (Selectman Whiteside opposed)

10. TOWN ADMINISTRATOR'S REPORT

None.

11. LIAISON REPORTS/INITIATIVE REPORTS

Class 2 licenses are being reviewed and the licenses will be revised to include more information.

12. CONSENT AGENDA

a. Authorization to sign bills and documents, etc.

b. Authorize payment to the Law Office of Richard P. Bowen.

MOTION: Selectman Teitelbaum moved to authorize the payment to the Law Office of Richard P. Bowen. Selectman Tropeano seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

c. Approval of meeting minutes: October 5, 2021; October 12, 2021. **MOTION:** Selectman Tropeano moved to approve the meeting minutes of October 5, 2021 and October 12, 2021. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

14. EXECUTIVE SESSION

MOTION: Selectman Tropeano moved to enter Executive Session at 8:27 p.m. for M.G.L. 30A §21 (6) Re: Little Harbor-purchase of property

To consider the purchase, exchange, lease of value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

M.G.L. 30A §21 (3) Re: Morales-Notice of Claim (Sic)

To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Roll Call Vote: Selectman Slavin yes, Selectman Teitelbaum yes, Selectman Munise yes, Selectman Tropeano-yes, Selectman Whiteside yes.

VOTE:

5-0-0 (Unanimous)

15. ADJOURNMENT

MOTION: Selectman Teitelbaum moved to exit executive session. Selectman Slavin seconded. Roll call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to adjourn at 8:49 p.m. Selectman Teitelbaum seconded. Roll call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Whiteside-yes.

VOTE:

5-0-0 (Unanimous)

Respectfully submitted **Cassandra Slaney** Department Assistant

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

Patrick G. Tropeano, Clerk

Date Signed: 1-27

Documents reviewed and/or used in meeting.

- 1. Appointments for Ryan Langlois and Amariet Karahalis.
- 2. Application and supporting documents from ACAP, Inc. d/b/a Wines & More for a Transfer of Stock, Change of Manager and Change of Directors.
- 3. Application and supporting documents from Pepper Dining, Inc. d/b/a Chili's Grill & Bar for a Change of Manager.
- 4. Layout of Besse Park for rain garden discussion and concerns.
- 5. Request from Southcoast Health for placement of signs.
- 6. Proposed Bylaw Committee makeup.
- 7. Veterans Day Proclamation.
- 8. Donation of \$1000.00 to the Wareham Free Library from Nouria Energy.
- 9. Request to ratify hiring of Elena Jimenez.
- 10. Curbside Billing FY22 in the amount of \$22,158.88.
- 11. Invoice for the Law Office of Richard P. Bowen.
- 12. Meeting minutes for October 5, 2021 and October 12, 2021.

Date sent to Town Clerk: 1-27-22

Rain gardens

Garry Buckminster

Tue 10/5/2021 12:34 PM

To:BOS <bos@wareham.ma.us>;

Good afternoon,

I am just checking in on the status of the proposed rain gardens located at Besse Park.

I have to stress some serious concerns regarding this project and one of the more serious is the disruption of area that is used by auger "helical" anchors that extend horizontally into the park to keep the integrity of the bulk head. I have been involved with helical anchors since the mid 90's and have performed installations as well as oversee the install of moorings. The primary strength of an auger is through hydraulic pressure. Should this set auger be disrupted it could jeopardize the integrity of the auger. In speaking with the engineer of the project where the Governors Seaport Counsel funded the replacement of the bulkhead shares the same concerns. In addition we are introducing more water penetration to the auger area due to the large proposed pond which we believe could compromise holding strength as well.

In closing, I do hope this project can be brought back for review where I believe the proponents of this project lacked to address these concerns in their design that jeapordize the bulkhead.

I will be more than happy to meet you and review the original plans for the bulkhead.

Best,
Garry Buckminster, Director
Department of Natural Resources
Town of Wareham
508-291-3100 x 3180

Besse Park helical tie back system layout

Garry Buckminster

Tue 10/12/2021 12:24 PM

inbox

To:BOS <bos@wareham.ma.us>; Derek Sullivan <dsullivan@wareham.ma.us>;

1 attachments (158 KB)

