

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: August 24, 2021
Date of Transcription: August 31, 2021
Transcribed by: Cassandra Slaney

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

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

Also Present: Richard Bowen, Town Counsel (6:33 p.m.)

Not Present: Derek Sullivan, Town Administrator

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

Selectman Slavin wanted to thank Patrick MacDonald, Board of Health Director, as well as the Police Department and First Responders for a job well done preparing for the hurricane.

Selectman Whiteside stated that the Executive Session was canceled.

5. CITIZEN'S COMMENTS

None.

6. BOARD'S COMMENTS

Selectman Munise toured the new elementary school and stated that it is very impressive.

Selectman Whiteside stated that the Bylaw Committee must be established and she will be putting that on an upcoming agenda.

Selectman Whiteside also stated that the Board of Selectmen's policies must be reviewed.

Meetings will be held remotely starting on September 7th.

SELECTMEN MEETING MINUTES-8/24/2021 (CONT'D)

WCTV will have closed caption on all broadcasting starting next week.

7. 7:15 P.M. - DOG HEARING – ROBBERY

MOTION: Selectman Tropeano moved to open the hearing. 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)

Selectman Teitelbaum read the complaint into record. *(See attachment)*

Selectman Teitelbaum swore in all witnesses testifying.

Present before the Board: Eva Golden, Natural Resources Animal Control Officer; Gerald Robbery, Owner of dog; Larry Blake; and Attorney Susan Miller

Ms. Golden read her report into the record. *(See attachment)* Mr. Robbery explained that he did not witness the incident. He disputed the report stating that his dog is vaccinated but was not licensed. He licensed the dog after the incident. He also stated that he did approach Mr. Oliveira to make sure he was okay and if there was anything he could do. Mr. Robbery stated that his dog is a one year old puppy who is currently signed up for obedience training and is a very friendly dog. Mr. Blake was a witness to the incident and said that the dog was only barking at Mr. Oliveira when he started striking the dog and that he did not jump on him. Attorney Miller stated that this is not the first time someone has been bitten by Mr. Robbery's dog. Selectman Whiteside asked if Ms. Golden had the report of the incident Attorney Miller was talking about and Ms. Golden replied she did not have the report at hand. Selectman Teitelbaum suggested continuing the hearing to gather more information regarding the previous incident.

MOTION: Selectman Tropeano moved to continue the hearing to September 7, 2021. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Teitelbaum moved to issue the following temporary order: 1) when not under direct control of a controlling person, the dog should be contained within a building, vehicle or secure and locked enclosure. 2) The dog may only leave the owner's property accompanied by a controlling person at least 18 years of age on a leash of not more than four feet having a minimum tensile strength of 300 pounds and used in conjunction with a muzzle. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

8. 7:25 P.M. - DOG HEARING – LUNETTA

MOTION: Selectman Tropeano moved to open the hearing. 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)

Selectman Teitelbaum read the complaint into record. *(See attachment)*

SELECTMEN MEETING MINUTES-8/24/2021 (CONT'D)

Selectman Teitelbaum swore in all witnesses testifying.

Present before the Board: Eva Golden, Natural Resources Animal Control Officer; Emily Lunetta, dog owner; Jane Swobita; Jennifer Cipriani, dog trainer; Tiffany Menard

Ms. Golden read her report into record. *(See attachment)*

Ms. Lunetta agreed with the incident as presented but added that her dog, Bishop, was originally lunged at by Ruby which provoked her dog to lunge causing the dogs to fight. Selectman Teitelbaum suggested dismissing this complaint due to the fact that it was a simple dog fight.

MOTION: Selectman Tropeano moved to close the hearing. 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)

MOTION: Selectman Teitelbaum moved to dismiss the complaint. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

9. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

a. Solar By-law Committee

- i. Jacqui Nichols – Assessor Representative
- ii. Carl Schulz – Planning Board Representative
- iii. Nancy McHale – Local Conservation Group Representative
- iv. Linda Rinta – Farmer/Solar Developer Representative
- v. Ronald Besse – Con Com Representative
- vi. Christopher Conti-ZBA Representative

MOTION: Selectman Tropeano moved to appoint the above members to the Solar By-Law Committee as presented to a term to expire upon completion of the 2022 Annual Spring Town Meeting. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

b. Community Preservation Committee – term to expire June 30, 2024

- i. Sam Corbitt (Planning Board Representative)
- ii. Linda Scharf (Open Space Committee Representative)

MOTION: Selectman Tropeano moved to appoint Sam Corbitt and Linda Scharf to to the Community Preservation Committee to a term to expire no later than June 30, 2024. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

c. Wareham Cultural Council – term to expire June 30, 2023

- i. Jackson Gillman

MOTION: Selectman Tropeano moved to appoint Jackson Gillman to the Wareham Cultural Council to a term to expire no later than June 30, 2023. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

SELECTMEN MEETING MINUTES-8/24/2021 (CONT'D)

- d. Library Board of Trustees – term to expire June 30, 2024
 - i. Margit Price

MOTION: Selectman Tropeano moved to appoint Margit Price to the Library Board of Trustees to a term to expire no later than June 30, 2024. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

10. LICENSES AND PERMITS

- a. Application from Seakers, LLC, 3065 Cranberry Hwy Ste. 9, E. Wareham, MA. for a Second Hand Dealers License.

Present before the Board: Dianne Annen-Benson

Ms. Benson is seeking approval for a Second Hand Dealers License. Her business is also a gift shop and offers custom paintings and customized furniture.

MOTION: Selectman Tropeano moved to approve the application from Seakers, LLC, 3065 Cranberry Hwy, Ste.9, E. Wareham, MA. for a Second Hand Dealers License. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

11. TOWN BUSINESS

- a. Public Hearing at 7:30 p.m. on the FY 2021 MA CDBG grant.

MOTION: Selectman Tropeano moved to open the public hearing for the FY 2021 MA CDBG grant. 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)

Present before the Board: Jaime Rebhan-Buckminster

Ms. Buckminster is seeking approval from the Board of Selectmen for the filing of the FY2021 Massachusetts CDBG Program grant application in an amount not to exceed \$825,000.00 to fund public improvements in Onset, an engineering study of 195 Main Street, public social services and program delivery and administration.

(See attachment)

DHCD has informed the Town that it is eligible to apply for \$825,000 for its FY21 grant under the Mini-Entitlement (ME) Plan Fund. The grant submission deadline is September 10, 2021. Ms. Rebhan-Buckminster first outlined the status and progress of the Town's FY 2019 and FY 2020 Mini-Entitlement Plan grants. She explained that because the Wareham Housing Authority roof project, completed in two phases with the Town's FY 2018 and FY 2019 grants, was significantly under budget, the Town was able to recapitalize its Housing Rehabilitation Program, which was previously unfunded in the FY19 grant.

Ms. Rebhan-Buckminster described the activities being considered for the FY 2021 application, which were summarized in handouts provided to the Board and the public: Highland Avenue Sidewalks Replacement, funding for Public Social Services, and a study of 195 Main Street.

