

## **MINUTES OF MEETING OF THE SELECT BOARD**

Date of Meeting: July 11, 2023  
Date of Transcription: July 25, 2023  
Transcribed by: Samantha Monast

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

### **2. ROLL CALL**

Select Board Members Present: Judith Whiteside, Chair  
Patricia A. Wurts, Clerk  
Alan H. Slavin  
Jared S. Chadwick  
Ronald S. Besse

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

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

### **4. RESIDENTS COMMENTS**

Mrs. Slavin stated that the Guide to Outdoor Recreation in Wareham is up on the Town Website and it gives information about all of the things you can do outdoors in Town.

Ms. Hayes commented that the residents are uninformed about the redevelopment of the Wareham Village and the Wareham redevelopment authority agenda is for Thursday, July 13<sup>th</sup>.

### **5. ANNOUNCEMENTS**

Mr. Slavin announced that the Parkwood Association is having their 100<sup>th</sup> anniversary parade this upcoming Saturday. Also, the Wareham Community Associates is having their annual lobster bake and the money raised will be going to the kids at the Wareham High School for scholarships.

Mr. Chadwick announced that fall sports sign-ups have begun and there is about a month left to get signed up.

Mr. Besse announced that this Saturday D&J Enterprise, 8 Charge Pond Road, is holding a touch-a-truck event for kids and the money raised will be going to Turning Point.

Ms. Wurts stated that she watched an incredible music duo at the Wareham Library and residents should check out the event calendar for more upcoming events.

Ms. Whiteside announced that there is a link to participate in the digital equity survey on the Town and Library websites. She mentioned if you want to see good Baseball then go see the Gatemen but don't forget bug spray.

### **6. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS**

### **7. LICENSES AND PERMITS**

- a. **MOTION:** Ms. Wurts made a motion to open the hearing for the transfer of Common Victuallers All Alcoholic Beverages License and alteration of premises from Lindsey's to Towne Tavern & Tap. Mr. Slavin seconded. Roll call: Mr. Besse-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Mr. Slavin-yes, Ms. Whiteside-yes.

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

Mr. Aieta and Mr. Barry explained the past experiences and current plans for how they will be changing the prior restaurant into Towne Tavern & Tap. They stated that interior and exterior changes will occur including; new windows, new trim, rework seating, upgrade bar/furniture, and hopefully changing outdoor seating permanently.

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Mr. Barry also explained that he would like to keep the tradition of a family run operation and has plans to have great involvement with the community.

Mr. Besse questioned how Mr. Barry plans on dividing his time between all locations and Mr. Barry explained that for at least a year he will spend 98% of his time at the Wareham location to get it established, and he also has invested in the right people who work beside him to help him out.

Ms. Whiteside questioned if they will need the Public Amusement Permit and Mr. Aieta explained that they would like to have live music, karaoke, and maybe a dj/jukebox but nothing too crazy. Ms. Whiteside told them that they would need to fill out a separate application and it will be on later agenda. Mr. Slavin stated that because of the residential housing close by, the outside music will have to be designed for the sound to go toward the street.

**MOTION:** Ms. Wurts made a motion to close the hearing for the transfer of Common Victuallers All Alcoholic Beverages License and alteration of premises from Lindsey's to Towne Tavern & Tap under the provision of Chapter 138 of the M.G.L. for the year 2023. Mr. Chadwick seconded. Roll call: Mr. Slavin-yes, Mr. Besse-yes, Ms. Wurts-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.

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

- b. **MOTION:** Ms. Wurts made a motion to grant the Towne Tavern & Tap the transfer of Common Victuallers All Alcoholic Beverages License, under Ch 138 of MGL Mr. Chadwick seconded. Roll call: Mr. Besse-yes, Mr. Slavin-yes, Ms. Wurts-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.

