

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: September 25, 2018
Date of Transcription: October 2, 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, absent
Mary Bruce

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

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

The Redevelopment Authority will hold a meeting next Thursday at 7:30 p.m. in the Wareham Town Hall.

Harbor Freight has signed a lease to go into the building that was formerly Benny's

5. BOARDS COMMENTS

Selectman Tropeano stated that he attended the Sewer Commissioners meeting and it's been a challenge with the sewer rates metered the same as the water. He said they are having a problem with Tighe & Bond to come up with a plan.

6. CITIZENS COMMENTS

Present before the board: Joyce Bacchiocchi & Kimberly Shaver-Hood
They have reviewed the estimates on the proposed school and the School Building Committee should have an approximate figure for voters at Town meeting. Ms. Shaver-Hood stated that WCTV has been taping the interior of both the Decas & Minot Forest Schools.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

8. LICENSES AND PERMITS

- a. Application from ACAP, Inc., d/b/a Wines 7 More, Wareham for a Change of Manager.

Present before the board: Eric Kane

MOTION: Selectman Tropeano moved to approve the Change of Manager from ACAP, Inc., d/b/a Wines & More. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

- b. 7:15 p.m. hearings – Show cause for the following Annual Common Victualer All Alcohol Beverages license:

- i. Bay Pointe Club

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

Attorney Bowen swore everyone who was to speak in at this time.

Present before the board: Timothy Fay, Detective Baptiste & Detective Reilly
Detectives Baptiste & Reilly read into record the police report. Mr. Fay said that they will be carding and have had meetings to ensure that this won't happen again. The board did vote to revoke the liquor license for 2 days, Attorney Bowen explained that the days chosen wouldn't allow enough time for an appeal. Mr. Fay explained that he would accept without dispute the closing and will not be appealing the decision.

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

MOTION: Selectman Tropeano moved to authorize no sale of alcohol on October 2nd and 3rd. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

- c. Show cause hearing on Seasonal Common Victualer Wines & Malt Beverages license:

- i. Americana Café

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

Attorney Bowen swore everyone who was to speak in at this time.

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

Present before the board: Karen Moore, Detective Reilly & Detective Baptiste

Detectives Baptiste & Reilly read into record the police report. Ms. Moore explained that she did re-take the tips certification again and she has an employee that works one day a week and she has also taken the tips training. She also said that she does card every single person. The board did vote to suspend the license for two days, Attorney Bowen explained that the days chosen wouldn't allow enough time for an appeal. Ms. Moore did say that she would accept this and that she had no plans to appeal. Selectman Teitelbaum said that he noticed that she also has a sign now that does state that all will be carded.

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

MOTION: Selectman Tropeano moved to authorize no sale of alcohol on October 2nd and 3rd. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

d. 7:30 p.m. **DOG HEARING**

Present before the board: Darren Abbott, Cheryl Gorgeatt-Dill, Valerie Bergeron & Michael Enos

Attorney Bowen swore everyone who was to speak in at this time.

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

Ms. Bergeron stated that Mr. Abbotts dog broke free and ended up biting Michael Enos in the buttocks, he was taken by ambulance to Tobey Hospital and given antibiotics and a tetanus shot and he had to follow up with his pediatrician. Michael the child that was bit said that he didn't want the dog taken away and that he might have scared it. Mr. Abbott stated that the dog is always around kids and this hasn't happened before. Ms. Gorgeatt-Dill requested that the dog be deemed dangerous and that when the dog ws outdoors it be securely enclosed in a locked dog pen and the dog is not to be tethered. When the dog is removed from the premises of the owner, the dog shall be securely and humanely muzzled and restrained with a chain not to exceed 3 feet in length and the dog only be walked by an adult of 18 years of age or older.

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

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

MOTION: Selectman Tropeano moved that the dog be deemed dangerous and when not under direct control of a controlling person, the dog shall be contained within a building, vehicles, or secure and locked enclosure; The dog is not to be tethered at any time; The dog may only leave the owner's property accompanied by a controlling person on a leash not more than three (3) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

- e. Application from Plymouth Rocks Wine, LLC., d/b/a Plymouth Bay Winery for (2) one-day liquor licenses to be held on Saturday, October 6, 2018 & Sunday October 7, 2018.

MOTION: Selectman Tropeano moved to approve the application from Plymouth Rocks Wine, LLC., d/b/a Plymouth Bay Winery for (2) one-day liquor licenses to be held on Saturday, October 6, 2018 & Sunday October 7, 2018.

VOTE: 5-0-0 (Unanimous)

- f. Application from Afif Elbaba, d/b/a U First Auto Sales, LLC, 3070 Cranberry Highway, E. Wareham, MA for an amendment to his current Class II license.

Present before the board: Afif Elbaba

Mr. Elbaba was before the board seeking approval to increase the number of vehicles he can sell on his lot from 25 to 50. Mr. Elbaba recently received approval from the ZBA.

MOTION: Selectman Tropeano moved to approve the increase in vehicles from 25-50. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

9. TOWN BUSINESS

- a. Authorize the Chairman to sign the MS4 NOA, EPA Stormwater permit. Selectman Tropeano explained that he will be voted against this because he doesn't like having mandates.

MOTION: Selectman Tetielbaum moved to authorize the chairman to sign the MS4 NOA, EPA Stormwater permit. Chairman Slavin seconded.

VOTE: 4-1-0 (Selectman Tropeano)

- b. Discussion and vote whether to recommend or not on fall town meeting warrant articles.

(not discussed)

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

10. TOWN ADMINISTRATOR'S REPORT

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

On Monday, Mr. Sullivan attended the Municipal Conference in Worcester which Governor Baker and Lt. Governor Polito were present. He said that Lt. Governor Polito had visited all 351 communities at least once. He wanted to say how positive this administration is. He said they also had seminars as well.

Mr. Sullivan was approved by the Wareham Youth Soccer Club to use the Westfield location, he said that the Girls' Softball association was in favor of this and plans were presented. He stated that with the help of Selectman Tropeano this looks like it will be moving forward.

11. LIAISON REPORTS/INITIATIVE REPORTS

Chairman Slavin attended an EPA/DEP meeting at the Mass Maritime Academy in which they announced 20 grants. Wareham did receive a substantial grant.

12. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes: March 27, 2018.

MOTION: Selectman Tropeano moved to approve the meeting minutes of March 27, 2018. Selectman Scarsciotti seconded.

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

13. ADJOURNMENT

MOTION: Selectman Tropeano 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