

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: March 2, 2021
Date of Transcription: March 3, 2021
Transcribed by: Cassandra Slaney

1. CALL MEETING TO ORDER BY CHAIRMAN

This meeting was held remotely due to COVID-19.

2. ROLL CALL

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

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

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

The Town of Wareham has been accepted as an age friendly community through AARP. A survey will be sent out which is required in order to apply for grants.

There are a number of employment opportunities which can be viewed online as well as vacancies on Boards and Committees.

Our community of Wareham has many opportunities for those who have food insecurity.

The school continues to provide free meals five days a week to students who live in Wareham.

The YMCA is providing free food boxes twice a week at two locations on Tuesdays and Thursdays from 3:30 to 5:30. The food is available at the Gleason Family YMCA as well as the East Wareham School on Depot Street from 10-12.

Almost all of the Town's churches have meals once a week, as well as pantries. If you or your neighbor are in need of food please feel free to reach out.

SELECTMEN MEETING MINUTES-3/2/2021 (CONT'D)

The Wareham Garden Club will be awarding \$1,000 scholarships for graduating high school seniors and college students. Applicants should have been legal residents of Wareham for at least a year and have a minimum B (or 3.0) average.

Scholarships are available for students with focus of study in one or more of the following areas: horticulture; environmental studies; floriculture; land management; botany; biology; conservation; landscape design or architecture; forestry; agronomy; city planning; or allied subjects.

High school students must be graduating in the spring of 2021 and have been accepted to a college or other post-secondary school. Scholarship applications will be available at area high school's guidance office. College students must be currently enrolled at a college, provide transcripts, and submit an application.

All applications and materials must be postmarked on or before March 31, 2021.

The COA continues to offer its Tuesday and Thursday grab and go meal, which must be reserved the week ahead of pickup. The number to sign up for this program is 508-291-3130.

The Wareham Library Foundation has been sharing information about the fundraising efforts online using social media. Residents can donate using the "donate" button on the Foundation's website at www.supportwarehamlibrary.org. Alternatively, checks can be mailed to Wareham Library Foundation, P.O. Box 485, East Wareham, MA 02538.

Wareham Land trust is offering free walks in the woods with specific programs. You can access the information at warehamlandtrust.org/category/events. The registration is still limited due to Covid.

March 3rd from 9-10 am the program is entitled Birding at the Great Neck Audubon Sanctuary.

March 12th you can learn Basic Botany at Mark's cove at 2:30.

March 20th you can learn all about Winter Bugs from 1-2 at the Westgate Preserve.

March 27th the Tweedy and Barnes location is hosting Talking about Trees, from 1-2.

The New Bedford Symphony Orchestra is collaborating with the New Bedford Historical Society in a concert titled "Celebrating Black Culture on March 20th. For more information log on to www.nbsymphony.org.

The East Wareham Hospitality Recreation district article will be presented at the Special Town Meeting as well as other articles relating to the ball fields at Westfield. The Town Meeting is scheduled for April 10th at noon time and will be held on the football field.

5. CITIZEN'S COMMENTS

Present before the Board: Nancy McHale

Ms. McHale asked if there was any response from Borrego or AD Makepeace for more clarification about where their parcels are for appraisal purposes. Selectman Teitelbaum stated that he has reached out to the Director of the Assessing who will be reviewing the submissions.

She also stated that she is in favor of the amendment to the solar by-laws article for Spring Town Meeting and asked that the Board of Selectmen support it as well.

Present before the Board: Richard Swenson

Mr. Swenson provided a background of the Citizens Group. There has been discussion regarding the solar by-laws for several months and in early February a workshop was put together with representatives from the Planning Board, Conservation Commission, Wareham Land Trust, and the Director of Planning and Development. The goal was to share thoughts on the current laws and determine if there were opportunities for improvement. It was suggested that zoning changes around size limits and clear cutting restrictions be proposed for the 2021 Spring Town Meeting. Mr. Buckland, Director of Planning proposed a zoning article consisting of a ten acre cap on solar farms and solar farms would be restricted to land that has been cleared for at least five years. There will be a public hearing on March 22nd to gather public feedback. He stated that he encourages the Board to approve the insertion of this article.

Present before the Board: Katherine Garofoli, Director of Onset Bay Center

Ms. Garofoli stated that the Onset Bay Center has opened up for early registration to Wareham residents for summer programs. Activities offered include kayaking, paddle boarding, learning to shellfish, and sail programs. There are also several positions open for employment including internships. Ms. Garofoli can be reached at 508-999-6363 ext. 227.

6. BOARD'S COMMENTS

South Coast Health announced that shots will be given on Saturday only this week due to lack of supplies. Anyone scheduled for a second shot can keep their appointments. Anyone wanting to schedule a shot must create a mychart account on the South Coast website or call the hotline.

