

MINUTES OF MEETING OF THE WAREHAM SELECT BOARD

Date of Meeting: January 17, 2023
Date of Transcription: February 1, 2023
Transcribed by: Cassandra Slaney

REMOTE MEETING DUE TO COVID-19

1. CALL MEETING TO ORDER BY CHAIR

2. ROLL CALL

Selectmen Present: Judith Whiteside, Chair
Patricia A. Wurts, Clerk
Alan H. Slavin
Ronald S. Besse
Jared S. Chadwick

Also Present: Richard P. Bowen, Town Counsel
Not Present: Derek Sullivan, Town Administrator

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

5. HEARING AT APPROXIMATELY 7:15 PM- to consider opting out of "vote by mail" for the Municipal Town Election on Tuesday, May 2, 2023 pursuant to the provisions of MGL C 54 Sec 25B (a)(1). (Presentation by Town Clerk)

Ms. Whiteside explained that there will be no vote made and the hearing will be continued. This will allow residents time to respond to opting out of mail in voting. Residents may provide their input via email to bos@wareham.ma.us.

MOTION: Ms. Wurts moved to open the hearing. Ms. Besse seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

Present before the Board: Michele Bissonnette, Town Clerk; Sandy Cormier; Dianne Kenney; Annie Hayes

Ms. Bissonnette was before the Board seeking approval to consider opting out of mail in voting for the Town Election. She explained that this request is due to issues with not enough staff and budget issues. This would have no effect on absentee voting.

Ms. Cormier stated that she is not in favor of opting out of vote by mail for the Town Election.

Ms. Kenney stated that she is not in favor of opting out of vote by mail for the Town Election.

Ms. Hayes stated that she is not in favor of opting out of vote by mail for the Town Election.

MOTION: Ms. Wurts moved to continue the hearing on February 7, 2023. Mr. Chadwick seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

6. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

a. Wareham Historic Commission

i. Robert Blair-Term to expire on June 30, 2025

MOTION: Ms. Wurts moved to appoint Robert Blair to the Wareham Historic Commission to a term to expire no later than June 30, 2025. Mr. Besse seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

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- b. **Buzzards Bay Action Committee-no term expiration**
 - i. **Joshua Faherty (Conservation Agent)**

Present before the Board: Joshua Faherty

The Buzzards Bay Action Committee has requested a new delegate to replace the former Conservation Agent to represent the Town of Wareham.

MOTION: Ms. Wurts moved to appoint Joshua Faherty as representative to the Buzzards Bay Action Committee. Mr. Besse seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- c. **Wareham Cultural Council-Term to expire June 30, 2025**
 - i. **Marcus S. Gomes**

Present before the Board: Marcus Gomes

MOTION: Ms. Wurts moved to appoint Marcus S. Gomes to the Wareham Cultural Council to a term to expire no later than June 30, 2025. Mr. Chadwick seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

7. LICENSES AND PERMITS

- a. **Application from Rare Hospitality International, Inc. d/b/a Longhorn Steakhouse, 2421 Cranberry Hwy, Wareham for a Change of Manager.**

MOTION: Ms. Wurts moved to approve the application from Rare Hospitality International, Inc. d/b/a Longhorn Steakhouse, 2421 Cranberry Hwy, Wareham for a Change of Manager. Mr. Besse seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

8. TOWN BUSINESS

- a. **Discussion and possible vote to authorize the Tremont Nail Bond Anticipation Note. (Town Treasurer, John Foster)**

Mr. Foster explained that there is a \$326,000.00 Bond Anticipation note for the Tremont Nail Remediation project. This is a taxable portion of the bond due to the commercial nature of the property. The taxable interest rate will be 6.0364% and it is a CPC funded project.

MOTION: Ms. Wurts moved to award the bid on the Bond Anticipation Note to Piper Sandler & Co. Mr. Besse seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- b. **Discussion and possible vote to set the number of members for the Cultural Council at seven.**

The Wareham Cultural Council was established by the Board of Selectmen in 1979 and began actively working in 1980. The Council may consist of more than five members and less than twenty-two members. There are no records that the Board voted on a specific number of council members and without that definitive number, a quorum is questionable. The Cultural Council is seeking approval to set the number of members to seven.

MOTION: Ms. Wurts moved to set the number of members for the Wareham Cultural Council at seven. Mr. Chadwick seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- c. **Discussion and possible vote to recommend to the CPC committee application for restoration work at Tremont Nail office building. (Town Planner, Ken Buckland)**

Mr. Buckland is seeking approval for an application for CPC funding in the amount of \$115,000.00 for the restoration of the building façade of the Tremont Nail building. The restoration would consist of

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removal of lead paint, repainting and restoring the sign. Discussion ensued regarding concerns about the mold issues within the building and that it should be addressed.