SELECTMEN MEETING MINUTES-8/24/2021 (CONT'D)

The Town solicited proposals for Public Social Services via an RFP advertised in Wareham Week and posted on the Town's website and in Town Hall. Ms. Rebhan-Buckminster said the Town received fewer proposals than in typical years and, in speaking with current and prior applicants, determined that this was likely pandemic-related (*explanation provided in Public Social Services handout*).

Ms. Rebhan-Buckminster recommended funding the following Public Social Services: The Family Pantry - Damien's Place, \$60,000; Wareham Area Committee for the Homeless (WACH)/Turning Point, \$65,000; Wareham Police Department - Domestic Violence Outreach Program, \$40,000.

Ms. Rebhan-Buckminster noted that all of the projects being proposed are consistent with the Commonwealth's Sustainable Development Principles. She said it is currently unclear when the funds will arrive, as DHCD's typical schedule has been upset by the pandemic.

At this time, the board asked if anyone from the audience had any questions or comments.

Present before the Board: Linda Scharf

Ms. Scharf questioned the organization Ms. Buckminster represents. Ms. Buckminster stated that she is with the Community Opportunities Group, Inc. It is a Boston based consulting firm that has been running the Town's CDBG grant program for five years.

Ms. Scharf also questioned Bay View Park and the railing repair in Onset. Selectman Whiteside explained that these projects, repairs and modifications are part of the 2020 grant. Ms. Scharf suggested including this information in the paper to inform residents that these repairs will take place in the future.

MOTION: Selectman Tropeano moved to close the hearing. 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 Tropeano moved to approve the FY2021 MA CDBG grant application in an amount not to exceed \$825,000.00. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to authorize the Chairman of the Board of Selectman and Town Administrator to take all actions required relating to the submission of said grant application. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

- b. To designate Derek Sullivan, Town Administrator, as Environmental Certifying Officer for CDBG purposes, with such designation to remain in effect until rescinded (confirmatory vote from BOS meeting held on August 10, 2021).

MOTION: Selectman Tropeano moved to approve the confirmatory vote from the BOS meeting held on August 10, 2021 to designate Derek Sullivan, Town

SELECTMEN MEETING MINUTES-8/24/2021 (CONT'D)

Administrator, as Environmental Certifying Officer for CDBG purposes, with such designation to remain in effect until rescinded. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

c. Ratify hiring of:

- i. David Bousfield - HEO for Municipal Maintenance
- ii. Russell Johansen – PT Transfer Station Laborer
- iii. Andrew Prunier – Laborer WPCF
- iv. Joseph Hansen – Laborer WPCF
- v. Joseph Callahan - Laborer Municipal Maintenance
- vi. Brandon Moreno – Paramedic

MOTION: Selectman Tropeano moved to ratify the hiring of the above employees as presented. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

d. Quarterly review of Constable Remittance.

The Board reviewed the quarterly remittance from the Constables.

e. Information: pages being added to the Committee Member Handbook
Selectman Whiteside explained that the pages being added will provide a description of the responsibilities of the Chairman and Clerk along with the expectations of the appointed members. *(See attachment)*

MOTION: Selectman Tropeano moved to approve the added pages to the Committee Member Handbook. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

12. TOWN ADMINISTRATOR'S REPORT

Town Administrator was not present for the meeting.

13. LIAISON REPORTS/INITIATIVE REPORTS

MMA and the Massachusetts Select Board Association will continue to hold meetings via Zoom.

The new elementary school may be opening after October. Delivery of furniture has been delayed.

14. CONSENT AGENDA

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

15. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn at 8:57 pm. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

16. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

SELECTMEN MEETING MINUTES-8/24/2021 (CONT'D)

Respectfully submitted
Cassandra Slaney
Department Assistant

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

Attest:  Date Signed: 10-4-21
Patrick G. Tropeano, Clerk

Date sent to the Town Clerk: 10-5-21

Attachment for 8/24/21
meeting minutes

Commonwealth of Massachusetts

Complaint of Vicious or Barking Dogs
MGL Chapter 140 Section 157

August 5, 2021

I hereby make complaint hereon, that the dog owned or harbored by:

Gerald Robery
18 Fifteenth Ave
Wareham, MA 02571

Is dangerous by reason of aggression:

On July 27, 2021, at approximately 6:30 P.M., Mr. Frederick Olivieri was bitten by Duke, a male bloodhound belonging to the residence of 18 Fifteenth Ave in Wareham. Mr. Olivieri was walking along the Weweantic River when Duke emerged from a wooded area between Thirteenth and Fifteenth Avenues. Duke then proceeded to repeatedly jump on Mr. Olivieri and was allegedly snapping at his neck. Mr. Olivieri punched Duke repeatedly in the muzzle and was then bitten in the right hand resulting in two puncture wounds. A neighbor arrived on scene and was able to separate the dog from Mr. Olivieri with a wooden object. The owner of the dog, Mr. Gerald Robery, arrived on scene and was able to take Duke back to his property by the scruff of his neck. Mr. Olivieri stated that Duke was off-leash with no collar at the time of the incident. Mr. Robery's dog is unlicensed and unvaccinated. I am requesting a hearing to discuss the best options to address this issue.

This complaint is made under the penalties of perjury.



Natural Resource Officer Eva Golden
Wareham Department of Natural Resources
Law Enforcement Division



Wareham Police Department
Incident Report

Page: 1
09/01/2021

Incident #: 21-1121-OF
Call #: 21-25974

Date/Time Reported: 07/29/2021 1203
Report Date/Time: 07/30/2021 1431
Status: No Crime Involved

Reporting Officer: DNR Eva Golden

Signature: Eva Golden

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	ROBERY, GERALD V III 18 FIFTEENTH AVE WAREHAM MA 02571-1304	M	W			

Military Active Duty: N
HEIGHT: 601
BODY: MEDIUM
DOB: [REDACTED]
LICENSE NUMBER: MA [REDACTED]
PCF #: 1509685
WEIGHT: 220
HAIR: BROWN
EYES: GREEN
COMPLEXION: MEDIUM
PLACE OF BIRTH: WAREHAM, MASS
ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) [REDACTED]
Home Phone (Primary) [REDACTED]
Home Phone [REDACTED]
Work Phone (Primary) [REDACTED]
CallBack Number (Primary) [REDACTED]

[APPEARANCE]

GLASSES WORN: NO

TATTOOS: TAT LF ARM(FISH BONE)

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: MARRIED
SPOUSE'S NAME: MARTINI, FRANIE
FATHER'S NAME: ROBERY, GERALD (JR) VINCENT
MOTHER'S NAME: MAKI, ELSIE

