

## **MINUTES OF MEETING OF THE BOARD OF SELECTMEN**

Date of Meeting: December 13, 2016  
Date of Transcription: December 14, 2016  
Transcribed by: Janet Wilson

4-0-1

### **1. CALL MEETING TO ORDER BY CHAIRMAN AT 7:00 P.M.**

6:30 p.m. – Wareham Multi-Service Center, Room 320, 48 Marion Road, Wareham, MA

6:30 p.m. – Open session – Enter into Executive session

- a. M.G.L. 30A §21 (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

Poll vote: Selectman Slavin – yes, Selectman Teitelbaum – yes, Selectman Scarsciotti – yes, Selectman Tropeano –yes.

**VOTE: 4-0-0 (Unanimous)**

### **2. ROLL CALL**

Selectmen Present: Judith Whiteside, Chairman, absent  
Peter W. Teitelbaum, Chairman, pro-tem  
Patrick G. Tropeano  
Alan H. Slavin, Clerk, pro-tem  
Anthony Scarsciotti

Also present: Derek Sullivan, Town Administrator  
Attorney Richard Bowen, Town Counsel, absent

### **3. PLEDGE OF ALLEGIANCE**

### **4. ANNOUNCEMENTS**

Turning Point is in need of the following food items for holiday meal and school break, canned vegetables, potatoes, mac n cheese, snacks, gravy, canned soup, peanut butter and sweet potatoes. For gifts they are in need of infant/toddler/teen clothing and several 10-12 year old boys are asking for new bikes and scooters. If you are able to lend a hand, they will be at the annex on Tuesday, Thursday and Friday from 4pm-7pm and Saturday from 9:30am-4:30pm.

The Town has been awarded a grant from Mass Development in the amount of \$50,000 for a feasibility study for Tremont Nail.

## SELECTMEN MEETING MINUTES-12-13-16 (CONT'D)

Selectman Slavin stated that a meeting is being held in Rochester regarding 4 communities doing a regional dispatch.

Selectman Teitelbaum wanted to briefly touch on the stays at the local motels, he stated that the Board of Health is not looking to make people homeless during this time of year and stated that they have asked that the motels follow the regulations and not admit anymore long term people. The motels are not to be used for housing and since the motels do get \$100 per day they tend to not stick to the rosters.

Mr. Sullivan read a memo from Chief Walsh on the success of the Stuff a Cruiser event recently held at Walmart and Target. The drive was very successful and the toys were given to the Dick Melloni fund for distribution.

### **5. CITIZENS PARTICIPATION**

Present before the board: Angela Dunham

Ms. Dunham had gifts to present to the board from her recent trip to Kushimoto Japan however; Chairman Whiteside wasn't present for the meeting so this will be placed on next week's agenda.

### **6. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS** (none)

### **7. HEARING AT 7:15 P.M.** on the application from Peterbilt of Massachusetts, LLC, d/b/a Peterbilt of Southern Massachusetts, 2381 Cranberry Highway, W. Wareham for a Class I License.

**MOTION:** Selectman Tropeano moved to open the hearing. Selectman Scarsciotti seconded. Poll Vote: Selectman Scarsciotti –yes, Selectman Tropeano –yes, Selectman Slavin – yes, Chairman Teitelbaum-yes.

**VOTE: 4-0-0 (UNANIMOUS)**

Present before the board: Ronald Briggs, General Manager

Mr. Briggs was before the board seeking a Class I license to sell and repair trucks as well as for the sale of parts.

Chairman Teitelbaum asked if anyone wanted to speak for or against the applicant.

**MOTION:** Selectman Tropeano moved to close the hearing. Selectman Scarsciotti seconded. Selectman Scarsciotti seconded. Poll Vote: Selectman Scarsciotti –yes, Selectman Tropeano –yes, Selectman Slavin – yes, Chairman Teitelbaum-yes.

**VOTE: 4-0-0 (UNANIMOUS)**

SELECTMEN MEETING MINUTES-12-13-16 (CONT'D)

**MOTION:** Selectman Tropeano moved to grant a Class I license to Peterbilt of Massachusetts, d/b/a Peterbilt of Southern Massachusetts, 2381 Cranberry Highway, W. Wareham, MA. Selectman Scarsciotti seconded.

**VOTE: 4-0-0 (UNANIMOUS)**

**8. LICENSES AND PERMITS**

- a. Renewal of the following Year Round Common Victualer All Alcoholic Beverages Licenses for the year 2017, under the provisions of Chapter 138 of the Massachusetts General Laws:

- i. Hong-Kong Island Restaurant, Inc., 3035 Cranberry Highway, E. Wareham

**MOTION:** Selectman Slavin moved to approve the Year Round Common Victualer All Alcoholic Beverages License for Hong-Kong Island Restaurant, Inc., 3035 Cranberry Highway, E. Wareham. Selectman Scarsciotti seconded.