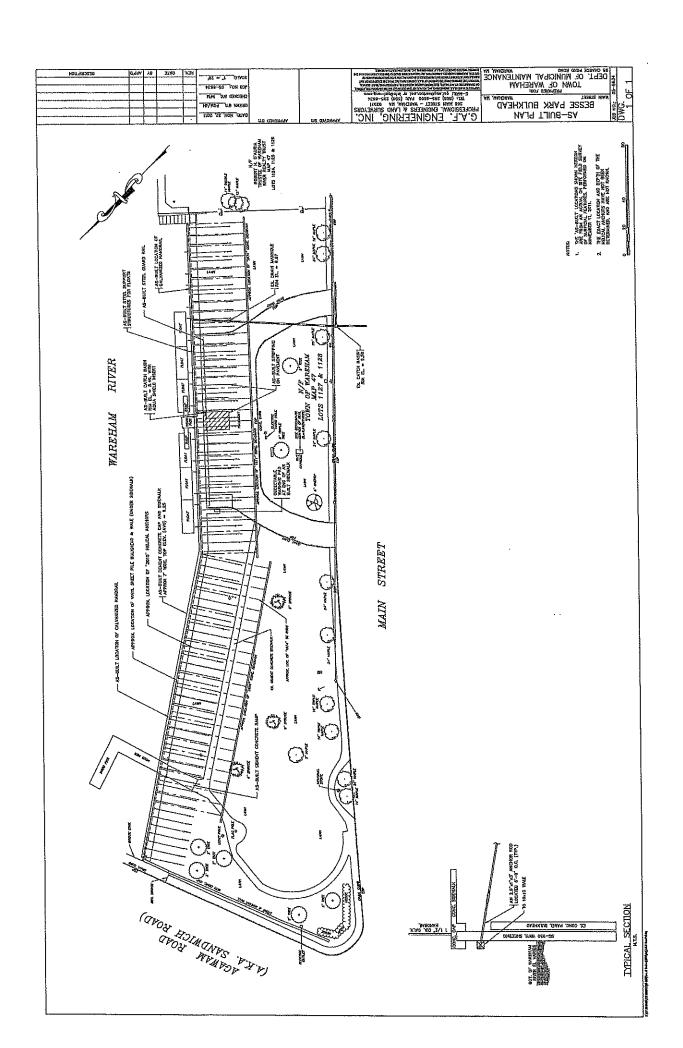
SKM_450i21101211040.pdf;

Good morning,

Attached is the as built layout of the bulkhead tie back system for Besse Park.

Besse Park has a total of 78 auger systems that are set approximately 40' in to the parks sub-surface. The concern is the first twelve augers that are set in the soil which is considered the "load zone" where the main rain garden is proposed to be installed.

Best,
Garry Buckminster, Director
Department of Natural Resources
Town of Wareham
508,291,3100 x 3180



Bylaw Review Committee

OR

There shall be a by-law review committee consisting of five members appointed by the board of Selectmen for overlapping three year terms.

The bylaw review committee shall conduct a continuous review and analysis of the Town by-laws, and shall recommend and present to any town meeting such changes by amendment, addition or deletion, as it shall deem to be necessary or desirable. The committee shall report and recommend to the town meeting on any article contained in the warrant which in any way would affect the bylaws of the town.



Town of Wareham

54 Marion Road Wareham, MA 02571

VETERANS DAY PROCLAMATION

WHEREAS: The 11th of November 1918 marked the end of WW I, and was commemorated starting in 1919 with the celebration known as Armistice Day;

WHEREAS: In 1954 Armistice Day was officially renamed Veterans Day in recognition of the intervening wars and conflicts fought valiantly by American Veterans, men and women, on foreign soils, , on the sea, and in the air to preserve our heritage of Freedom;

WHEREAS: Our great Nation was founded on the belief that all Americans are created equal, and that all Americans are granted the undeniable rights of life, liberty and the pursuit of happiness;

WHEREAS: The Freedom we enjoy as Americans does not come without a price. Our Nation's Veterans have sacrificed to preserve and protect our country and our Constitution from all enemies, foreign and domestic, with the hope for peace not only on the battlefields, but also around the globe.

WHEREAS: Our Nation's Veterans have given willingly and unselfishly of themselves, some giving their lives, serving with distinction in the defense of the Democratic Principles of this great Nation, in the most demanding of circumstances, in the most dangerous corners of the Earth;

WHEREAS: As we pay tribute to our Veterans, we are ever mindful that neither speech, nor ceremony, neither parade nor monument, can repay the debt owed those men and women who have worn the many uniforms throughout the generations to safeguard the Republic with integrity, dedication and distinction;

WHEREAS: We acknowledge that the cost of Freedom continues even after the guns fall silent. We acknowledge that many of our Veterans, scarred mentally and physically, returned from war unheralded, without a grateful Nation's thanks. We acknowledge that our debt to our Veterans does not end the day their uniform is retired. Nor should our gratitude be expressed only one day a year;

WHEREAS: The greatest acknowledgement of our Freedom is to honor our Armed Forces Veterans who have sacrificed for that Freedom;

NOW THEREFORE: We, the Board of Selectmen, do proclaim November 11, 2021 as Veterans Day, and we call upon all citizens to observe a moment of silence on November 11, 2021, at 11 AM, in remembrance of all our Veterans who fought to safeguard our heritage. Let us proudly and with dignity display the Flag of The United States of America throughout our Town of Wareham to honor our Veterans, and humbly give thanks. Let us reconsecrate ourselves to the task of promoting enduring peace, so that our Veteran's efforts shall not have been in vain.

In witness whereof we have hereunto set our hands this 2nd day of November, 2021.

Judith Whiteside, Chair

Patrick G. Tropeano, Clerk

Alan H. Slavin

L. W. T

Peter W. Teitelbaum, Esq.

