

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

Date of Meeting: July 28, 2020  
Date of Transcription: July 29, 2020  
Transcribed by: Cassandra Slaney

### **1. CALL MEETING TO ORDER BY CHAIRMAN**

### **2. ROLL CALL**

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

Also Present: Derek Sullivan, Town Administrator  
Richard P. Bowen, Town Counsel (7:06 pm)

Present Remotely: Patrick G. Tropeano

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

### **4. ANNOUNCEMENTS**

The Lopes Playground pickets are still on sale through the end the month. The pickets are \$40.00 a piece, they will hold up to twenty-two characters, and they are made out of 100% recycled milk jugs. Forms can be printed online under CORE or contact John Salerno at 508-295-3575.

The Dog Park Group is having an art contest ending on August 7<sup>th</sup> at 7pm. Summer residents and vacationers are welcome to enter. There are six trophies for three age groups in two categories. For contest information, log onto [forms@warehamdogpark.org](mailto:forms@warehamdogpark.org) or email [sammorrison@comcast.net](mailto:sammorrison@comcast.net). Outdoor drop off boxes are at Spinney Library, Onset Village, Main St Post Office, Wareham Center, and Decas School, 760 Main Street, Wareham. There will be a gallery of all works at WCTV On Demand and at the Main Street Post Office. Possibility of an outdoor celebration with gallery and announcement of winners is contingent on COVID guidelines in mid August.

The Wareham Redevelopment Authority is inviting Wareham Citizens, Wareham Village property owners, and Wareham Village business owners to attend a presentation on a Wareham Zoning proposal. The workshop will cover motivation, justification, and specific zoning regulation changes the WRA believes will help encourage investment in the Wareham Village District. The meetings will be online

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zoom meetings and are scheduled for Thursday, July 30, 2020 at noon, and Thursday, August 6, 2020 at 5:30 p.m. The zoom meeting information is:  
<https://tinyurl.com/WRA-WV1-WORKSHOP>.

Narrows Crossing Restaurant & Lounge will be opening on Thursday, July 30<sup>th</sup>.

There will be a Refuse District meeting on Thursday, July 30<sup>th</sup> at the Marion Music Hall at 5:00 p.m.

Selectman Teitelbaum asked for a moment of silence for Marilyn Knowlton who passed away July 20<sup>th</sup>.

### **5. CITIZEN'S COMMENTS**

Present Before the Board: Kat Jones and Amanda Cobb from the Onset Bay Association.

Ms. Cobb wanted to provide an update on the current trash situation in Onset. She stated that it isn't getting better, however, the volunteers are deriving ways to improve the situation such as giving out trash bags. Don't Trash Wareham, Onset Bay Association, Buzzards Bay Coalition, and the Department of Natural Resources area among the volunteers that have been working on keeping the trash to a minimum. The Onset Bay Association has received monetary donations which have been used to buy trash bags, grabbers, and other supplies.

Present Before the Board: Claire Smith, Town Moderator

Ms. Smith suggested having a discussion regarding where the Fall Town Meeting will take place in the event that the school cannot be utilized. She stated that having the meeting at the school will depend on whether it will be open to the students.

### **6. BOARD'S COMMENTS**

### **7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS**

### **8. LICENSES AND PERMITS**

### **9. TOWN BUSINESS**

#### **a. COVID-19 Update.**

Mr. Sullivan stated that there are currently eight confirmed cases. Total cases to date are 209 since tracking started.

#### **b. Refuse Update.**

Selectman Munise stated that there was a pre-bid session from four possible bidders. He also talked about a workshop being offered as well. He asked for clarification on how to handle fees imposed on residents depending on what is implemented.

Attorney Bowen provided a brief analysis explaining there are two categories to impose which are tax and fees. Tax is an assessment authorized by legislation and

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fees are authorized to be charged to persons to use a particular service. Selectman Munise also stated that there was discussion about keeping the transfer station operational during the transition period before the new operational program is implemented.

