

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: July 1, 2021
Date of Transcription: July 6, 2021
Transcribed by: Cassandra Slaney

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Judith Whiteside, Chairman
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

Also Present: Richard Bowen, Town Counsel

Not Present: Derek Sullivan, Town Administrator

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

There are several board and committee vacancies that are posted on the Town's website. Applications can be submitted online or picked up at the Selectmen's office in the Town Hall.

Lindsey's Restaurant will be closed July 4th due to lack of staff.

There will be a Community Outreach Meeting concerning Aspen Blue Wareham, Inc., a Marijuana cultivation facility located at 8 Elm Street, Wareham. The meeting will take place Tuesday, July 13, 2021 at the Freight Building on 8 Elm Street.

Council on Aging is offering July activities:

July 13th at 9am, learn to shellfish at the Onset Bay Center. The program is free. Space is limited. To register, call 508-999-6363.

On July 14th at 9:45am learn to make greeting cards. All materials will be provided. Call 508-291-3130 to register.

On July 21st and 28th at 10am, celebrate Christmas in July by making six ornaments. All materials will be provided. Call 508-291-3130 to register.

Coffee and conversation takes place each Tuesday from 9 to 10:00 am at the rear of the Multi-Service Center.

Every Wednesday, go for a walk at the Wareham Middle School Field at 10:00 am with a group, weather permitting. Call 508-291-3130 to register.

SELECTMEN MEETING MINUTES-7/01/2021 (CONT'D)

Tai Chi is held every Tuesday at 1pm in the library courtyard, weather permitting. There is also Chair Yoga with Pam taking place every Thursday at 2pm in front of the Library, weather permitting.

Grab and Go Box Lunches are available Tuesdays and Thursdays, courtesy of the Old Colony Eder Services. Lunches must be reserved at least three days in advance by calling 508-291-3130 and can be picked up at the Multi-Service Center handicap ramp.

The July menu can be found on the Council on Aging's Facebook page at www.facebook.com/warehamcoa.

Wesley United Methodist Church will be hosting its Annual Summer Fair on Saturday, August 7th from 9am to 3pm located at 462 Main Street, Wareham. The fair will feature the thrift shop, crafts, baked goods, outside vendors, and a Chinese auction. The Church will also be serving lunch.

The Wareham Public Schools will be running its USDA Summer Food Service Program Tuesday, June 22nd through Friday, August 13th. Bagged grab and go breakfasts and lunches are distributed by Wareham Public Schools Monday through Friday, 10:30 am to 12 pm. Meals are for all children 18 years of age and younger and do not have to be present for parents to pick up their meals. On Fridays, three bagged breakfasts and three bagged lunches are provided so children have them available on Saturdays and Sundays. Meal distribution locations are as follows:

Wareham Middle School drop off – 4 Viking Drive

The Bandshell at Onset – 4 Union Ave.

The Woods at Wareham apartment complex in the vicinity of 36 Swifts Beach Rd.

The Cromesett Rd pump station at Terry Lane and Christopher Drive

Decas Elementary School cafeteria entrance – 760 Main Street

The YMCA also offers food distribution. Information can be found on their website.

Summer of Love Concert Series is taking place every Wednesday until August 25th at the Onset VFW Pavilion located at 4 Gibbs Ball Park Road, Onset from 6:30pm to 9:00pm.

5. CITIZEN'S COMMENTS

Present Before the Board: Sandra Slavin

Ms. Slavin was before the Board as a representative of the Tobey Hospital Guild to promote a cookbook available at the Tobey Hospital Gift Shop Tuesday through Friday from 10am to 4pm. The cookbook is selling for \$15.00 and the proceeds will go toward and in-body 770 machine to be used at the Fairhaven Cancer Center for the diagnostics and treatment of breast cancer.

SELECTMEN MEETING MINUTES-7/01/2021 (CONT'D)

Present Before the Board: Nancy McHale

Ms. McHale stated that the Wareham Land Trust is currently looking for applicants for next year for conservation and community outreach as well as some stewardship work helping to keep the trails open. Anyone interested can contact the Wareham Land Trust.