There is a video available to view on Facebook of the new elementary school and its progress.

Selectman Whiteside requested a moment of silence for Nan Evans who passed away on February 26th.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

8. LICENSES AND PERMITS

a. **7:15 p.m. Hearing** – Application from DJP Corp. d/b/a The Jug Shop, 221 Main Street, Wareham for a Change of Location from 221 Main Street, Wareham to 2991 Cranberry Hwy, E. Wareham.

MOTION: Selectman Whiteside moved to open the hearing for the application from DJP Corp. d/b/a The Jug Shop, 221 Main Street, Wareham for a Change of Location from 221 Main Street, Wareham to 2991 Cranberry Hwy, E. Wareham. Selectman Tropeano seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

Present before the Board: Dupenkumar Patel, owner

Mr. Patel confirmed this is a change of location with no change to the corporate structure.

Selectman Teitelbaum stated that the Board needed to take administrative notice that petitions, along with signatures have been received from The Liquor Locker and Onset Village Market opposing to the Change of Location for DJP Corp.

MOTION: Selectman Tropeano moved to acknowledge receipt of the petitions that have been submitted. Selectman Whiteside seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

Present before the Board: Suhas Patel, owner of Liquor Locker

Selectman Teitelbaum asked if Mr. Patel is a resident of Wareham. Mr. Patel stated he is not a resident, he has a commercial interest and wanted to give a statement opposing to the location change.

MOTION: Selectman Tropeano moved to allow Mr. Patel to provide his statement opposing to the request from DJP Corp. for a change of location. Selectman Whiteside seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

Mr. Patel stated that there are three liquor stores within five minutes each other and he does not see a public need for another store to open behind his location.

MOTION: Selectman Tropeano moved to close the hearing. Selectman Whiteside seconded. . Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

Selectman Tropeano stated he is not in favor of this request. He said that there are multiple package stores within a short distance from each other and this could potentially hurt other businesses already struggling.

Selectman Munise questioned if there is a public need for another package store within that area.

Selectman Whiteside stated that businesses have the right to make the decision about where they have their businesses and what their business is.

SELECTMEN MEETING MINUTES-3/2/2021 (CONT'D)

Selectman Teitelbaum stated that the Jug Shop's new location will be larger and will be offering a larger variety of beers and wines. He also stated that any location will be close to other establishments and this cannot be avoided.

MOTION: Selectman Whiteside moved to approve the application from DJP Corp. d/b/a The Jug Shop, 221 Main Street, Wareham from 221 Main Street, Wareham to 2991 Cranberry Hwy, E. Wareham under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Slavin seconded. Roll Call: 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)

9. TOWN BUSINESS

- a. COVID-19 Update.

Mr. Sullivan stated that there are 28 new confirmed cases and one death. Residents are urged to continue wearing masks and to keep social distancing.

- b. Trash disposal update.

Barrels are scheduled to be delivered to the municipal maintenance department. Administration has received 120 opt-out applications that have been approved. Four have been denied.

- c. Presentation by Director of Assessing regarding proposed articles for Solar PILOT agreement and commercial solar taxation home rule petition.

This item has been postponed for a future meeting.

- d. Confirmatory vote to approve collective bargaining agreement with Wareham Police Sergeants.

MOTION: Selectman Whiteside moved to approve the confirmatory vote to approve the collective bargaining agreement with Wareham Police Sergeants previously discussed in executive session. Selectman Tropeano seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 4-0-0 (Unanimous)

- e. Appointment of Town Counsel.

MOTION: Selectman Whiteside moved to the Law Office of Richard P. Bowen as Town Counsel. 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)

f. Discussion and vote on 2021 Spring Town Meeting Warrant Articles. Selectman Teitelbaum addressed some concerns regarding the Update to the FEMA Floodplain by-law Article. He is seeking to do further research and consult with Town Counsel and asked the Board to consider removing it from the 2021 Annual Spring Town Meeting Warrant.

MOTION: Selectman Whiteside moved to remove the Update to FEMA Floodplain By-law from the 2021 Annual Spring Town Meeting Warrant. Selectman Tropeano

SELECTMEN MEETING MINUTES-3/2/2021 (CONT'D)

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

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Whiteside moved to approve the Town Meeting Endorsement of 2020 Master Plan article on the 2021 Annual Spring Town Meeting Warrant.