**VOTE: 4-0-0 (UNANIMOUS)**

- ii. Mark, Inc., d/b/a China Garden, 265 Marion Road, Wareham.

**MOTION:** Selectman Slavin moved to approve the Year Round Common Victualer All Alcoholic Beverages License for Mark, Inc., d/b/a China Garden, 265 Marion Road, Wareham. Selectman Tropeano seconded.

**VOTE: 4-0-0 (UNANIMOUS)**

**9. TOWN BUSINESS**

- a. Discussion and vote on Policy #03-01 Parking Prohibitions –Snow or Weather Emergency.

**MOTION:** Selectman Tropeano moved to approve Policy #03-01 as amended. Selectman Scarsciotti seconded.

**VOTE: 4-0-0 (UNANIMOUS)**

- b. Discussion and possible vote on letter to the Governor and Legislators requesting delaying the provisions of the commercial marijuana sales section of the recently passed marijuana statute.

Selectman Slavin read a draft letter he would like to send to the Governor as well as House Senate and Chairs (as attached). He stated that deadlines give officials insufficient time to prepare for and administer the law. He also stated that the tax numbers are too low and are completely inadequate. The board was not in agreement with sending this letter.

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

**9. TOWN ADMINISTRATOR'S REPORT**

SELECTMEN MEETING MINUTES-12-13-16 (CONT'D)

Mr. Sullivan stated that some people have questioned why the town was holding up the marijuana clinic. Mr. Sullivan stated that the town did their part a year ago and it's not the town that is holding it up. He said that the status can be found by looking online under health and human services. The Town will receive \$20,000 as soon as it's open and then after it's been open one year we will receive 3%.

**10. LIAISON REPORTS/INITIATIVE REPORTS**

Selectman Slavin stated that the SRPEDD assessment increased by \$94.90.

Selectman Slavin stated that the Senate passed a bunch of housing and reform zoning laws however, the house never passed it. He provided Mr. Sullivan with some information to forward to the Zoning Study Committee that he felt would be helpful.

Selectman Slavin is still waiting on details for the bus station.

**11. ADJOURNMENT**

a. Authorization to sign bills and documents, etc.

**12. ADJOURNMENT**

**MOTION:** Selectman Tropeano moved to adjourn. Selectman Scarsciotti seconded.

**VOTE: 4-0-0 (UNANIMOUS)**

**13. 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:

***Alan H. Slavin, Clerk, pro-tem***

Date Signed: 12-20-16

Date sent to the Town Clerk: 12-27-16



## TOWN OF WAREHAM

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### BOARD OF SELECTMEN

Judith Whiteside, Chairman

Peter W. Teltelbaum, Clerk

Patrick G. Tropeano

Alan H. Slavin

Anthony Scarsciotti

To:

Governor Baker

House and Senate Chairs

Sen. Marc Pacheco

Rep. Susan Williams Gifford

We believe there are many major problems to overcome in order for Question 4 to work effectively. The deadline of Jan. 1, 2018 to establish the regulatory framework for the commercial marijuana industry seems unrealistic. The three (3) person Cannabis Control Commission has insufficient time to build the infrastructure needed. What happens if this commission fails to meet the deadline of Jan. 1<sup>st</sup>?

The major problems that we see are:

1. The deadlines give local officials insufficient time to prepare for and administer the law.
2. The lack of any provisions for local control.
3. The lack of regulations regarding "Home grow" provisions.
4. The statute as written contains inadequate tax revenues.

The Governor and Legislature should seek to extend the deadlines of implementation in order to adopt reasonable rules and framework.

Reviewing what has happened in Colorado and Washington indicates that the preemption of local decisions and oversight is a major problem. Colorado allows local bodies to ban retail sales. In fact 70% of Colorado's cities and towns have banned sales. Control needs to stay with the cities and towns, not the Cannabis Control Commission.

The totally unregulated "home grow" provision allows individuals to cultivate twelve (12) plants at any one time. This language allows for a volume of marijuana that will certainly encourage a black market preceding the commercial sales by up to one (1) year. This provision should be delayed.

Lastly, the provision for tax revenues is completely inadequate. In Colorado it is 25% (plus state sales tax) and cities and towns can add their own additional local tax up to 8%. The State of Washington has a 37% excise tax. Cities and towns are permitted up to an additional 3.4% local sales tax.

attachment 12/13/16  
meeting minutes

Regulating and monitoring this new commercial industry will definitely impact Massachusetts cities and towns budgets negatively. The proposed 2% tax will not cover the increased costs in public safety, public health, zoning, permitting and licensing.

The Governor and Legislature should increase state and local tax rates to mirror Colorado and Washington.

We are not attempting to bypass the will of the voters, but are requesting fixing serious drafting flaws in the statute (law).

Thank you for your consideration in this matter,

Wareham Town Administrator

Wareham Board of Selectmen