EMPLOYER/SCHOOL: ROBERY'S TREE SERVICE · 508-295-1627
18 FIFTEENTH AVE
WAREHAM MA 02571

OCCUPATION: ARBORIST

2	ROBERY, GERALD VINCENT IV 18 FIFTEENTH AVE WAREHAM MA 02571-1304	M	W			
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Military Active Duty: N
BODY: NOT AVAIL.
DOB: [REDACTED]
LICENSE NUMBER: MA [REDACTED]

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: UNKNOWN

Wareham Police Department
Incident Report

Page: 2
09/01/2021

Incident #: 21-1121-OF
Call #: 21-25974

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
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[APPEARANCE]

GLASSES WORN:

TATTOOS:

#	EVENTS (S)
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LOCATION TYPE: Residence/Home/Apt./Condo Zone: WAREHAM SOUTH PATROL
ROBBERY RESIDENCE
18 FIFTEENTH AVE
WAREHAM MA 02571

1 DOG BITE

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
---	-----------	-----	------	-----	-----	-------

1	OLIVIERI, FRED A 24 HIGHLAND BAY DR WAREHAM MA 02571	M	U	55	*****	*****
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DOB: *****
INJURIES: Apparent Minor Injury
ETHNICITY: Unknown
RESIDENT STATUS: Resident
TAKEN TO: Tobey Hospital
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	ROBBERY, GERALD V 18 FIFTEENTH AVE WAREHAM MA 02571-1304 DOB: *****	PARTICIPANT	M	W	49	*****	*****
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EMPLOYER: ROBBERY'S TREE SERVICE . *****

#	OTHER PROPERTIES	PROPERTY #	STATUS
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1	BLOODHOUND MALE, BLACK AND TAN QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 07/30/2021 OWNER: ROBBERY, GERALD VINCENT IV		Evidence (Not Nibrs Reportable) VALUE:
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Ref: 21-1121-OF

On July 29, 2021 at approximately 10:20 AM myself, Natural Resource Officer Golden, and Animal Control Officer (ACO) Gorveatt-Dill arrived at 18 Fifteenth Ave in Wareham to investigate a past dog bite incident involving a dog that lives at that residence.

Officer Gorveatt-Dill had previously spoken to the victim, Frederick Olivieri (DOB [REDACTED]), who stated he was attacked and bitten in the hand by a bloodhound between Thirteenth and Fifteenth Ave on July 27, 2021. ACO Gorveatt-Dill determined the dog to belong to Gerald Robery (DOB [REDACTED]). The involved dog, Duke, was an unregistered male bloodhound, color black and tan, with no vaccination history. Duke had left his owner's property and was off-leash at the time of the incident.

Upon talking to the victim, he stated the following:

On July 27, 2021 approximately between 6:00 and 6:30 P.M., Frederick Olivieri was walking along the Weweantic River when he was bitten on the hand by a dog that was off leash. He stated he was staying with his sister at her house at 24 Highland Bay Drive. He was walking between Thirteenth and Fifteenth Avenue when a woman in a blue truck pulled up to him stating that her dog had gotten loose, that his name was Duke, and that he was friendly and approachable. Mr. Olivieri states that about a minute after the truck drove away, a dog, later described as a male bloodhound and identified as Duke, appeared from a wooded section off of the road and began running toward Mr. Olivieri. Duke repeatedly jumped on Mr. Olivieri and appeared to be lunging for his neck. Mr. Olivieri states that he had his cellphone in his right hand and was repeatedly punching Duke in the muzzle. This is when Duke bit Mr. Olivieri in the hand, causing two puncture wounds. After approximately three (3) minutes, a neighbor, Peter Hemple at 17 13th Avenue, was able to separate Duke from Mr. Olivieri after striking the dog with a blunt wooden object approximately four (4) times.

Mr. Robery arrived on scene and took control of Duke, who was off-leash and did not have a collar on. He did not make contact with Mr. Olivieri.

Mr. Olivieri later went to Tobey Hospital where they started him on a course of rabies shots and treated his puncture wounds on his right hand.

Due to the nature of the incident, ACO Gorveatt-Dill and I issued a 10-day quarantine for Duke. In addition to the quarantine, I issued citation #11575 to Gerald Robery for the violation of MGL CH 140 section 145B for Unvaccinated, MGL CH 140 section 137 Unlicensed, and Wareham By-Law Division VIII Article 2 Section 2 Leash Violation.

No further information is available at this time.



Commonwealth of Massachusetts
DEPARTMENT OF AGRICULTURAL RESOURCES
DIVISION OF ANIMAL HEALTH
ORDER OF QUARANTINE
Massachusetts General Laws, Chapter 129 §§ 2, 21, 22

DUPLICATE
To be sent to
Animal Health

Town or City of Waltham Date 07/24/21
To Gerald Rooney owner/person having an interest in/or person in charge.
Upon premises of Gerald Rooney dog owner Address 13 15th Ave Waltham MA
The following is quarantined, by virtue of the power and authority vested in me by law
1 dog Male Bloodhound - Dark tan and brown
(Number, Sex, Species, Breed, Age, Color, Name)
Reason for quarantine. [Suspected disease, importation violation, animal bite (name of person bitten / address / date of bite)]
Attack to Eusebio Oliveri

Further conditions of quarantine: 10 day Quarantine Ex
You and all other persons whom it may concern are hereby forbidden to remove anything under quarantine from the premises for any purpose whatsoever, except by permission of the Director of Animal Health or his authorized agent. VIOLATION OF THIS ORDER CAN RESULT IN A FINE OF UP TO FIVE HUNDRED DOLLARS OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BOTH.

Form 38 250-6/18

Chp HAO 8/8/21 508 291
Inspector of Animals
13152

MIDDLEBORO ANIMAL CLINIC
Dr. David H.R. Johnson DVM Inc.
511 WAREHAM ST
MIDDLEBORO, MA 02346-3421
(508) 947-2941

Rabies Certificate

Client ID: 20-669
Client Name: Gerry Robery
Address: 18 Fifteenth Ave

Wareham, MA 02571

Phone: (508)295-1627

Patient ID: 17853
Patient Name: Duke
Species: Canine
Breed: Bloodhound
Sex: Male
Color:
Markings:
Birthday: 07/24/2020
Weight: 71.00 pounds on 1/25/2021
Microchip ID:

Tag Number: 21-1821
Lot Number: 18344
RABIES CANINE 1 YEAR BOOSTER
Producer: Merial
K / MLV / R: Killed Virus

Vaccination Date: 1/25/2021
Expiration Date: 1/25/2022

Staff Name: Dr. Bart Harrison D.V.M.
License Number: 7196





Town of Wareham

54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Judith Whiteside, Chair
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

September 1, 2021

Gerald Robery
18 Fifteenth Ave.
Wareham MA 02571

Re: **Continued Hearing**

Dear Mr. Robery:

This letter is to inform you that the continued dog hearing scheduled before the Board of Selectmen will now be taking place remotely on Tuesday, September 7, 2021 at 7:45 p.m. Information to sign into the meeting is as follows:

URL to join

<https://us02web.zoom.us/j/83258925070?pwd=dzh3SmlzTzBLaG1teEJmakpZb2lsZz09>

Passcode: 962288

One tap mobile:

+19292056099 (New York)

+13017158592 (Washington DC)

Webinar ID: 832 5892 5070

Passcode: 962288

Your attendance is requested at this hearing in order that your interest is properly protected.

