

4-0-1

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: September 11, 2018
Date of Transcription: September 25, 2018
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Alan H. Slavin, Chairman
Patrick G. Tropeano, Clerk
Peter W. Teitelbaum
Anthony Scarsciotti
Mary Bruce, absent

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

3. PLEDGE OF ALLEGIANCE

Chairman Slavin asked for a moment of silence to remember all who were lost on September 11th, also for Peter Murphy and Cheryl Lindsey's Mother.

4. ANNOUNCEMENTS

The Gleason Family YMCA is hosting a Halloween Costume drive. Recycle your used adult and child Halloween costumes and receive a \$3 voucher toward the purchase of another recycled costume at the Y's recycled costume event. The event will take place on Saturday, October 13th at 9:30 a.m.

The Wareham Cultural Council is seeking proposals for community-oriented arts, humanities and science programs for 2019. Applications should be made online through the Massachusetts Cultural Council at www.mass-culture.org from September 1st to October 15th.

5. BOARDS COMMENTS

6. CITIZENS COMMENTS

Present before the board: Don Jepson
Mr. Jepson wanted to let everyone know that September is brain aneurysm awareness month.

SELECTMEN MEETING MINUTES-9-11-18 (CONT'D)

Present before the board: Tom Worthen

Mr. Worthen wanted to recognize what a fine year it was for the Cape Cod Baseball League and the Wareham Gatemen. He said that the #1 and #2 major league draft picks were former Gatemen.

Present before the board: Sandy Slavin

Ms. Slavin wanted to say that recently she went to Little Harbor beach to watch the sunset and was surprised to see someone walking their dog on the beach with no poop bag, a man coming out of the water with a bucket of quahogs, which is not allowed, a couple of girls just leave a bag of trash behind and parked next to a vehicle where 4 people were using foul language.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

8. LICENSES AND PERMITS

- a. 7:15 p.m. Hearings – Show Cause for the following Retail Package Goods Stores:

- i. The Jug Shop

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

The meeting was open and all were sworn in by Town Counsel.

Present before the board: Adelaide DePonte, Detective Reilly & Detective Baptiste
Detective Baptiste read the police report into the record that an under aged person was served for a second time by Ms. DePonte.

MOTION: Selectman Teitelbaum moved that the board take administrative notice of the first findings. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

Ms. DePonte stated that the first time this happened that she was shocked and hurt and said that she was sorry. She said that nobody is perfect and that she has been in business for 13 years. Ms. DePonte also admitted to the facts. Selectman Scarsciotti was leaning towards a warning, Selectman Bruce would like to see a 30 day suspension as well as Selectman Tropeano. Selectman Teitelbaum recommended a two week suspension. Selectman Tropeano stated that this was the same clerk and the same under aged person within 5 days and it's just blatant and feels they deserve a 30 day suspension and would like for it to begin on December 2, 2018.

MOTION: Selectman Tropeano moved to suspend the license for the Jug Shop for 30 days beginning December 2, 2018. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

- ii. Sullivan Wine & Spirits

SELECTMEN MEETING MINUTES-9-11-18 (CONT'D)

Present before the board: Joel Sullivan, Donald Sullivan, Attorney John Amabile along with Detectives Reilly & Baptiste

Detective Baptiste read into the record the police report that states that an under aged person was served.

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

The meeting was open and all were sworn in by Town Counsel.

Mr. Sullivan's Attorney stated that they closed the store that Sunday after the incident and held a mandatory meeting and tips trained all the employees. The clerk who sold the alcohol to the minor had worked there for 12 years and was an excellent employee, Mr. Sullivan stated that he was suspended after the sale. Mr. Sullivan did admit to the sale and his Attorney asked if the board would consider a lesser sentence due to the fact that they did take this seriously and held training and closed their store during peak time on a Sunday in the summer. Selectman Scarsciotti was leaning towards a warning and Selectman Bruce would like to see a one day suspension taking into consideration that they did already lose business when they closed for the training. Selectman Tropeano and Selectman Teitelbaum both would like to see a 2 day suspension. Attorney Bowen told the board that it's up to them but since they would like to be consistent in the suspensions, they could suspend them for the 2 days but then suspend the 2nd day.

MOTION: Selectman Bruce moved to suspend the license for 2 days starting October 2, 2018 and suspend the 2nd day of October 3, 2018. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

- b. Application from Paul Rose for (3) one-day liquor licenses to be held on September 15, 2018; September 16, 2018 (rain date: September 23, 2018) and September 30, 2018.

MOTION: Selectman Tropeano moved to approve the application from Paul Rose for (3) one-day liquor licenses on September 15, 2018; September 16, 2018 (rain date: September 23, 2018) and September 30, 2018. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

9. TOWN BUSINESS

- a. Update by the School Committee, MSBA building group, etc. on the Elementary School project.

An update was provided on the Minot Forest School project, they have met with the public safety official to meet their needs. They spoke about the floor plan and the

SELECTMEN MEETING MINUTES-9-11-18 (CONT'D)

community work areas as well as the outside façade of the building. They went over the deadline dates in which this needs to be submitted to the MSBA as well as requiring a 2/3 approval at Town Meeting in order to move forward with a ballot vote for the project funding.

b. Discussion and vote on Green Communities policies

- i. Efficient permitting
- ii. Fuel efficient vehicles

Mr. Buckland was before the board and went over the 5 criteria's which are 1st Zoning, 2nd expedited permitting, 3rd energy base line, 4th energy efficient vehicles and the 5th which is the stretch code which was adopted at the spring Town meeting.

