

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: September 17, 2019
Date of Transcription: September 24, 2019
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

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

Also Present: Richard Bowen, Town Counsel
Absent from meeting: Derek Sullivan, Town Administrator

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

A talent show hosted by the Wareham Library Foundation, will take place on October 19th at 6:30 p.m. at the Redmen Hall. Tickets are available at the Main & Spinney Branch Libraries.

The Wareham Firemen's Association will host a spaghetti supper featuring a magician who will perform a program recommended for adult audiences on October 26th at 6pm at the Redmen Hall. The cost is \$20 per person. Tickets may be purchased by contacting Melissa Bourne at 508-295-6534 or Howie Smith at 508-295-4679 or Ken Jordan at 508-451-9700.

5. CITIZENS COMMENTS

6. BOARDS COMMENTS

Selectman Slavin said that he was recently at the Rochetser dump and ran into Selectman Munise there and they watched someone for over an hour dump what appeared to be a house demolition, he said that it would be nice for someone to man the gates and mentioned it's costing the town a lot of money, Mr. Sullivan stated that the Town is not paying the cost is being absorbed by Semass at no cost to the Town. Selectman Munise stated that the town doesn't pay anything and CMWRRD does pay for Attorney Fees, audits and one other thing.

7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

a. Appointments/Interviews to the Charter Review Committee

Present before the board: Holli Van Nest

Ms. Van Nest has been a resident of Onset for the past 4 years and is always looking to volunteer and felt this would be a good way to get information about the town and feels that she has a lot to offer.

b. Appointment/Interview to the Affordable Housing Trust

Present before the board: Sandra Cormier

Ms. Cormier was before the board seeking appointment to the Affordable Housing Trust, she said that she has free time and would love to volunteer and feels that she would be an asset to the board.

8. LICENSES AND PERMITS

a. **7:15 p.m. Hearings**– Show Cause for the following Retail Package Stores
MOTION: Selectman Teitelbaum moved to open the hearing. Selectman Slavin seconded. Poll vote: Selectman Slavin=yes, Selectman Tropeano=yes, Selectman Munise=yes, Selectman Bruce=yes.

Attorney Bowen swore everyone in that was going to speak at the hearing.

i. Wareham Liquors

Present before the board: Detective Dean Decas, Danny Patel & Attorney Porter
Detective Decas explained that on July 23, 2019 he was in the CVS Plaza at 419 Main Street and saw a young female exit the establishment with a black plastic bag, he stopped the female and while speaking with her saw the black plastic bag on the front seat containing a 6 pack of Blue Moon beer. He asked her if she used a fake ID and she stated that she had not. Mr. Patel admitted that he didn't card her and said that the female had come into the store in the past and had an ID which stated that she was 21 and he believed that it was real. Attorney Porter said that they were agreeing to the facts of the case.

MOTION: Selectman Slavin moved to close the hearing. Selectman Teitelbaum seconded. Poll vote: Selectman Slavin=yes, Selectman Tropeano=yes, Selectman Munise=yes, Selectman Bruce=yes.

The board agreed to a two day suspension and explained to Mr. Patel that they won't be as lenient if this was to happen again.

MOTION: Selectman Slavin moved to issue a two day suspension to be held on October 1st & October 2nd. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

SELECTMEN MEETING MINUTES-9-17-19 (CONT'D)

The board also informed Mr. Patel that he would need to place a sign on the door letting people know the reason is due to a violation.

ii. Liquor Locker

Attorney Bowen swore everyone in that was going to speak at the hearing.

MOTION: Selectman Teitelbaum moved to open the hearing. Selectman Slavin seconded. Poll vote: Selectman Slavin=yes, Selectman Tropeano=yes, Selectman Munise=yes, Selectman Bruce=yes.

Present before the board: Detective Bryan Whalen, Attorney Porter & Mr. Patel
Detective Whalen explained that he was traveling on Cranberry Highway near Chili's when he randomly queried a black BMW and it came up as an operator under the age of 21. Knowing that the operator of the vehicle wasn't 21 and with the Liquor Locker having a prior history of selling alcohol to minors in the past he surveilled the vehicle from the McDonald's parking lot across the street he observed the person exit the store holding a bottle of alcohol wrapped in a brown paper bag. The Detective did seize the bottle of Hennessy for evidence. Mr. Patel explained that the Clerk that sold the minor alcohol has since been fired. Attorney Porter said that they were agreeing to the facts of the case as presented.

MOTION: Selectman Teitelbaum moved to close the hearing. Selectman Slavin seconded. Poll vote: Selectman Slavin=yes, Selectman Tropeano=yes, Selectman Munise=yes, Selectman Bruce=yes.

