

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: January 4, 2022
Date of Transcription: February 7, 2022
Transcribed by: Cassandra Slaney

1. CALL MEETING TO ORDER BY CHAIRMAN

Remote meeting due to COVID 19

2. ROLL CALL

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

Also Present: Rich Bowen, Town Counsel
Derek Sullivan, Town Administrator (7:02 pm)

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

Selectman Slavin urged residents to be careful during the upcoming storm forecasted for the weekend.

The new elementary school opened today.

Selectman Whiteside along with the Superintendent of Schools, Dr. Shaver-Hood requested a flashing yellow traffic control light to be placed in front of the new elementary school.

5. RESIDENT'S COMMENTS

Present Before the Board: Barry Cosgrove

Mr. Cosgrove urged that the Board of Selectmen confirm its vote of December 14th to engage an independent engineer in compliance with section 4h 5 of the Wareham Earth Removal Bylaw.

6. BOARD'S COMMENTS

Selectman Tropeano attended the final meeting for the new school. He stated that the total cost ended up being 75 million dollars as opposed to the original cost of 90 million dollars.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

- a. Interview candidates for the petitioners appointment to the Decas School Steering Committee and possible vote for appointment.
 - i. Jared Fredrickson
 - ii. Tracie Williams
 - iii. MaryJane Driscoll

Each of the candidates were present before the board to introduce themselves and explain their interests.

SELECTMEN MEETING MINUTES-1/4/2022 (CONT'D)

MOTION: Selectman Munise moved to appoint Tracie Williams as a member to the Decas School Steering committee. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

- b. Interview candidates for the BOS appointment to the Decas School Steering Committee and possible vote for appointment.
 - i. Damon Solomon
 - ii. Jared Chadwick

Present Before the Board: Jared Chadwick

Mr. Chadwick stated that because he is considering running for Selectman, he has decided to withdraw his application.

Present Before the Board: Damon Solomon

MOTION: Selectman Slavin moved to appoint Damon Solomon as a member to the Decas School Steering Committee. Selectman Munise seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

8. LICENSES AND PERMITS

- a. **Renewal of the following Year Round Common Victuallers Licenses for the year 2022, under the provisions of Chapter 140 of the Massachusetts General Laws:**

- i. Chankait Suksanit-Wontrip Niyomsin d/b/a Krua Thai 2, 3043 Cranberry Hwy, E. Wareham.

MOTION: Selectman Tropeano moved to approve the renewal of the Year Round Common Victuallers License for Chankait Suksanit-Wontrip Niyomsin d/b/a Krua Thai 2, 3043 Cranberry Hwy, E. Wareham for the year 2022 under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

- b. **Renewal of the following Year Round Common Victualler All Alcoholic Beverages License for the year 2022, under the provisions of Chapter 138 of the Massachusetts General Laws:**

- i. Stevie B's Inc. d/b/a Onset Sports Resort, 270 Onset Ave., Onset.

MOTION: Selectman Tropeano moved to approve the renewal of the Year Round Common Victualler All Alcoholic Beverages License for Stevie B's Inc. d/b/a Onset Sports Resort, 270 Onset Ave., Onset, MA. for the year 2022 under the provisions of Chapter 138 of the Massachusetts General Laws subject to payment of license. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

9. TOWN BUSINESS

- a. Discussion and possible vote to hire outside counsel for the Verizon contract negotiations: Mr. William Solomon-fee to be paid by WCTV, as in past.

MOTION: Selectman Teitelbaum moved to appoint Mr. William Solomon as counsel for the Verizon contract negotiations-fee to be paid by WCTV. Selectman Slavin seconded. Roll Call:

SELECTMEN MEETING MINUTES-1/4/2022 (CONT'D)

Selectman Slavin-yes, Selectman Tropeano-no, Selectman Munise-no, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 3-2-0 (Selectman Tropeano and Selectman Munise opposed)

- b. Confirmatory vote directing and authorizing Town Administrator Derek Sullivan to fund hiring of an independent engineer to study earth removal issues raised from Article 18 in the 2021 Annual Town Meeting, original vote taken 12/14/2021.

MOTION: Selectman Tropeano moved to approve the confirmatory vote directing and authorizing Town Administrator Derek Sullivan to fund hiring of an independent engineer to study earth removal issues raised from Article 18 in the 2021 Annual Town Meeting, original vote taken 12/14/2021. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-no, Selectman Tropeano-yes, Selectman Whiteside-yes.

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

- c. Explanation of MGL Ch 268A section 19, as it may apply to members of the Decas School Steering Committee.

Attorney Bowen provided an explanation of the conflict of interest law and explained that in chapter 268a section 19, a person cannot act in any matter in which he/she, his/her employer or member of a person's family has a financial interest. However, there is an out clause in chapter 268a section 19b which explains that if something is sent in writing to the appointing authority disclosing any facts identifying anything in it that might create a conflict of interest, such as an officer in an organization or fundraiser, the appointing authority can make a determination that the facts aren't serious enough to cause a problem or would interfere with the quality of service that the community expects. Attorney Bowen also stated that if anyone wants the exemption or thinks they might need it, he will provide a sample letter to send to the Selectmen's office.