Sincerely,

Judith Whiteside
Chair

cc: Board of Selectmen
Animal Control Officer Eva Golden
Police Chief Walter Correia
Town Counsel
DNR Director Garry Buckminster



Town of Wareham
54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Board of Selectmen

Judith Whiteside, Chair
Patrick Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

August 25, 2021

Dear Mr. Robery:

This correspondence serves as official notification that during a hearing held on August 24, 2021 upon the Dangerous Dog Complaint pursuant to M.G.L. c.140, §157 made against your dog Duke in relation to an incident that took place on July 27, 2021, the Board unanimously voted to CONTINUE the hearing until 7:15 p.m. on Tuesday, September 7, 2021. As this meeting will be conducted by Zoom, you will be provided a link to the meeting beforehand.

During the hearing, in order to protect the public, the Board unanimously voted to issue a temporary order requiring you to keep the dog only in a secure enclosure while outside upon your property, and that the dog only be walked off your property by an adult using a muzzle and an appropriate leash. Please be advised that any failure to abide by this order constitutes a new and separate violation pursuant to M.G.L. c.140, §157.

Very truly yours,

Judith Whiteside,
Chairman

/cc: Board of Selectmen
/ DNR Officer Eva Golden
/ DNR Director Garry Buckminster
/ Police Chief Walter Correia
/ Town Counsel Richard Bowen



Town of Wareham
54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

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

August 5, 2021

CERTIFIED MAIL: 70203160000205857480

Gerald Robery
18 Fifteenth Ave.
Wareham, MA. 02571

Re: Hearing

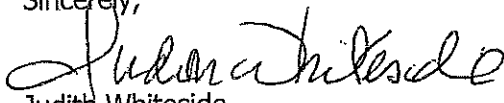
Dear Mr. Robery:

In accordance with the provisions of Chapter 140, Section 157 of the Massachusetts General Laws, you are hereby notified that a public hearing will be held before the Board of Selectmen on **Tuesday, August 24, 2021** at 7:15 p.m. regarding a dog owned or kept by you. Please find attached a complaint letter from the Wareham Animal Control Officer. If you require more information, please let me know at your earliest convenience.

The hearing will be held in the Multi-Service Center, Room 320, 48 Marion Road, Wareham, MA.

Your attendance is requested at this hearing in order that your interest is properly protected.

Sincerely,


Judith Whiteside
Chairman

cc: Board of Selectmen
Animal Control Officer Eva Golden
Director of Natural Resources/Harbormaster
Police Chief Walter Correia
Town Counsel

Attachment for 8/24/21
meeting minutes

Commonwealth of Massachusetts

**Complaint of Vicious or Barking Dogs
MGL Chapter 140 Section 157**

August 5, 2021

I hereby make complaint hereon, that the dog owned or harbored by:

Emily Lunetta
28 Highland Road
Wareham, MA 02571

Is dangerous by reason of aggression:

On July 28, 2021 at approximately 6:00 P.M., Linda Gauthier was bitten by a dog named Bishop, a 1-year-old male spaniel mix belonging to Emily Lunetta. Mrs. Gauthier was walking her dog Ruby, a 1-year-old female German shepherd, in a meetup group that regularly walks their dogs around Wareham Crossing. Both Bishop and Ruby were on leash and under control of their respective owners when Ruby began growling at Bishop in front of the HomeGoods store. Bishop then broke free of his metal prong collar and attacked Ruby, biting her neck and front leg, causing a laceration injury to her front leg. Mrs. Gauthier was attempting to separate her dog, Ruby, from Bishop when Bishop bit both her left and right hands causing injuries to her left hand and wrist and her right thumb. After the dogs were separated, Mrs. Gauthier visited the Urgent Care in the plaza where her injuries were treated. Ruby was later treated by a veterinarian for the laceration to her front leg. I am requesting a hearing to discuss measures to be taken that will address this issue.

This complaint is made under the penalties of perjury.



Natural Resource Officer Eva Golden
Wareham Department of Natural Resources
Law Enforcement Division



Town of Wareham
54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

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

August 5, 2021

Certified Mail: 70203160000205857459

Emily Lunetta
28 Highland Road
Wareham, MA. 02571

Re: Hearing

Dear Ms. Lunetta:

In accordance with the provisions of Chapter 140, Section 157 of the Massachusetts General Laws, you are hereby notified that a public hearing will be held before the Board of Selectmen on **Tuesday, August 24, 2021** at 7:25 p.m. regarding a dog owned or kept by you. Please find attached a complaint letter from the Wareham Animal Control Officer. If you require more information, please let me know at your earliest convenience.

The hearing will be held in the Multi-Service Center, Room 320, 48 Marion Road, Wareham, MA.

Your attendance is requested at this hearing in order that your interest is properly protected.

Sincerely,

Judith Whiteside
Chairman

cc: Board of Selectmen
Animal Control Officer Eva Golden
Director of Natural Resources/Harbormaster
Police Chief Walter Correia
Town Counsel



Town of Wareham
54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Board of Selectmen

Judith Whiteside, Chair
Patrick Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

August 25, 2021

Dear Ms. Lunetta,

This correspondence serves as official notification that following a hearing held on August 24, 2021, and upon consideration of the testimony and evidence presented, the Board unanimously voted to DISMISS the Dangerous Dog Complaint pursuant to M.G.L. c.140, §157 made against your dog Bishop, relating to an incident that took place on July 28, 2021.

Very truly yours,

Judith Whiteside,
Chairman


cc: Board of Selectmen
✓ DNR Officer Eva Golden
✓ DNR Director Garry Buckminster
/ Police Chief Walter Correia
/ Town Counsel Richard Bowen

Attachment for 8/24/21
meeting minutes

MEMORANDUM

Date: August 3, 2021

To: Board of Selectmen

From: Jaime Rebhan-Buckminster, Manager, Community Development Programs, DPCD 

RE: FY 2021 Mini-Entitlement Plan CDBG Grant Application

Greetings, members of the Board of Selectmen:

I am writing to provide the Board with information concerning the upcoming FY 2021 funding round for the Town's Community Development Block Grant (CDBG). The Town will be eligible to apply for \$825,000 under the Mini-Entitlement (ME) Plan fund. The submission deadline for the grant application is September 10, 2021. This grant would normally have been due to the Massachusetts Department of Housing and Community Development (DHCD) in March of this year, but the department postponed the application as it worked to implement the FY20 grants, a process that itself was delayed due to the COVID-19 pandemic.

Wareham is one of eleven communities currently designated by DHCD as a "Mini-Entitlement Plan" community. Due to its demonstration of high need, the Town will receive CDBG funding on a *non-competitive* basis. Most small and mid-sized communities must apply for this funding through a competitive application process. Still, Wareham's application and subsequent implementation of the grant must conform fully to federal, HUD, and Massachusetts regulations and policies.