Present Before the Board: Joseph Amaral-Owner of Pepin's Liquors

Mr. Amaral was before the Board asking if there is an appeal process regarding the Nip Ban issue. Selectman Whiteside explained that this item was passed at Town Meeting and has been forwarded to the Attorney General's office. Action takes about three to four months to come back and there is no authority to override a Town Meeting vote.

6. BOARD'S COMMENTS

- a. Individual members to report on their prioritized list of projects/initiatives for the coming year.

This item will be discussed at the next meeting.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

- a. Discussion and possible vote to appoint Luiz Gonzaga as Constable for the Town of Wareham for a term to expire June 30, 2022.

MOTION: Selectman Tropeano moved to appoint Luiz Gonzaga as Constable for the Town of Wareham for a term to expire June 30, 2022. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Munise moved to reconsider the Constable applications that were denied and making it a condition in the future to meet certain requirements during the year and if the requirements are not met, this would affect reappointments for the following year. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

- b. Carver, Wareham Regional Refuse Disposal District-term to expire June 30, 2024
 - i. Amanda Cobb

MOTION: Selectman Tropeano moved to appoint Amanda Cobb to the Carver, Wareham Regional Refuse Disposal District for a term to expire June 30, 2024. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- c. Constable-term to expire June 30, 2022
 - i. Cynthia Follis

MOTION: Selectman Tropeano moved to appoint Cynthia Follis as Constable for the Town of Wareham to a term to expire June 30, 2022. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- d. Affordable Housing Trust – term to expire June 30, 2023

SELECTMEN MEETING MINUTES-7/01/2021 (CONT'D)

- i. Missy Dziczek

MOTION: Selectman Tropeano moved to appoint Missy Dziczek to the Affordable Housing Trust to a term to expire June 30, 2023. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- e. Wareham Cultural Council – term to expire June 30, 2023

- i. Wendy Brogioli

MOTION: Selectman Tropeano moved to appoint Wendy Brogioli to the Wareham Cultural Council to a term to expire June 30, 2023. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- ii. Christy LaGue

- iii. Jamie Wiksten

MOTION: Selectman Tropeano moved to reappoint Christy LaGue and Jamie Wiksten to the Wareham Cultural Council to a term to expire June 30, 2023. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- f. Community Preservation Committee – term to expire June 30, 2024

- i. Barbara Smith-Historical Commission Representative

MOTION: Selectman Tropeano moved to appoint Barbara Smith-Historical Commission Representative to the Community Preservation Committee to a term to expire June 30, 2024. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- g. Council on Aging-

- i. Ann Marie Dunn status change from full member to honorary member

MOTION: Selectman Tropeano moved to approve Ann Marie Dunn status change from full member to honorary member to Council on Aging. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- ii. Carolyn Hynes – term to expire June 30, 2025

MOTION: Selectman Tropeano moved to reappoint Carolyn Hynes to the Council on Aging to a term to expire June 30, 2025. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- iii. Melissa Plourde – term to expire June 30, 2024

MOTION: Selectman Tropeano moved to reappoint Melissa Plourde to the Council on Aging to a term to expire June 30, 2024. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- h. Library Board of Trustees-term to expire June 30, 2022

- i. Melissa Dyer

Selectman Whiteside explained that Ms. Dyer served her two terms, however, the Library Board of Trustees has requested Ms. Dyer to be reappointed to a one year term.

MOTION: Selectman Tropeano moved to appoint Melissa Dyer to the Library Board of Trustees to a term to expire June 30, 2022. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

SELECTMEN MEETING MINUTES-7/01/2021 (CONT'D)

- i. Zoning Board of Appeals
 - i. Christopher Conti-Associate Member-term to expire June 30, 2022.
 - ii. Veronica Debonise – term to expire June 30, 2026
 - iii. Richard Semple - term to expire June 30, 2023

These appointments will be voted on at a later meeting.

- j. Certified Weigh Masters – term to expire June 30, 2022
 - i. Daniel Walecka
 - ii. Brett Walecka
 - iii. David St. Germaine
 - iv. Tobey Gonsalves
 - v. Leonard Bessette
 - vi. Lauren Lefevre
 - vii. Alexis Almeida

MOTION: Selectman Tropeano moved to appoint the above Certified Weigh Masters to a term to expire no later than June 30, 2022. Selectman Teitelbaum seconded.