MOTION: Selectman Teitelbaum moved to issue a two day suspension to be held on October 1st & October 2nd. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

9. TOWN BUSINESS

- a. Discussion and vote whether to recommend or not on Fall Town Meeting Warrant Articles.

The board voted on the following articles:

MOTION: Selectman Teitelbaum moved to recommend Article #1 – Feasibility Study. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #2 – Authorization for Special Legislation. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #6 – PEG Access receipts to Wareham Community TV. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #8 – Solar Pilot Agreement. Selectman Teitelbaum seconded.

SELECTMEN MEETING MINUTES-9-17-19 (CONT'D)

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Teitelbaum moved to recommend Article #9 – Transfer of McKinney Vento Funds. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Teitelbaum moved to recommend Article #10- Transfer money left in WPS fund for Technology, Maintenance & Equipment. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #11 – Harbor Services permit receipts reserved for appropriation. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved recommend Article #12 – Onset Pier Debt payment. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #13 – Return unused funds from completed projects. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Teitelbaum moved to recommend Article #14 – Shangri-La Playground Buildin. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Teitelbaum moved to recommend Article #16 – Tremont Nail Cleanup Interest Payment. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #17 – Amend Zoning By-Law Article 3, Commercial uses. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #18 – Amend Zoning By-Law Article 10, Minimum Landscape buffer. Selectman Teitelbaum seconded.

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

MOTION: Selectman Slavin moved to recommend Article #19 – Amend Zoning By-Law Article 3, Marijuana Facilities. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #20 – Update Zoning By-Law with already approved overlay district. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #21 – Borrow up to \$350,000 from the MCWT for Septic loan program. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Slavin moved to recommend Article #22 – Establish a Stormwater Management & Illicit discharge By-Law. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

SELECTMEN MEETING MINUTES-9-17-19 (CONT'D)

Sandy Slavin was before the board to speak on Article #23 – WCPF Funding Request for Process Improvements, the board held off on voting until they can get more numbers.

Article #24 Plastic Bag Reduction By-Law

Before the board was Norma White who submitted the petition article for a ban on plastic bags. She also mentioned that she will have to amend the article on the floor if allowed by the Town Moderator. She said that she had an additional 3 pages to amend. Attorney Bowen stated that she could make a motion on Town meeting to further study and bring this back in the spring and suggested bringing something that was adopted by another town and the approved by the Attorney General. Ms. White mentioned that 122 cities in towns in Massachusetts now have the ban in place.

MOTION: Selectman Munise voted to support the Plastic Bag Reduction By-Law. Selectman Slavin seconded.

VOTE: **3-1-1** (Selectman Tropeano opposed/Selectman Teitelbaum abstained)

- b. Accept donation from the Wareham Library Foundation, Inc., in the amount of \$3200.

MOTION: Selectman Bruce moved to accept the donation from the Wareham Library Foundation, Inc., in the amount of \$3200. Selectman Slavin seconded.

VOTE: **5-0-0 (Unanimous)**

- c. Accept donation of a maple sitting chair for the Spinney memorial Library in memory of Wheeler.

MOTION: Selectman Bruce moved to accept the donation of a maple sitting chair for the Spinney memorial Library in memory of Dick Wheeler. Selectman Teitelbaum seconded.

VOTE: **5-0-0 (Unanimous)**

- d. Discussion on changing the name of the Board of Selectmen.

Selectman Slavin asked if this could be added for discussion on the agenda. He stated that the Massachusetts Selectmen's Association with the current trend for gender specific talked about the changing of Board of Selectmen to Selectboard and 68 communities in the state has changed to Selectboard. The Massachusetts Municipal Association is in the process of putting a resolution in place and Selectman Slavin wanted to seek the boards thoughts since it would be coming up soon for a vote, the Board of Selectmen decided that they will vote later but were not in favor of making any changes to the name.

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

10. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan had nothing to report to the board.

11. LIAISON REPORTS/INITIATIVE REPORTS

SELECTMEN MEETING MINUTES-9-17-19 (CONT'D)

Selectman Munise said that the CMWRRD will be holding a meeting at the Carver Town Hall tomorrow and they have a lot of topics up for discussion.

Chairman Tropeano asked the board to look over the Master Plan that was in their packet and plan on discussing this at their next meeting.

12. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes: July 30, 2019

MOTION: Selectman Bruce moved to approve the meeting minutes of July 30, 2019. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

13. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

14. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted

Janet Wilson

Department Assistant

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

Attest:


Mary Bruce, Clerk

Date Signed: 11-5-19

Date sent to the Town Clerk: 11-6-19