The CDBG program requires that at least two public hearings be held in conjunction with a grant. One of these must be held prior to submitting a grant application to enable the public to comment on proposed activities and to provide input and suggestions for grants. The public hearing prior to submission of the FY 2021 grant application is scheduled as part of the Board of Selectmen's regular meeting on August 24. This hearing will also provide information concerning the Town's current CDBG grants. Following the close of the hearing, I will request that the Board approve the following motions concerning the application:

- 1) To approve the filing of a FY 2021 Massachusetts CDBG Program grant application in an amount not to exceed \$825,000; and
- 2) To authorize the Chairman of the Board of Selectmen and Town Administrator to take all actions required relating to the submission of said grant application.

In preparation, I am requesting that during the August 10 meeting, the Board approve the following: *To designate Derek Sullivan, Town Administrator, as Environmental Certifying Officer, with such designation to remain in effect until rescinded.* This action will enable me to begin the Environmental Review Record process of the grant.

The information below represents the project activities currently being considered for inclusion in the Town's FY 2021 grant application. These projects have been discussed by and between the following: Town Administrator Derek Sullivan, Municipal Maintenance Director David Menard, DPCD Director Kenneth Buckland, DPCD staff, and me.

Based on the Board's historic support to provide funding to organizations that provide direct services to Wareham residents, I have also included an allocation of funds for Public Social Services. An RFP for Public Social Services

Memorandum to Board of Selectmen

Preliminary Information Concerning

FY 2021 CDBG Grant Application – August 10, 2021, Page 2

was issued in late July with a due date of 4:00 PM on August 16, 2021. I have shared a copy of the RFP with the Board via email (sent July 30). While staff has advertised the RFP and alerted former and current grantees about it, members of the Selectmen should feel free to forward it to any organizations with needs that might be met through this grant. It is also available on the Town's website. Hard copies are available in the Community Development office, now located across from the Building Department in Town Hall.

Based on a \$825,000 grant, the Town is able commit a maximum of \$165,000 to Public Social Services, and may fund up to five different programs or agencies. Following the deadline, proposals will be reviewed and recommendations for funding will be presented to the Board on August 24.

As stated above, the application submission deadline is September 10. Potential activities are under consideration. The grant budget will be developed, refined, and finalized following the public hearing. The following reflects very preliminary funding levels for the project activities under consideration. These are subject to change when more information becomes available:

Activity	Totals
Public Improvements – Onset	\$415,000.00
Engineering Study of 195 Main Street	\$25,000.00
Public Social Services (up to 5)	\$165,000.00
Program Delivery & General Administration	\$220,000.00
Total:	\$825,000.00

Earlier this year, the Town received notice that DHCD has accepted separate "Slums and Blight" inventories for Wareham Center and Onset Village. While the name can be somewhat off-putting, these reports simply affirm that the two villages are in need of improvement. DHCD's confirmation of this allows the Town to more easily commit CDBG funds in these target areas for the next ten years.

In recognition of the Town's desire to continue investing in Onset, we are proposing a sidewalk replacement project for Highland Avenue, which is home to the Hammond School and ball courts, and abuts a public parking lot. The sidewalks are deteriorating, narrow, and impeded by utility poles in some areas, resulting in uneven and potentially hazardous walking surfaces. The grant would fund the engineering, design, and construction costs for the project.

In Wareham Village, the Town proposes to complete an engineering study to determine the integrity of 195 Main Street and the abutting building(s) with common walls. The rear of the structure is deteriorating and posing a hazard on Merchants Way. If the study determines that the building should be demolished, the Town can explore its options, including the potential for using future CDBG funds for the redevelopment of the property. I have discussed this project with Building Commissioner David Riquinha, who expressed his support.

I hope the information presented above is helpful in providing the Board with an initial view into the planning for the FY 2021 grant application. While it is currently unclear whether the FY 2022 funding application will be due in March of next year, I would like to begin discussing potential activities in November with all interested parties. Selectmen input is valued and welcomed. I will reach out for input at that time.



PUBLIC HEARING
GRANT APPLICATION TO THE
FY 2021 MASSACHUSETTS CDBG PROGRAM
TOWN OF WAREHAM

August 24, 2021

For approximately three decades, Massachusetts CDBG Program grants have played a very important role in helping Wareham address its community development needs. The Massachusetts CDBG Program is a federal grant program that is administered by the Massachusetts Department of Housing and Community Development (DHCD), and consists of several different program funding components.

Wareham has used its Massachusetts CDBG Program grants to address a wide range of community needs, including: increasing literacy, support to food pantries, transportation assistance, youth after-school programs, counseling; long-term affordability in quality housing for lower income renters; improving the streetscape environment in the Village; completing capital improvements at the Agawam Village and Redwood Park housing complexes; and providing housing rehabilitation assistance to scores of Wareham households. These are selective examples of how Wareham has used this important resource to address some of the town's most pressing needs.

Wareham is one of eleven mid-sized communities that DHCD has designated as **Mini-Entitlements** (ME). The Mini-Entitlement fund is one of several components within the Massachusetts CDBG Program. Mini-Entitlement designation results from DHCD recognizing these eleven communities as having high indicators of distress and community need. The amount of funding available to individual ME communities has varied during the decade. For the upcoming FY 2021 funding round, Wareham may apply for \$825,000, the same amount as in the prior three funding rounds.

The Town currently has two active Massachusetts CDBG grants. Earlier this year, it completed and began the close-out process for the FY 2018 grant.

The following summarizes the two active grants.

FY 2019 Mini-Entitlement Plan Grant

Grant Amount: \$825,000.

Please see the chart below for the FY 2019 grant budget. Additional details are provided on the next page.

FY 2019 Activities	Budgeted	Percent Expended
Housing Rehabilitation Program	\$100,000.00	0%
Wareham Housing Authority Roof Project	\$337,600.00	56%
Public Social Services	\$165,000.00	
Boys and Girls Club	\$48,360.36	100%
The Family Pantry - Damien's Place	\$28,000.00	100%
GATRA Transportation	\$33,664.64	63%
Wareham Library Foundation - Reading Partners	\$15,000.00	90%
WACH - Turning Point	\$39,975.00	100%
Program Delivery & General Administration	\$222,400.00	94%
Total:	\$825,000.00	

- 1) Housing Rehabilitation Program: This program provides technical and financial assistance for lower income residents to make needed repairs to their homes. The \$100,000.00 budgeted is the result of a DHCD-approved budget amendment for this activity. Funds were transferred from the Wareham Housing Authority Roof Project, which was significantly under-budget.
- 2) Wareham Housing Authority Roof Project: CDBG funds were allocated for the replacement of the remaining five roofs (of eight) at the residential buildings at Redwood Park, located at 34 Church Avenue. Each building contains eight apartments for low income elderly and/or disabled residents. The first three roofs were replaced with FY 2018 CDBG funding.