3-0-1-1 (Selectman Slavin abstained, Selectman Munise present)

8. LICENSES AND PERMITS

- a. HEARING AT APPROXIMATELY 7:15 P.M.-Application for a transfer of a existing Year Round Package Good Store All Alcoholic Beverages License from Browne's Package Store, Inc. d/b/a Browne's Liquors to DSKRAI, Inc. d/b/a Browne's Package Store, 189 Marion Road, Wareham under the provisions of Chapter 138 of the Massachusetts General Laws for the year 2021.

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

VOTE: 5-0-0 (Unanimous)

Present Before the Board: Kiran Baniya, Manager, Tom Souza, Attorney and Kebi Rai, Officer/Director of DSKRAI, Inc.

Mr. Souza stated that Mr. Rai is seeking approval for a transfer of license. Discussion ensued regarding Mayflower Liquors storing inventory in the basement of Browne's Package Store due to lack of space. The Selectmen questioned if the ABCC guidelines would allow this. It was suggested that Mr. Souza seek clarification of the ABCC guidelines and provide the Board with an update.

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

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to approve the application for a transfer of an existing Year Round Package Goods Store All Alcoholic Beverages License from Browne's Package Store, Inc. d/b/a Browne's Liquors to DSKRAI, Inc. d/b/a Browne's Package Store, 189 Marion Road, Wareham under the

SELECTMEN MEETING MINUTES-7/01/2021 (CONT'D)

provisions of Chapter 138 of the Massachusetts General Laws for the year 2021. Roll Call: Selectman Tropeano-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Slavin-yes.

VOTE: 5-0-0 (Unanimous)

- b. Application from DSKRAI, Inc. d/b/a Browne's Package Store, 189 Marion Road, Wareham, for a Pledge of License.

MOTION: Selectman Tropeano moved to approve the application from DSKRAI, Inc. d/b/a Browne's Package Store, 189 Marion Road, Wareham for a Pledge of License. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- c. Application from T Bar, LLC, 144 Onset Ave, Onset, MA. for two One Day Liquor Licenses to take place on July 2, 2021 and July 3, 2021 from 4:00 pm to 10:00 pm.

MOTION: Selectman Teitelbaum moved to approve the application from T Bar, LLC, 144 Onset Ave., Onset, MA. for two One Day Liquor Licenses to take place on July 2, 2021 and July 3, 2021 from 4:00 p.m. to 10:00 p.m. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

8. TOWN BUSINESS

- a. Certificate of Recognition-Robert Ethier.

Selectman Tropeano read into record the Certificate of Recognition for Robert Ethier, Town of Wareham Board of Health Director.

- b. Discussion and possible vote to approve Budget Transfer Request.

This request is a transfer from snow and ice wages to snow and ice expenses for the repair of a vehicle used only for snow and ice.

MOTION: Selectman Tropeano moved to approve the Budget Transfer Request. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- c. Accept donation to the Wareham Free Library in the amount of \$10,000.00 from The Wareham Free Library Foundation, Inc. for the purchase of books and materials.

MOTION: Selectman Tropeano moved to accept the donation to the Wareham Free Library in the amount of \$10,000.00 from the Wareham Free Library Foundation, Inc. for the purchase of books and materials. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- d. Continued discussion and possible vote on the renewal of the Earth Removal permit for Highland, Inc.

Selectman Munise asked that Highland, Inc. provide information such as a restoration plan, a soil replacement plan and would like to see the property better controlled and cleaned up. He also suggested getting an annual update as well.

MOTION: Selectman Tropeano moved to approve the renewal of the Earth Removal permit for Highland, Inc. to expire July 2, 2024. Selectman Teitelbaum seconded.

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

SELECTMEN MEETING MINUTES-7/01/2021 (CONT'D)

- e. Informational discussion with Ranchod, Inc. d/b/a Liquor Locker, 3021 Cranberry Hwy., Wareham.