MOTION: Ms. Wurts moved to recommend to the Community Preservation Committee approval on the application for restoration work at the Tremont Nail office building in the sum of \$115,000.00. Mr. Besse seconded. Roll Call: Mr. Slavin-no, Mr. Besse-yes, Mr. Chadwick-no, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 3-2-0 (Mr. Slavin and Mr. Chadwick opposed)

- d. **Discussion and possible vote to recommend to the CPC committee application for rehabilitation and improvements to Bayview Park. (Town Administrator, Derek Sullivan)**

Ms. Whiteside spoke on behalf of the Town Administrator and explained that the application for the CPA grant is for \$1,080,000.00 for the Bayview Park project and the improvements will bring the park into ADA compliance.

MOTION: Ms. Wurts moved to recommend the CPC application for rehabilitation and improvements to Bayview Park. Mr. Besse seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- e. **Discussion and possible vote to establish Bylaw Review Committee as required under the Charter.**

Ms. Whiteside stated that the Bylaw Review Committee must be established as required under the Charter and asked for the Board's recommendations as to how many members the Committee should consist of. Discussion ensued and it was agreed that the Committee should consist of five members and two associate members.

MOTION: Ms. Wurts moved to establish a Bylaw Review Committee to consist of five members to a term to expire after a report is given at a future Town Meeting and not to exceed eighteen months. Mr. Chadwick seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- f. **Discussion and possible vote to adopt policy regarding board and committee volunteers.**

Board and Committee members are required to complete and present evidence that Commonwealth of Massachusetts trainings regarding ethics and open meeting laws are completed prior to being sworn in as a member. This evidence must be presented to the Select Board's office.

MOTION: Ms. Wurts moved to adopt policy number 2023-03 regarding Board and Committee volunteers. Mr. Chadwick seconded. Roll Call: Mr. Slavin-abstained, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 4-0-1 (Mr. Slavin abstained)

- g. **Discussion and possible vote to renew animal shelter agreement with Town of Lakeville.**

MOTION: Ms. Wurts moved to renew the animal shelter agreement with the Town of Lakeville. Mr. Chadwick seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- h. **Accept donation in the amount of \$1000 from Gretchen Grundstrom to the Animal Control Donation Account for various emergency situations involving domestic pets within the Town of Wareham.**

MOTION: Ms. Wurts moved to accept the donation in the amount of \$1,000.00 from Gretchen Grundstrom to the Animal Control Donation Account for various emergency situations involving domestic pets with the Town of Wareham. Mr. Chadwick seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

SELECTMEN MEETING MINUTES-1/17/2023 (CONT'D)

- i. **Discussion and possible vote to approve abatements in the amount of \$296.43 for opt-out and reduction fee applications.**

MOTION: Ms. Wurts moved to approved the abatements in the amount of \$296.43 for opt-out and reduction fee applications. Mr. Chadwick seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- j. **Discussion and possible vote to establish dates for the Process for Calling a Town Meeting for the 2023 Annual Spring Town meeting.**

MOTION: Ms. Wurts moved to establish dates for the Process for Calling a Town Meeting for the 2023 Annual Spring Town meeting. Mr. Besse seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

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

9. TOWN ADMINISTRATOR'S REPORT

None.

10. LIAISON REPORTS/INITIATIVE REPORTS/BOARD'S COMMENTS

Selectman Slavin reached out to different municipalities in the Southeast region and stated there was no consensus on capital items. He recommended submitting an article on what has changed in value.

Selectman Slavin stated that Wareham and Middleboro will have a representative on the Study Committee. The Cape Cod Commission is leading this study.

WCTV expressed interest broadcasting SRPEDD Commission monthly meetings.

11. CONSENT AGENDA

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

- b. **Approval of meeting minutes: October 20, 2019; October 27, 2020.**

MOTION: Ms. Wurts moved to approve the meeting minutes of October 20, 2019 and October 27, 2020. Mr. Besse seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- c. **Approval of executive session meeting minutes: December 20, 2023.**

MOTION: Ms. Wurts moved to accept and hold the executive session meeting minutes for December 20, 2022. Mr. Slavin seconded. Roll Call: Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

(NOTE: Scrivener's error, year should be 2022)

VOTE: 5-0-0 (Unanimous)

12. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn at 9:35 pm. Selectman Tropeano seconded.


VOTE: 5-0-0 (Unanimous)

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

SELECTMEN MEETING MINUTES-1/17/2023 (CONT'D)

Respectfully submitted
Cassandra Slaney
Department Assistant

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

Attest: 
Patricia A. Wurts, Clerk

Date Signed: 2-8-23
Date sent to the Town Clerk: 2-9-23

DOCUMENTS REVIEWED AND/OR USED IN MEETING.

1. Hearing notice for opt out of vote by mail for the Town election
2. Appointment letters.
3. Application from Longhorn for Change of Manager.
4. Tremont Nail BAN.
5. Cultural Council information.
6. CPC application for work at Tremont Nail office building.
7. CPC application for rehabilitation and improvements to Bayview Park.
8. Board and committee volunteer policy.
9. Town of Lakeville Animal Shelter agreement.
10. Donation from Gretchen Grundstrom
11. Abatement for opt-out and reduction fee applications.
12. Process for Calling Town Meeting.
13. Meeting minutes.
14. Executive session meeting minutes.