This project is complete. There is approximately \$147,200 remaining in the budget line that needs to be reprogrammed to another budget line or CDBG-eligible activity. The funds can either be added to the Housing Rehabilitation Program so the Town can repair more housing units, or the Town may complete a grant amendment to allocate the funding to another (CDBG-eligible) purpose. A Public Hearing on the grant amendment may need to be held before the amendment request is sent to DHCD for its approval.

- 3) Funding for Public Social Services. As in past years, the Town committed the maximum allowable amount of its CDBG grant (20%) to nonprofit organizations that provide programs and direct services to lower income residents in need. The Town publicized a Request for Proposals (RFP) seeking funding proposals from organizations that serve Wareham residents. More proposals were submitted than could be funded under HUD/DHCD policies.

Due to funding needs exacerbated by the COVID-19 pandemic, a total of \$1,335.36 was transferred from the GATRA Transportation Assistance allocation to the Boys & Girls Club budget. The Club later closed unexpectedly. GATRA continues to experience low ridership due to the pandemic and is continuing to spend its reduced allocation.

Due to pandemic-related challenges, the FY19 grant is expected to be completed in 2022.

FY 2020 Mini-Entitlement Plan Grant

Grant Amount: \$825,000.

Start-up activities are occurring for the FY20 grant, the implementation of which was delayed due to the COVID-19 pandemic. DHCD approved the Professional Services between the Town and Community Opportunities Group, Inc. (COG) on August 12. The contract is in the process of being signed by all parties.

FY 2020 Activities	Budgeted	Percent Expended
Housing Rehabilitation Program	\$158,150.00	0%
Bayview Park Sidewalks Replacement, Onset	\$279,450.00	0%
Public Social Services	\$165,000.00	
Youth Services*	\$40,000.00	0%
Christopher Donovan Day School	\$30,000.00	0%
The Family Pantry - Damien's Place	\$23,000.00	0%
GATRA Transportation	\$37,000.00	0%
WACH - Turning Point	\$35,000.00	0%
Program Delivery & General Administration	\$222,400.00	11%
Total:	\$825,000.00	

- 1) Continuation of the Wareham Housing Rehabilitation Program: This program provides technical and financial assistance for lower income residents to make needed repairs to their homes. The Town has operated this program nearly continuously for three decades. The focus of the program will be the same as in the past -- to assist residents within the Town's target area. Funds may also be used on a limited basis outside of the target area to address urgent or emergency conditions.
- 2) Bayview Park Sidewalks Replacement, Onset: This project will replace approximately 1,745 linear feet of existing sidewalks along the perimeter and within Bayview Park in Onset Village. As part of the sidewalk replacement, the location of three existing pathways within the park will be modified, and one new pathway will be added. These changes were devised both for aesthetic reasons and to improve accessibility. The railing along the street-edge of the sidewalk on Onset Avenue will also be repaired or replaced.
- 3) Funding for Public Social Services: The Town again committed the maximum allowable amount of its CDBG grant (20%) to nonprofit organizations. The Town publicized a Request for Proposals (RFP) seeking funding proposals from organizations that serve Wareham residents. As in the prior year, more proposals were submitted than could be funded under HUD/DHCD policies.

 * Youth Services: A total of \$40,000 was originally awarded to the Boys and Girls Club, which has since shuttered its Wareham operations. The Town will need to identify another Public Social Service for this funding or award more funds to an already-funded organization(s). The funds could also be allocated to another CDBG-eligible activity, which would require a Public Hearing and DHCD approval.

Activities Being Considered for the FY 2021 ME Plan Grant Application

The deadline date for submitting the FY 2021 grant application is September 10, 2021. The following projects are being considered, all of which are located within Wareham's CDBG Target Area. Target Areas are a DCHD requirement (see accompanying map). The Town seeks the public's comments on these, as well as suggestions for others.

- 1) Highland Avenue Sidewalks Replacement: In recognition of the Town's desire to continue investing in Onset, we are proposing a sidewalk replacement project for Highland Avenue, which is home to the Hammond School and ball courts, and abuts a public parking lot. The sidewalks are deteriorating, narrow, and impeded by utility poles in some areas, resulting in uneven and potentially hazardous walking surfaces. The grant would fund the engineering, design, and construction costs for the project.
- 2) Funding for Public Social Services: The Town proposes to commit the maximum amount of its CDBG grant that is allowed -- \$165,000 or 20% -- to nonprofit organizations or municipal departments that provide programs and direct services to needy and lower income residents. The Town disseminated and published a Request for Proposals (RFP) in July seeking funding requests from organizations that serve Wareham residents. Responses to the RFP were due on August 16.

A separate handout summarizes the proposals received and funding recommendations from community development staff to the Town Administrator and Board of Selectmen.

- 3) Engineering Study of 195 Main Street: In Wareham Village, the Town proposes to complete an engineering study to determine the integrity of 195 Main Street and the abutting building(s) with common walls. The rear of the structure is deteriorating and posing a hazard on Merchants Way. If the study determines that the building should be

demolished, the Town can explore its options, including the potential for using future CDBG funds for the redevelopment of the property.

Budgets for each of the proposed project activities and for the overall grant are currently being developed.

Relationship of these Grants to the Commonwealth's Sustainable Development Principles

The Baker administration and DHCD have a policy that requires activities be consistent with sustainable development principles, also known as "Smart Growth." These principles are listed on a separate handout. DHCD requires that projects funded through the Massachusetts CDBG Program be consistent with sustainable development principles. Each of the projects described above meet one or more of these principles.

Community Development Priorities and Needs

As part of the FY 2018 grant application, Wareham updated its Community Development Strategy (CDS). The CDS assesses local progress in addressing community development needs, establishes goals and strategies, and prioritizes potential activities. Although DHCD no longer requires a Community Development Strategy as it did for past grants, it still encourages communities to seek funding for projects that have been identified through a community-based planning and priority setting process. Wareham's 2018 CDS reflects needs and strategies that, by and large, are long-standing and have found support by residents. Thus, it remains relevant and focuses on the following priority needs:

- 1) Maintaining and improving Wareham's aging and deteriorating housing stock,
- 2) Renewing its aging public infrastructure,
- 3) Revitalizing the Wareham Village and Onset business districts,
- 4) Supporting an improvement in the quality of life for its residents, particularly those in need and who are lower income, and
- 5) Supporting economic development for the mutual benefit of residents and local municipal government.

The Town invites public comment on any of these matters.

What is "Program Income"? The term "Program Income" may come up during this hearing. Under the CDBG Program, an understanding of what Program Income is or is not can be confusing. A simplified explanation is that that Program Income is revenue that the Town receives as a result of an earlier CDBG-funded activity. For example, a lien is placed on a property that receives financial assistance through the Housing Rehabilitation Program. If the property is sold within a specified period of time, the homeowner repays these funds to the Town. These funds may need to be considered Program Income.