Present before the Board: Gautam Patel-not the owner

(The owner was requested to appear)

Selectman Whiteside explained the importance of informing the Selectmen's office of any business closing temporarily for any reason and that this is part of the condition of the license.

- f. Discussion and possible vote to approve the Host Community Agreements for DB Delivery MA, LLC d/b/a Doobie as a Marijuana Cultivator.

MOTION: Selectman Tropeano moved to approve the Host Community Agreement for DB Delivery MA, LLC d/b/a Doobie as a Marijuana Cultivator. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- g. Discussion and possible vote to approve the Host Community Agreements for DB Delivery MA, LLC d/b/a Doobie as a Marijuana Manufacturer.

MOTION: Selectman Tropeano moved to approve the Host Community Agreement for DB Delivery MA, LLC d/b/a Doobie as a Marijuana Manufacturer. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- h. Discussion and possible vote to approve the Host Community Agreements for DB Delivery MA, LLC d/b/a Doobie as a Marijuana Delivery Operator.

MOTION: Selectman Tropeano moved to approve the Host Community Agreement for DB Delivery MA, LLC d/b/a Doobie as a Marijuana Delivery Operator. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- i. Discussion and possible vote to change the membership configuration from eleven to seven for the Wareham Veterans' Council, which was created by and is appointed by the Wareham Board of Selectmen.

The Wareham Veterans Council requested to decrease the amount of members from eleven to seven due to the difficulty sustaining a quorum.

MOTION: Selectman Slavin moved to change the membership configuration from eleven to seven members: 1 VFW, 1 American Legion, and 5 citizens at large and/or veterans for the Wareham Veterans Council. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

- j. Discussion and possible vote to approve the opt-out and reduction fee applications for Curbside Billing FY21 (Abatement Recommendation 4).

MOTION: Selectman Tropeano moved to approve the opt-out and reduction fee applications for Curbside Billing FY21 (Abatement Recommendation 4) in the amount of \$15,958.75. Selectman Slavin seconded.

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

SELECTMEN MEETING MINUTES-7/01/2021 (CONT'D)

- k. Confirmatory vote to approve the application from Oniset Wigwam to place temporary signs on Town Property.

MOTION: Selectman Tropeano moved to confirm the approval of the application from Oniset Wigwam to place signs on Town property previously approved under 48 hour business. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- l. Ratify conditional offer to Patrick MacDonald-Full-time Board of Health Director.

MOTION: Selectman Teitelbaum moved to endorse the conditional offer to Patrick MacDonald-Full time Board of Health Director. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

- m. Discussion and possible vote on Senior Tax Work-Off Program.

MOTION: Selectman Tropeano moved to approve the Senior Tax Work-Off Program. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

- n. Discussion and possible vote of assignments/reassignments of Liaisons.

This item will be discussed at a future meeting.

Present before the Board: Kendall Peabody, owner of Lucky Goat Brewery, LLC. Mr. Peabody was before the Board seeking approval to give out free samples to patrons. He provided the requested updated business plan which included a maximum amount of samples. The limit presented was a maximum of four two ounce free samples per person.

MOTION: Selectman Tropeano moved that the Board of Selectmen find the applicant's providing of free samples as presented is not a retail activity. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

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

10. TOWN ADMINISTRATOR'S REPORT

Town Administrator was not present at this meeting.

11. LIAISON REPORTS/INITIATIVE REPORTS.

Selectman Munise provided information regarding the formation of the Solar By-law Committee. Selectman Whiteside requested a presentation for the meeting of July 13th for a discussion and vote.

Selectman Slavin attended a meeting with the Plymouth County Advisory Board to discuss the ARPA program and what is involved in qualifying for the funds.

Selectman Tropeano stated that the new school is scheduled to open in October.

12. CONSENT AGENDA

SELECTMEN MEETING MINUTES-7/01/2021 (CONT'D)

a. Authorization to sign bills and documents, etc.

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

MOTION: Selectman Tropeano moved to authorize payment to the Law Office of Richard P. Bowen. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

c. Approval of meeting minutes.

13. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn at 8:48 pm. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

14. 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: _____

Patrick G. Tropeano, Clerk

Date Signed: _____

8/17/21

Date sent to the Town Clerk: _____

8-30-21