Mr. Sullivan asked to move the workshop from Tuesday, August 18<sup>th</sup> to Tuesday, September 1<sup>st</sup>.

*Selectman Tropeano left the meeting due to poor audio.*

- c. Vote to release Executive Session meeting minutes previously accepted but not released: June 26, 2018; November 14, 2018; November 20, 2018; April 22, 2019.

*The meeting minutes for April 22, 2019 are incorrect, there was no Executive Session Meeting on that date. And the minutes for November 14, 2018 were regular meeting minutes, not Executive Session Minutes.*

**MOTION:** Selectman Whiteside moved to release the Executive Session minutes previously accepted but not released for June 26, 2018 and November 20, 2018. Selectman Munise seconded.

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

- d. Continued discussion and vote to waive Board of Selectmen ratification of sub-Department Head personnel hiring pursuant to Wareham Home Rule Charter Article 4, Section 4-2(b).

*This issue will be discussed at a later meeting.*

Selectman Slavin requested to invite Labor Counsel to the meeting for questions and answers concerning this discussion.

- e. Discussion and vote to raise fine for parking at Town-owned beach lots without a beach sticker from \$30.00 to \$100.00.

Present before the Board: Garry Buckminster, Director of the Department of Natural Resources.

Mr. Buckminster recommended to raise the ticket fines in each category. (*See Attachment*)

**MOTION:** Selectman Slavin moved to start the fines that were authorized for Town property and to recommend the remainder to the Road Commission. Selectman Whiteside seconded.

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

- f. Discussion regarding potential conflicts between BOS use of Town property permitting policies and Town Charter.

Selectman Munise questioned what events the Board of Selectmen are responsible for approving and what the Town Administrator is responsible for approving. There is conflict between the Charter and the Board of Selectmen policy. Attorney Bowen stated that the Charter takes precedence over the Board of Selectmen policy and his recommendation to clarify this issue is to strike the policy completely because it is in violation of the Charter. The Charter states that the Town Administrator has full jurisdiction over the rental use of all Town facilities except the school. This will be further discussed at a future meeting.

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- g. Discussion regarding request for inclusion of earth removal conditions and notification of fees in land use permitting.

Discussion ensued regarding notification pertaining to the rules, regulation, and fees to land use owners and earth removal and the Board of Selectmen's responsibility of these notifications. There was also discussion of the fee amount, application process, and tracking what is paid. Selectman Whiteside suggested reviewing all of the Board of Selectmen fees in addition to the earth removal fee and including it in a future meeting.

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

**10. TOWN ADMINISTRATOR'S REPORT**

**11. LIAISON REPORTS/INITIATIVE REPORTS**

Selectman Slavin stated that the Cannabis Control Commission has information on their website on pending businesses and their status.

The Cannabis Control Commission has moved to Worcester from Boston. There will be changes to the rules as far as products coming down the line. By-laws can be passed for towns that voted no on marijuana for delivery from another town. There are no social clubs as of this date because licenses cannot be issued.

Guidance for after school elective programs will be provided through the state's covid website pertaining to what can and cannot be held.

The Department of Public Health made a statement that they want as many people as possible back to school following the rules and regulations. There are many different procedures to comply with and the first ten days of school will be dedicated to reorganization. These ten days will be included in the 180 day school year.

There will be a new federal stimulus package for the schools happening as late as November, 2020.

School sports programs for the fall are in jeopardy. No final decision has been made.

Chapter 70 budget numbers are not available as of this date. Another three month extension has been passed.

State union officials have been told that the local rules are in place.

There will be additional transportation costs for running more busses. Funds are available through the Plymouth County CARES Act program. These funds have to be spent by September 2020.

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**12. CONSENT AGENDA**

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

**13. ADJOURNMENT**

**MOTION:** Selectman Slavin moved to adjourn at 9:07 pm. Selectman Whiteside seconded.

**VOTE: 4-0-0 (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*  
***Judith Whiteside, Clerk***

Date Signed: 8-11-20  
Date sent to the Town Clerk: 8-12-20