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)

MOTION: Selectman Whiteside moved to approve the FY22 Community Preservation Fund Reserves article on the 2021 Annual Spring Town Meeting Warrant. 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)

MOTION: Selectman Whiteside moved to approve the CPA Littleton Drive article on the 2021 Annual Spring Town Meeting Warrant. 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)

MOTION: Selectman Whiteside moved to approve the Harbor Services Permits-Interest article and the Harbor Services Permits-Equipment article on the 2021 Annual Spring Town Meeting Warrant. 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)

MOTION: Selectman Whiteside moved to approve the Harbor Services Permits-Equipment article on the 2021 Annual Spring Town Meeting Warrant. 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)

MOTION: Selectman Whiteside moved to approve the Harbor Services Permits-Equipment article on the 2021 Annual Spring Town Meeting Warrant. 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)

MOTION: Selectman Whiteside moved to approve the Harbor Services Permits-Equipment article on the 2021 Annual Spring Town Meeting Warrant. 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)

MOTION: Selectman Whiteside moved to approve the Ban Nip Bottles Sales article previously submitted as a citizens petition on the 2021 Special Spring Town Meeting Warrant. Selectman Tropeano seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-no, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

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

g. Close 2021 Spring Town Meeting Warrant.

MOTION: Selectman Whiteside moved to close the 2021 Annual Spring Town Meeting Warrant. Selectman Tropeano seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

h. Discussion and vote on Process For Calling Special Town Meeting Within Spring Annual Town Meeting.

VOTE: 5-0-0 (Unanimous)

SELECTMEN MEETING MINUTES-3/2/2021 (CONT'D)

Selectman Teitelbaum read into record the Process for Calling Special Town Meeting within Annual Spring Town Meeting. (*See attachment*)

MOTION: Selectman Whiteside moved to adopt the Process for Calling Special Town Meeting within the Annual Spring Town Meeting. Selectman Tropeano seconded.

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

VOTE: 4-0-0 (Unanimous)

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

10. TOWN ADMINISTRATOR'S REPORT

Town Administrator had nothing to report.

11. LIAISON REPORTS/INITIATIVE REPORTS

The Housing Choice bill the Governor wanted has been signed.

There is a bill that involves zoning issues and the MBTA community that will have an effect on town meetings coming up.

Selectman Munise exited the meeting at 8:04 pm and rejoined at 8:12 pm due to technical difficulties.

12. CONSENT AGENDA

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

MOTION: Selectman Whiteside moved to authorize payment to the Law Office of Richard P. Bowen. 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)

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes: July 21, 2020; September 1, 2020.

MOTION: Selectman Whiteside moved to approve the meeting minutes for July 21, 2020 and September 1, 2020. Selectman Tropeano seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-no, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 4-0-0 (Unanimous)

13. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn at 8:51 pm. Selectman Whiteside seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

14. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

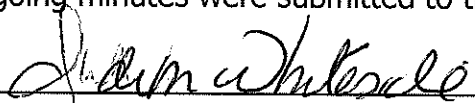
Respectfully submitted

Cassandra Slaney

Department Assistant

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

Attest:


Judith Whiteside, Clerk

Date Signed: 3-17-21

Date sent to the Town Clerk: 3-24-21



**TOWN OF WAREHAM
BOARD OF SELECTMEN**

54 Marion Road
Wareham, MA 02571

Attachment to 3/2/21
meeting minutes

**PROCESS FOR CALLING A SPECIAL TOWN MEETING WITHIN SPRING
ANNUAL TOWN MEETING**

APRIL 26, 2021 @ 7:30 p.m.

- TUESDAY, March 2, 2021 Board of Selectmen establish all dates for completion of a Warrant for the Special Town Meeting.
- TUESDAY, March 9, 2021 Board of Selectmen vote to hold the Special Town Meeting on April 26, 2021 and to provide notice thereof on Wednesday, March 10, 2021 (Wareham Home Rule Charter 2-4(a) and (c)), and to open the Warrant effective Friday, March 19. (Wareham Home Rule Charter 2-4(c)) - **10 days notice before Warrant closes.**
- Wednesday, March 10, 2021 Last day to post upon Town's principal bulletin board and the Town website Notice of Intention of Board of Selectmen to call the Special Town Meeting for April 26, 2021 and to post the March 19, 2021 opening and March 30, 2021 closing dates of the Warrant. (Wareham Home Rule Charter 2-4(c)) - **24 hours after voting the date Warrant opens.**
- MONDAY, March 30, 2021 Last day for submission of articles and/or petitions to be inserted in the Warrant. (Wareham Home Rule Charter Section 2-4 (c)) - **10 days or more after Warrant opens.**
- TUESDAY, March 30, 2021 Board of Selectmen officially close the Warrant. (Wareham Home Rule Charter 2-4(c)) - **10 days or more after Warrant opens.**
- FRIDAY, April 2, 2021 Last day to post the Special Town Meeting Warrant upon Town's principal bulletin board and the Town website, and to deliver a copy of Warrant to the Town Moderator and to the Chairman of the Finance Committee - (Wareham Home Rule Charter Section 2-4(d)) - **Special Town Meeting Warrant to be delivered at least 21 calendar days before the commencement date of such meeting.**
- TUESDAY, April 26, 2021 Commencement of Special Town Meeting.