Current Low- and Moderate-Income (LMI) Limits

Area Median Family Income (AMI): \$120,800.

Income Category	Household Size							
	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
Extremely Low (<30% of AMI)	\$28,200	\$32,200	\$36,250	\$40,250	\$43,500	\$46,700	\$49,950	\$53,150
Very Low (>31% - <50% of AMI)	\$47,000	\$53,700	\$60,400	\$67,100	\$72,500	\$77,850	\$83,250	\$88,600
Low/"Moderate" (>51% - <80% of AMI)	\$70,750	\$80,850	\$90,950	\$101,050	\$109,150	\$117,250	\$125,350	\$133,400

Boston – Cambridge – Quincy, MA – NH MSA: HUD Metro Fair Market Area (HMFA)

Source: U.S. Department of Housing and Urban Development

* These income limits became effective as of April, 2021. The limits change annually and the limits that are in effect at the time that funding becomes available is likely to be different than the limits shown above. Any household that makes less than or equal to the amount shown in "Low Income" category line for the corresponding household size is considered lower income ("lower income" is an informal term used to capture all three of the categories shown). For example, a 4-person with annual income of \$81,100 or less is considered lower income, a term that encapsulates the three income categories above.

Town of Wareham Target Area Map

Legend

Target Area

2010 Census Block Groups

Greater than 51% LMI

Water

Roads

1 Mile

Disclaimer:

This map was created by Community Opportunities Group, Inc. for CDBG application purposes. LMI data is based on the ACS 2006-2010 estimates. This map is not intended for engineering, legal, or survey purposes.

Map Sources:

MassGIS

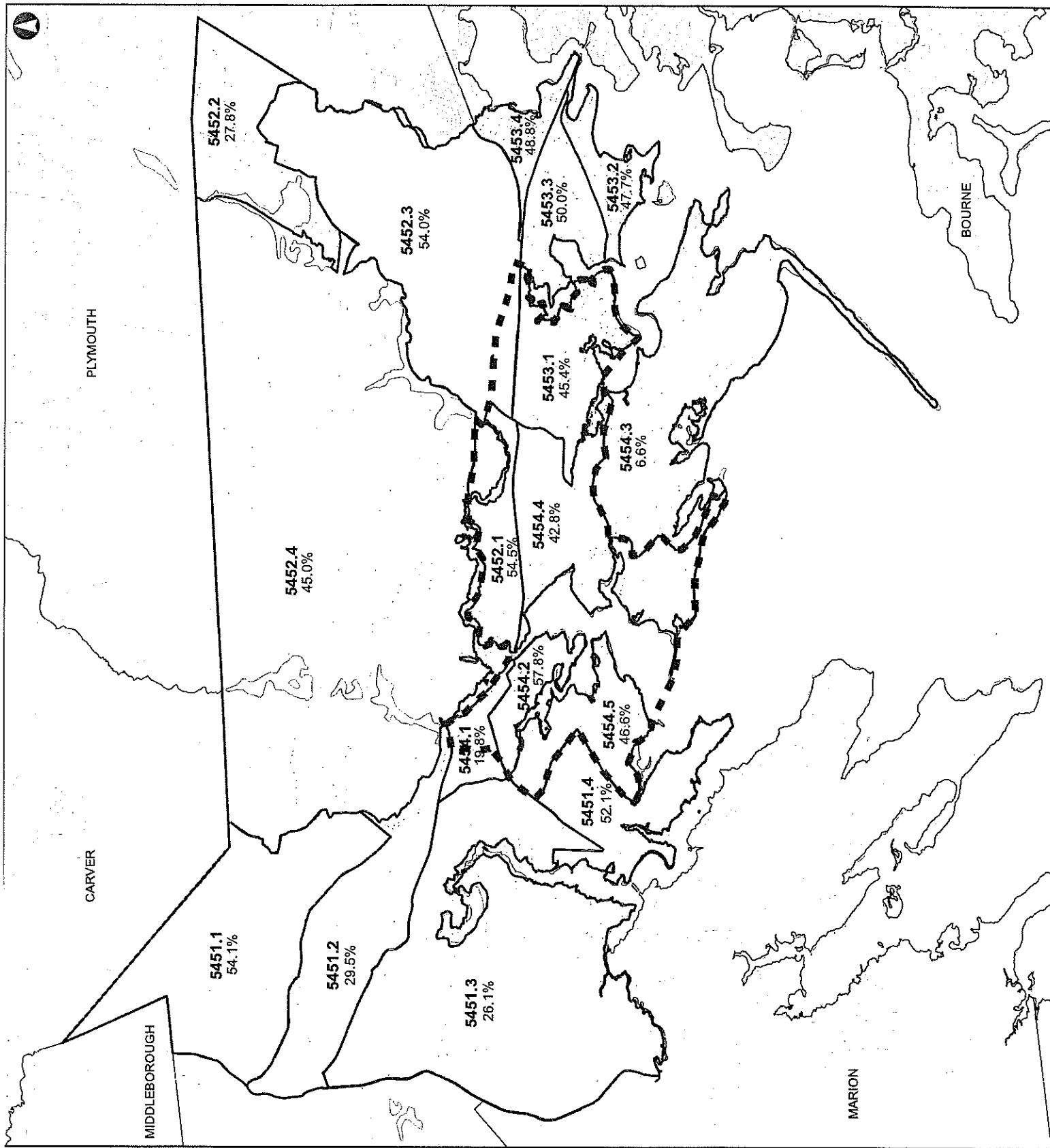
US Census

CS 2006-2010

US Dept. of Housing

and Urban Development

December 8, 2015



FY 2021 Massachusetts CDBG Program Application - Public Hearing
Public Social Services

The Town proposes to commit the maximum amount of its CDBG grant that is allowed – \$165,000 or 20% – to nonprofit organizations and/or municipal departments that provide programs and direct services to needy and lower income residents. An RFP for Public Social Services was issued in late July with a due date of 4:00 PM on August 16, 2021.

We received fewer proposals than in typical years and, in speaking with current and prior applicants, determined that this was likely pandemic-related. (Some organizations still have money to spend due to services being shut down during the pandemic and found it responsible not to apply for CDBG funds this year. Others are experiencing lower participation due to the pandemic or received pandemic-related support and thus don't need the CDBG Program to bridge funding gaps at this time.)

We are recommending funding the following three Public Social Services:

The Family Pantry - Damien's Place, \$60,000.

CDBG funding will assist the pantry in purchasing food and offset the salary costs of its single paid employee (Warehouse/Pantry Manager). A portion of funding is also earmarked for warehouse rent.

Wareham Area Committee for the Homeless (WACH)/Turning Point, \$65,000.

Grant funding will support the salary of the organization's Program Coordinator, offset the cost of financial services, and allow Turning Point to provide emergency rent and utility assistance to Wareham residents.

Wareham Police Department - Domestic Violence Outreach Program, \$40,000.