- d. Review and vote to sign 2022 ABCC Renewal Certification.

MOTION: Selectman Tropeano moved to approve the 2022 ABCC Renewal Certification. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- e. Review and vote to sign 2022 ABCC Seasonal Population Increase Estimation Form.

MOTION: Selectman Tropeano moved to approve the 2022 ABCC Seasonal Population Increase Estimation Form. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- f. Accept donation to the Wareham Council on Aging in the amount of \$100.00 for the COA Gift Account.

MOTION: Selectman Tropeano moved to accept the donation to the Wareham Council on Aging in the amount of \$100.00 for the COA Gift Account. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- g. Accept donation to the Wareham Council on Aging in the amount of 1,000.00 from the Wareham Police Association, Inc for the COA Gift Account.

MOTION: Selectman Tropeano moved to accept the donation to the Wareham Council on Aging in the amount of \$1000.00 from the Wareham Police Association, Inc. for the COA Gift

SELECTMEN MEETING MINUTES-1/4/2022 (CONT'D)

Account. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- h. Accept donation to the Wareham Free Library in the amount of \$75.00 for the WFL Gift Fund Account.

MOTION: Selectman Tropeano moved to accept the donation to the Wareham Free Library in the amount of \$75.00 for the WFL Gift Fund Account. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- i. Discussion and possible vote to approve the opt-out fee applications for Curbside Billing FY22 in the amount of \$30,203.75.

MOTION: Selectman Tropeano moved to approve the opt-out fee applications for Curbside Billing FY22 in the amount of \$30,203.75. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- j. Ratify hiring of Ryan Vanderstaay-Heavy Equipment Operator for MM.

MOTION: Selectman Tropeano moved to ratify the hiring of Ryan Vanderstaay-Heavy Equipment Operator for MM. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

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

10. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan stated that Wareham has had the highest number of confirmed covid cases to date at 244 in a week.

The railroad bridge on Pierceville Road is going to be closed down for repairs in the near future. Mass DOT expects the repairs to take three to six months.

There will be an auction at 5 Apple Street on Friday, January 7th. Registration begins at 11 a.m. and the auction will begin at noon.

The Remembrance trees will be taken down by January 9th. Sponsors have been asked to take down the decorations before that date.

11. LIAISON/INITIATIVE REPORT

The Wareham Redevelopment Authority will be meeting Thursday, January 6th in Room 320 of the Multi-Service Center.

The Police Study Committee will be meeting January 5th at 4:30 p.m.

12. CONSENT AGENDA

- a. Authorize payment to the Law Office of Richard P. Bowen.

SELECTMEN MEETING MINUTES-1/4/2022 (CONT'D)

MOTION: Selectman Tropeano moved to authorize payment to the Law Office of Richard P. Bowen. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- a. Authorization to sign bills and documents, etc.
- c. Approval of meeting minutes: November 30, 2021

MOTION: Selectman Tropeano moved to approve the meeting minutes November 30, 2021. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

14. EXECUTIVE SESSION

M.G.L. 30A §21 (6) Re: Little Harbor-purchase of property.

To consider the purchase, exchange, lease of value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

M.G.L. 30A §21 (2) Re: Town Administrator's employment contract

To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

M.G.L. 30A §21 (3) Re: Discussion and vote re Bruneau dog case

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.

MOTION: Selectman Tropeano moved to enter into executive session at 8:35 p.m. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

15. ADJOURNMENT

MOTION: Selectman Tropeano moved to exit the Executive Session. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to adjourn at 9:16 p.m. Selectman Tropeano seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

Respectfully submitted
Cassandra Slaney
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen on:

Attest:


Patrick G. Tropeano, Clerk

Date Signed: 3-22-22

SELECTMEN MEETING MINUTES-1/4/2022 (CONT'D)

Documents reviewed and/or used in meeting.

1. Decas School Steering Committee applications.
2. License renewal for Krua Thai 2.
3. License renewal for Onset Sports Resort.
4. M.G.L. Chapter 268A, section 19.
5. 2022 ABCC Renewal Certification.
6. 2022 ABCC Seasonal Population Increase Estimation Form.
7. Donation to the Council on Aging in the amount of \$100.00.
8. Donation to the Council on Aging in the amount of \$1,000.00.
9. Donation to the Wareham Free Library in the amount of \$75.00.
10. Curbside Billing FY22-\$30,203.75.
11. Ratify hiring of Ryan Vanderstaay-Heavy Equipment Operator for MM.
12. Invoice for the Law Office of Richard P. Bowen.
13. Meeting Minutes for November 30, 2021.

Date sent to Town Clerk: 3-23-22