

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: March 30, 2021
Date of Transcription: March 31, 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: Richard Bowen, Town Counsel
Derek Sullivan, Town Administrator

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

The trash and recycling schedule is on the Town website.

Appointments for the COVID-19 vaccinations through Southcoast are still not available due to lack of supplies. Appointments at this time must be made through the state website.

Free food for children continues at the Gleason Family Y as well as every Tuesday and Friday from 3:30 to 5:30. Food distribution will also be at The Woods at Wareham from 10 to 11:30, and Brandy Hill Apartments from 12 to 1:30. No ID is required. Please take advantage of the program.

The Wareham Council on Aging continues to offer free lunches on Tuesdays and Thursday. Please call the Council on Aging the week before you want to take advantage of this offer.

The Friends of the Wareham Free Library is no longer accepting book donations. Used book sales will be posted online.

The Wareham Historical Society will be awarding a scholarship to a graduating senior from Wareham High School. The scholarship is open to those who will be pursuing a

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degree in education. The amount of the scholarship has not yet been decided, but could be up to \$1,000. To apply, contact Wareham High School Guidance office.

A \$1,000 scholarship will be awarded by the Wareham Oyster Fest to a student who will be pursuing a degree in aquaculture or marine science. The application for this can be found in the High School Guidance office or at warehamoyster.com.

The Special Town Meeting and the Special within the Special Town Meeting is scheduled for April 10th at noon time at Spillane Field. Citizens are encouraged to arrive early. Masks must be worn at all times.

5. CITIZEN'S COMMENTS

Present before the Board: Don Jepson

Mr. Jepson stated his concern about property values and the benefits to residents wanting to sell their homes. He suggested the Town having a grant writer in order to not rely so much on income from property taxes.

Present before the Board: James Iacobucci

Mr. Iacobucci asked the Board to consider the marijuana bylaws for Town meeting for the residents to vote.

Present before the Board: Leslie Edwards Davis

Ms. Davis stated that she submitted a petition to the Board of Selectmen that was signed by more than one thousand two hundred Wareham residents opposing to the rezoning off of Glen Charlie Road.

Present before the Board: Erica Kennedy

Ms. Kennedy stated her support of the proposed article regarding marijuana delivery operators adding that it would have a positive community impact, employment and tax revenue.

Present before the Board: Nancy McHale and Kathleen Pappalardo

Ms. McHale questioned if the Board would be considering combining the twenty acre parcel owned by the Town with parcels NOTOS has under consideration. Selectman Teitelbaum stated that this has not been discussed or proposed.

Present before the Board: Diane Kenney

Ms. Kenney questioned why the 2021 Annual Town Meeting taking place April 26th may be delayed. Selectman Teitelbaum stated that the Moderator may recess the meeting to May at Spillane Field. The meeting in April would be taking place in the high school auditorium and for precautionary reasons, it would be safer for the meeting to take place outside.

6. BOARD'S COMMENTS

None.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

8. LICENSES AND PERMITS

- a. Renewal of Seasonal Liquor Licenses under the provisions of Chapter 138 of MGL for the year 2021.
 - i. Common Victualler All Alcoholic Beverages License issued to Little Harbor Country Club, Inc. d/b/a Little Harbor Country Club, 1 Little Harbor Road, Wareham, MA.
 - ii. Common Victualler All Alcoholic Beverages License issued to Point Independence Yacht Club Inc. d/b/a Point Independence Yacht Club, 15 Independence Lane, Onset, MA.
 - iii. Common Victualler All Alcoholic Beverages License issued to Project Halfshell Inc. d/b/a Quahog Republic, 197 Onset Ave., Onset, MA.
 - iv. Common Victualler Wines and Malt Beverages License issued to Sienna Café LLC d/b/a Americana Café, 208R Main Street, Wareham, MA.
 - v. Common Victualler Wines and Malt Beverages License issued to Melissa Clements d/b/a Cape Cod Lobster Rolls, 239 Onset Ave., Onset, MA.
 - vi. Common Victualler Wines and Malt Beverages License issued to Stash's Onset Beach, 182 Onset Ave., Onset, MA.

MOTION: Selectman Whiteside moved to approve the Common Victualler All Alcohol Beverages License issued to Little Harbor Country Club, Inc. d/b/a Little Harbor Country Club, 1 Little Harbor Road, Wareham, MA. (no holds); Point Independence Yacht Club, Inc. d/b/a Point Independence Yacht Club, 15 Independence Lane, Onset, MA. (no holds); Project Halfshell, Inc. d/b/a Quahog Republic, 197 Onset Ave., Onset, MA. (subject to approval from Inspectional Services); Common Victualler Wines and Malt Beverages License issued to Sienna Café LLC d/b/a Americana Café, 208R Main Street, Wareham, MA. (no holds); Melissa Clements d/b/a Cape Cod Lobster Rolls, 239 Onset Ave., Onset, MA. (subject to approval from Inspectional Services); and Stash's Onset Beach, 182 Onset Ave., Onset, MA. (subject to approval from Onset Fire Department and Inspectional Services). Selectman Tropeano seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

- b. Request for a Temporary Outdoor Seating All Alcohol Beverage License.
 - i. Al & El Corp. d/b/a Ella's Wood Burning Oven Restaurant, 3136 Cranberry Hwy, E. Wareham.
 - ii. Lindsey's Inc. d/b/a Lindsey's Family Restaurant, 3138 Cranberry Hwy, E. Wareham.
 - iii. Red Robin International, Inc. d/b/a Red Robin America's Gourmet Burgers & Spirits, 2421 Cranberry Hwy, Suite 350, Wareham.

MOTION: Selectman Whiteside moved to approve all above requests for a Temporary Outdoor Seating All Alcohol Beverage License. Selectman Munise

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

VOTE: 5-0-0 (Unanimous)

9. TOWN BUSINESS

- a. COVID-19 update.