Funding will allow the Wareham Police Department to bolster its support of victims of domestic violence in the Town. A portion will be used to offset the costs of a part-time Outreach Coordinator and for the purchase of supplies and materials for the program.

Sustainable Development Principles

The Commonwealth of Massachusetts shall care for the built and natural environment by promoting sustainable development through integrated energy and environment, housing and economic development, transportation and other policies, programs, investments, and regulations. The Commonwealth will encourage the coordination and cooperation of all agencies, invest public funds wisely in smart growth and equitable development, give priority to investments that will deliver good jobs and good wages, transit access, housing, and open space, in accordance with the following sustainable development principles. Furthermore, the Commonwealth shall seek to advance these principles in partnership with regional and municipal governments, non-profit organizations, business, and other stakeholders.



1. Concentrate Development and Mix Uses

Support the revitalization of city and town centers and neighborhoods by promoting development that is compact, conserves land, protects historic resources, and integrates uses. Encourage remediation and reuse of existing sites, structures, and infrastructure rather than new construction in undeveloped areas. Create pedestrian friendly districts and neighborhoods that mix commercial, civic, cultural, educational, and recreational activities with open spaces and homes.

2. Advance Equity

Promote equitable sharing of the benefits and burdens of development. Provide technical and strategic support for inclusive community planning and decision making to ensure social, economic, and environmental justice. Ensure that the interests of future generations are not compromised by today's decisions.



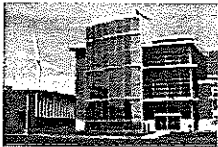
3. Make Efficient Decisions

Make regulatory and permitting processes for development clear, predictable, coordinated, and timely in accordance with smart growth and environmental stewardship.



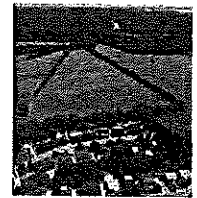
4. Protect Land and Ecosystems

Protect and restore environmentally sensitive lands, natural resources, agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Increase the quantity, quality and accessibility of open spaces and recreational opportunities.



5. Use Natural Resources Wisely

Construct and promote developments, buildings, and infrastructure that conserve natural resources by reducing waste and pollution through efficient use of land, energy, water, and materials.



6. Expand Housing Opportunities

Support the construction and rehabilitation of homes to meet the needs of people of all abilities, income levels, and household types. Build homes near jobs, transit, and where services are available. Foster the development of housing, particularly multifamily and smaller single-family homes, in a way that is compatible with a community's character and vision and with providing new housing choices for people of all means.



7. Provide Transportation Choice

Maintain and expand transportation options that maximize mobility, reduce congestion, conserve fuel and improve air quality. Prioritize rail, bus, boat, rapid and surface transit, shared-vehicle and shared-ride services, bicycling, and walking. Invest strategically in existing and new passenger and freight transportation infrastructure that supports sound economic development consistent with smart growth objectives.



8. Increase Job and Business Opportunities

Attract businesses and jobs to locations near housing, infrastructure, and transportation options. Promote economic development in industry clusters. Expand access to education, training, and entrepreneurial opportunities. Support the growth of local businesses, including sustainable natural resource-based businesses, such as agriculture, forestry, clean energy technology, and fisheries.



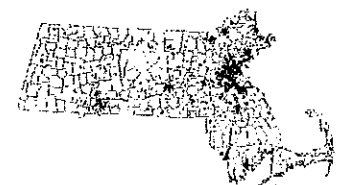
9. Promote Clean Energy

Maximize energy efficiency and renewable energy opportunities. Support energy conservation strategies, local clean power generation, distributed generation technologies, and innovative industries. Reduce greenhouse gas emissions and consumption of fossil fuels.



10. Plan Regionally

Support the development and implementation of local and regional, state and interstate plans that have broad public support and are consistent with these principles. Foster development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit. Consider the long-term costs and benefits to the Commonwealth.



COMMITTEE MEMBER ROLES

This handbook, and the Open Meeting Law Guidebook states that “at a minimum, a chair and clerk should be chosen by vote of the committee.” Because the public bodies are required to adhere to the Open Meeting Law, the Public Records Law, the Conflict of Interest and Ethics Law, as well as other laws and legal requirements of specific boards, commissions and committees, these two roles work in tandem to protect the members of each public body as well as the Town.

CHAIR:

1. The Chair presides at all meetings, decides questions of order, calls special meetings, and signs official documents that require the Chair’s signature. The Chair has the same rights as other members to offer resolutions, make motions, discuss questions, and vote. (The Town follows *Roberts Rules of Order, newly revised 12th edition*.)
2. The Chair schedules the place, date, and time of meetings.
3. The Chair creates the meeting agendas and ensures meeting notices are officially posted as required by Open Meeting Law.
4. The Chair ensures that needed materials are available to the members in enough time so that all members are prepared for each meeting.
5. The Chair creates and submits the Annual Report by the deadline.
6. The Chair promptly notifies the appointing authority of important changes in membership.
7. The Chair works closely with the Clerk to follow the Open Meeting Law and Public Records Law requirements for all minutes, documents, and records.
8. “No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.” - (MGL c.30A, §20(g))

CLERK:

1. The Clerk is responsible for recording and transcribing the Committee’s minutes according to the Open Meeting Law (if not done by staff). Minutes **must include**: the date, time and place of the meeting; the members present or absent; the decisions made and actions taken, including a record of all votes; a summary of the discussions on each subject; a list of all documents and exhibits used at the meeting; and the name of any member who participated in the meeting remotely.
2. The Clerk then files the minutes that have been approved by majority vote with the Town Clerk’s Office and later, ensures the posting of the minutes online. This must be done in a “timely” manner according to the Open Meeting Law, “within the next three public body meetings or 30 days from the date of the meeting, whichever is later.”
3. The Clerk will read aloud the official notice of a public hearing whenever a committee convenes for a public hearing.
4. The Clerk ensures that the Annual Report has been filed by the deadline.

5. The Clerk ensures that each member has a current Certificate for the Open Meeting Law requirement on file within two weeks of appointment and has a Certificate for the Conflict of Interest Ethics Training program on file within 30 days of appointment with the Town Clerk and keeps copies of each.
6. The Clerk works closely with the Chair to follow the Open Meeting Law and Public Records Law requirements for all minutes, documents, and records.

ALL MEMBERS

“Within 2 weeks of qualification for office, all persons serving on a public body shall certify, on a form prescribed by the attorney general, the receipt of a copy of the open meeting law, regulations promulgated under section 25 and a copy of the educational materials prepared by the attorney general explaining the open meeting law and its application under section 19. Unless otherwise directed or approved by the attorney general, the appointing authority, city or town clerk or the executive director or other appropriate administrator of a state or regional body, or their designees, shall obtain certification from each person upon entering service and shall retain it subject to the applicable records retention schedule where the body maintains its official records. The certification shall be evidence that the member of a public body has read and understands the requirements of the open meeting law and the consequences of violating it.” – MGL c.30A §20(h)