

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: November 20, 2018
Date of Transcription: December 10, 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

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

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

Wareham Garden Club will hold its annual Christmas fair on Saturday, December 1st starting at 8:30 a.m.

5. BOARD COMMENTS

6. CITIZENS COMMENTS

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

a. Wareham Veteran's Council – Jean Sarnelli

MOTION: Selectman Tropeano moved to appoint Jean Sarnelli as a member the Wareham Veterans' Council for a term to expire no later than June 30, 2020.
Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

8. LICENSES AND PERMITS

a. Application for a license transfer of an existing year round retail package goods store all alcoholic beverages license and a pledge of license from Jinjas Co., Ltd., The Jug Shop, Adelaide R. DePonte, Manager, 219 Main Street, Wareham to DJP Liquor Corp, d/b/a Jug Shop, Jana R. Banta,

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Manager, 219 Main Street, Wareham, under the provisions of Chapter 138 of the Massachusetts General Laws.

Present before the board: Mr. Patel, Ms. Banta, Adelaide DePonte and Attorneys for both parties.

Mr. Patel was looking for approval from the board to transfer an existing liquor license; he currently manages Wareham Liquors and is tips certified as well as his manager Ms. Banta. Chairman Slavin said that he would also like to ask that he make sure he cleans up the nips around the establishment. Attorney Bowen asked if the owner would relinquish the sale of nips as a license condition. Mr. Patel's attorney stated that they wouldn't be interested in this condition and he has been asked that question in other towns as well, most recently Chelsea.

MOTION: Selectman Tropeano moved to approve the transfer of an existing year round retail package goods store all alcoholic beverages license and a pledge of license from Jinjas Co., Ltd., The Jug Shop, Adelaide R. DePonte, Manager, 219 Main Street, Wareham to DJP Liquor Corp, d/b/a Jug Shop, Jana R. Banta, Manager, 219 Main Street, Wareham, under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

b. Discussion to readdress the 30 day suspension given to The Jug Shop.

MOTION: Selectman Tropeano moved to remove the previous penalty against Jinjas Co., Ltd., The Jug Shop as to not be served by DJP Liquor Corp. upon the appellant notifying the ABCC of their intention to drop the appeal. Selectman Scarsciotti seconded.

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

9. TOWN BUSINESS

a. Dog hearing at 7:30 p.m.

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.

Present before the board: Michelle Ferguson & Cheryl Gorgeatt-Dill

Ms. Gorgeatt-Dill stated that the dogs are not licensed and the owners have been cited for having non-licensed, non-vaccinated and loose dogs and neither citation has been paid. Ms. Gorgeatt-Dill stated that on October 10, 2018, the two dogs, described as a tan female Pitbull and black and white male Pitbull, belonging to Rone Ferguson, were running loose in the area of 14 Depot Street and attacked the chickens belonging to Melissa Churbuck, resulting in injury to the birds. The same dogs have displayed aggression towards responding DNR Officers when attempting to capture the dogs. Ms. Ferguson said that she was not at home the day the dogs supposedly

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injured the neighbors' chickens and that someone put the dogs in her home. Ms. Gorgeatt-Dill stated that the Officers Kimball and Buckminster found the 2 dogs loose and secured them in the house and put a heavy object in front of the door to make sure that they couldn't get out. Ms. Ferguson stated that she did register her dog but wasn't sure if her husband registered his, Ms. Gorgeatt-Dill explained that she did go to the Town Clerk's Office and they had no record of either dog ever being registered.

MOTION: Selectman Tropeano moved to deem the dogs as dangerous and that the dogs be confined outdoors in a securely enclosed and locked pen, when the dogs are removed from the premises by the owner, the dogs shall be securely and humanely muzzled and restrained with a chain or tethering device not to exceed 3 feet in length. That the dog only be walked by an adult of 18 years or older, that the owner provides proof of insurance coverage for the dogs, that the owner provides animal control with information by which the dog may be identified throughout its lifetime and that all the fees are to be paid within 7 business days or the dogs will be held in custody until the fees are paid. Selectman Bruce seconded. Selectman Slavin asked Ms. Ferguson if she was going to be able to comply in which she responded that she can try but if not, you can have the dogs.

Poll vote: Selectman Scarsciotti-yes, Selectman Bruce-yes, Selectman Tropeano-yes, Selectman Slavin-yes, Selectman Teitelbaum-yes.

b. Present Certificate of Appreciation to Pastor Shaw.

c. Request from the Wareham Garden Club to place signs on Town property.

MOTION: Selectman Tropeano moved to approve the request to place signs on Town property. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

d. Request for authorization to apply for a CPC grant for School Department.
Present before the board: Joyce Bacchiocchi, Kimberly Shaver-Hood, Christopher Gardner

They are looking for CPA funding in the amount of \$225,000 to resurface the Anderson Field Track.

MOTION: Selectman Tropeano moved to approve the seeking a CPC grant for the Anderson Field Track Resurfacing, Store and Fence Project in the amount of \$225,000. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

e. Discussion and vote on disposition of surplus equipment.
No information was provided – will be placed on the next agenda.

f. Discussion and vote on instituting action against 40B Dakota Partners project approval.

MOTION: Selectman Tropeano moved to approve the action of the board to be taken against Dakota Partners and the Zoning board of appeals for the purpose of 40B. Selectman Bruce seconded.

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VOTE: 5-0-0 (Unanimous)

g. Discussion and vote on Town of Lakeville Animal Shelter.
MOTION: Selectman Tropeano moved to renew the agreement with the Town of Lakeville Animal Shelter. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

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

MOTION: Selectman Tropeano moved to approve the Blight & Slum study and approve the Chairman to sign. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

10. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan wasn't present at the meeting.

11. LIAISON REPORTS/INITIATIVE REPORTS

Selectman Tropeano wanted to thank everyone in the community that showed their support of the school project.

Selectman Teitelbaum wanted to thank the first responders, state police and the District Attorney's office for responding to the recent pedestrian train accident.

The Wareham Village Association will be holding its Christmas Parade on Saturday, December 1st starting at 3 p.m.

Chairman Slavin stated that the Marijuana facility was originally to open on December 1st however it looks more like December 3rd and they are also concerned with the traffic.

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 approve payment to the Law office of Richard P. Bowen for services through November 20, 2018.

VOTE: 5-0-0 (Unanimous)

13. ADJOURNMENT

MOTION: Selectman Tropeano moved to adjourn. Selectman Bruce seconded.

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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: 12.18.18

Date sent to the Town Clerk: 12-19-18