Mr. Sullivan stated that there have been 35 confirmed cases and zero deaths

- b. Trash disposal update.

The trash pick up schedule has been updated on the Town's website. April 1st is the first day trash pick-up will begin. April 2nd is Good Friday and the Transfer Station will be closed. Residents who need help can email Mr. Sullivan with these concerns.

- c. Proclamation – Cecilia Bottino.

The Board of Selectmen awarded Cecilia Bottino a proclamation recognizing her many accomplishments.

- d. Ratify hiring of John Linhares – Laborer at WPCF.

MOTION: Selectman Whiteside moved to ratify the hiring of John Linhares-Laborer at WPCF. 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)

- e. ABCC Seasonal Renewal Certification for 2021.

MOTION: Selectman Whiteside moved to approve the ABCC Seasonal Renewal Certification for 2021. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

- f. Discussion and vote to authorize letter in support of Littleton Drive tax credit application to Massachusetts Dept. of Housing and Community Development.

Present before the Board: Ken Buckland, Planning Director

Mr. Buckland explained the low income tax credit is a program available for projects that meet the state goals for affordable housing. It is either a 9% or 4% tax credit and issued in the spring and fall.

MOTION: Selectman Whiteside moved to authorize the letter in support of the Littleton Drive tax credit application to the Massachusetts Department of Housing and Community Development. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

- g. Police Building Study Committee update.

Present before the Board: Claire Smith, Chairman of the Police Study Building Committee.

Ms. Smith stated that preparations for the RFP is in process. Primary concern is location and making sure the location is central for EMS. There is a virtual tour of properties on the website for citizens to view.

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- h. Continued discussion and votes on articles for 2021 Spring Special Within Annual Town Meeting Warrant.

MOTION: Selectman Whiteside moved to include the Budget Transfers Article on the 2021 Spring Special 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)

MOTION: Selectman Whiteside moved to include the Fund Parking Program Article on the 2021 Spring Special Town Meeting Warrant. Selectman Tropeano seconded. Roll Call: 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 include the Spring 2021 Capital Article on the 2021 Spring Special Town Meeting Warrant. Selectman Tropeano seconded. Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-present, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 4-0-1 (Selectman Munise present)

MOTION: Selectman Whiteside moved to include the Transfer of Available Funds Article on the 2021 Spring Special Town Meeting Warrant. Selectman Slavin seconded. 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 include the PEG Access Receipts to Wareham Community TV Article on the 2021 Spring Special Town Meeting Warrant. Selectman Slavin seconded. 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 include the Home Rule Petition for Solar/Wind Taxation Article on the 2021 Spring Special Town Meeting Warrant. Selectman Munise seconded. 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 include the Solar PILOTS Article striking the last two columns on the 2021 Spring Special Town Meeting Warrant. Selectman Slavin seconded. Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

Present before the Board: Ken Buckland, Planning Director
Mr. Buckland explained that the Marijuana Delivery Operators By-Law Article is a new use approved by the Cannabis Control Commission specifically for delivery operations rather than a brick and mortar storefront. The proposed bylaw is limited to three delivery operations. This number is based on the Cannabis Control Commission regulations that said if the Town votes yes for the sale of recreational marijuana that

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they had to authorize at least 20% of their liquor licenses as the number of retail operations.

MOTION: Selectman Whiteside moved to include the Marijuana Delivery Operators By-Law Article on the 2021 Spring Special 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 include the Updates to FEMA Floodplain By-Laws Article as written on the 2021 Spring Special 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 include the Wetland By-Law Amendment Article 10 as written with the exception that in section d, the words "OV 1" are stricken and following it will read zoning district on the 2021 Spring Special Town Meeting Warrant. Selectman Tropeano seconded. Roll Call: Selectman Slavin-abstained, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

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

MOTION: Selectman Whiteside moved to include the Wetland By-Law Amendment Article 11 as amended by Selectman Teitelbaum adding "relating to repair and maintenance of existing Town roadways, facilities, installations and fixtures" on the 2021 Spring Special 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)

MOTION: *Selectman Whiteside moved to continue the meeting after 10:00 p.m. until business at hand has been completed. 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 include the WPCF Funding Request Article 12 on the 2021 Spring Special 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 include the WPCF Funding Request Article 13 on the 2021 Spring Special 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)

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MOTION: Selectman Whiteside moved to include the Additional Liquor License 59 Main Street Article on the 2021 Spring Special Town Meeting Warrant. Selectman Munise seconded. Roll Call: Selectman Slavin-abstained, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

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

MOTION: Selectman Whiteside moved to include the Additional Liquor License 176 Main Street Article on the 2021 Spring Special 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 declare WV1 as an area in need of economic stimulus by the Board of Selectmen through the issuance of additional liquor licenses. 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)

MOTION: Selectman Whiteside moved to include the Wareham Village 1 Liquor License District Article on the 2021 Spring Special 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)

i. Vote to recommend articles for 2021 Spring Annual Town Meeting.
Votes will take place at a later meeting.

j. Vote to recommend articles for 2021 Spring Special Within Annual Town Meeting.
Votes will take place at a later meeting.

k. Close 2021 Spring Special Within Annual Town Meeting Warrant.

MOTION: Selectman Tropeano moved to close the 2021 Spring Special Within Annual Town Meeting Warrant. 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)

l. 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

Nothing reported.

12. CONSENT AGENDA

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- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes: March 16, 2021.

MOTION: Selectman Whiteside moved to approve the meeting minutes for March 16, 2021. 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)

13. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn at 10:21 pm. Selectman Whiteside seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Munise-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: 4-21-21

Date sent to the Town Clerk: 4-27-21