MOTION: Selectman Tropeano moved to endorse the fuel efficient permitting and fuel efficient vehicle policy. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

c. Discussion and vote on submitted articles to be put on the fall town meeting warrant.

Present before the board: Kat Jones, Joan & Amanda from the OBA and Sandy Slavin looking to place an article on the warrant for the use of CPC funds to replace the Lillian Gregerman Bandshell in the amount of \$333,000.

MOTION: Selectman Tropeano moved to place the replacement of the Lillian Gregerman bandshell on the warrant. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *Approve and Fund Fall FY19 Capital Plan* on the Fall Town Meeting Warrant. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *Transfer of Free Cash* on the Fall Town Meeting Warrant. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *FY18 Unpaid Bills* on the Fall Town Meeting Warrant. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *Transfer of McKinney-Vento Funds to Transportation Revolving Account* on the Fall Town Meeting Warrant. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *Decas School at Minot Forest Debt Exclusion* on the Fall Town Meeting Warrant. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *Harbor Services Permit Receipts Reserved for Appropriations Account* on the Fall Town Meeting Warrant. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

SELECTMEN MEETING MINUTES-9-11-18 (CONT'D)

MOTION: Selectman Tropeano moved to place Transfer from *PEG Access RRFA Account to Fund WCTV* on the Fall Town Meeting Warrant. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *Return Unused Funds from Completed Projects* on the Fall Town Meeting Warrant. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Teitelbaum moved to not put on the warrant the article for the funding of the new housing units at Agawam Village. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

Ms. Slavin was before the board saying that this article has been denied now for a third time and she was disappointed. Selectman Teitelbaum explained that the reason this wasn't going on was because they have received a petition article for the exact same thing.

MOTION: Selectman Tropeano moved to place *Community Preservation Fund Reserves Adjustment* on the Fall Town Meeting Warrant. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *Amend Zoning by-law article 4: Overlay Districts* on the Fall Town Meeting Warrant. Selectman Scarsciotti seconded.

VOTE: 3-0-2 (Selectman Teitelbaum & Bruce abstained)

MOTION: Selectman Tropeano moved to place *Amend Zoning By-Law Article 5: Supplemental Regulations; Amend Zoning By-Law Article 6: Density and Dimensional Regulations & Amend Zoning By-Law Article 11: Signs*. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to place *House Numbering By-Law* on the Fall Town Meeting Warrant. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

d. Close fall town meeting warrant.

MOTION: Selectman Tropeano moved to close fall town meeting warrant. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

e. Discussion on Soliciting permit fee for political campaigning.

MOTION: Selectman Tropeano moved that anything associated with free speech be exempt from the soliciting permit fee. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

f. Discussion on Charter Review Committee.

SELECTMEN MEETING MINUTES-9-11-18 (CONT'D)

Chairman Slavin stated that every year that ends in a "9" the Charter needs to be reviewed. He asked that if anyone was interested in serving on the Charter Review Committee to stop by the Selectmen's Office and fill out an application and they should start appointing in the next month.

g. Accept donation from the Ashley Faye Amado Memorial Fund.

MOTION: Selectman Tropeano moved to accept the donation from the Ashley Faye Amado Memorial Fund. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

h. Accept donation of US Flags & POW/MIA flags from the Friends of the Wareham Veterans Council, Inc.

MOTION: Selectman Tropeano moved to accept the donation of US Flags & POW/MIA flags from the Friends of the Wareham Veterans Council, Inc. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

i. Vote to release peer review funds submitted by Aged, Inc., in the amount of \$5,000.

Selectman Tropeano moved to release the peer review funds. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

j. FEMA proposed flood hazards determinations for Plymouth County.

Mr. Buckland was before the board explaining that the new flood plan maps are out and FEMA has made changes inland. He said that they have time to ask FEMA to make revisions and explained the grants received. Selectman Tropeano expressed how upset he was with these new maps and that it's very possible that some people will end up having to move because of the cost or not get the insurance at all and then be without a home if a hurricane does hit, he said as far as he is concerned this is Government at its worst.

k. Approval of signs on Town property.

MOTION: Selectman Tropeano moved to approve the request to place signs on Town property for Buzzards Bay Watershed ride. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

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

10. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan didn't have anything to report.

11. LIAISON REPORTS/INITIATIVE REPORTS

SELECTMEN MEETING MINUTES-9-11-18 (CONT'D)

Chairman Slavin attended the Sewer Commissioners meeting on the 6th and has some concerns about the Woodland Cove project. He stated that if the sewer plant gets over capacity then the lagoons could flood causing problems.

12. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes of: August 14, 2018

MOTION: Selectman Tropeano moved to approve the meeting minutes of August 14, 2018. Selectman Scarsciotti seconded.

VOTE: 3-0-2 (Selectman Bruce & Scarsciotti abstained)

13. ADJOURNMENT

MOTION: Selectman Teitelbaum moved to adjourn. Selectman Scarsciotti 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: _____

Patrick G. Tropeano, Clerk

Date Signed: 10-9-18

Date sent to the Town Clerk: 10-10-18