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

### **8. TOWN BUSINESS**

- a. Mr. Pigeon, Sewer Commissioner, explained that WPCF is 90 miles of sewer drains with 45 pump stations servicing 6,000-7,000 users. Ms. Greenberg, consultant from GHD, then explained the PowerPoint presentation on the Wareham Pollution Control Facility clarifier upgrade and headwork's project. (See attached). This presentation showed examples and pictures of the warrant article to vote to appropriate a sum up to \$36,000,000 for financing the construction of the clarifier upgrade and headwork's project.

Mr. Besse questioned what this project will cost the taxpayers and if it will be the users paying or all Town residents. Mr. Pigeon then explained that this will be funded by the users and it is estimated to cost them \$80-\$100 per residence per year. Ms. Whiteside asked Mr. Drainville to explain the meaning of the designation of Tier 3.. He explained that being tier 3 means that the Town would get the most principle forgiveness possible and the Wastewater Treatment Plan is scheduled to be done in draft form by this December.

Mr. Slavin stated that he does not believe the \$36M will be enough to fix this facility and in a few years the Town will be asked for even more money. Mr. Drainville explained that he does not have an exact amount but there will be additional costs that will come in subsequent years, the items on this warrant are just most urgent.

Mr. Pigeon explained that a positive action is needed on articles 1 and 5 but the other articles were chosen to be passed over because it was no longer necessary. Article 2 is being replaced by Article 5, Article 3 is no longer necessary because it will be covered

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in article 5 and transfer of retained earnings is not legal because it would be from a previous fiscal year.

Mr. Besse explained that there was a very similar project done on the Cape and it had an estimated final cost of \$110 million but was producing less a day than Wareham is which does not make sense Mr. Drainville explained that we are not intending to fix every component of the plant, only the 2 most critical components out of 6.

Ms. Wurts voiced her concern regarding the additional money that will be needed after this project and the Town needs a realistic answer before voting on it. Mr. Pigeon stated that he understands the frustration and assured the Board that the sewer Commissioners are all working very hard to find the solution as best as they can.

Ms. Whiteside excused the Sewer Commissioners from the meeting and confirmed the Select Board will vote on this later on the agenda.

- b. **MOTION:** Ms. Wurts made a motion to authorize the Clerk of the Select Board to sign on behalf of the Board regarding the maximum life of a vessel for the borrowing documents. Mr. Chadwick seconded. Roll call: Mr. Slavin-yes, Mr. Besse-yes, Ms. Wurts-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.

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

- c. Mr. Sullivan explained the Municipal Relief Year End Transfers. The first one is for the WPCF, \$2000,000 for the salaries account to the expenses account. The second one is transferring funds from the health insurance line which has a surplus \$8,000 to legal expenses. The third one is \$950 from the health insurance to the FICA line which is the Medicare tax we pay.

**MOTION:** Ms. Wurts made a motion to approve the Municipal Relief Year End Transfers. Mr. Besse seconded. Roll call: Mr. Slavin-yes, Mr. Chadwick-yes, Mr. Besse-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

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

- d. **MOTION:** Ms. Wurts made a motion to adopt the Policy #2023-05; Public Property, Buildings and Facilities Naming Policy. Mr. Besse seconded. Roll call: Mr. Slavin-yes, Mr. Chadwick-yes, Mr. Besse-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

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

- e. **MOTION:** Ms. Wurts made a motion to amend the volunteer policy to read "Volunteers to the Council on Aging shall also be required to have a CORI/SORI check before being sworn in, as they deal with vulnerable population." Mr. Besse seconded. Roll call: Mr. Slavin-yes, Mr. Chadwick-yes, Mr. Besse-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

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

- f. **MOTION:** Ms. Wurts made a motion to approve the opt-out and reduction fees application for Curbside Billing FY23 in the amount of \$912.50. Mr. Besse seconded. Roll call: Mr. Slavin-yes, Mr. Chadwick-yes, Mr. Besse-yes, Ms. Wurts-yes, Ms. Whiteside-yes.

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

- g. Ms. Whiteside stated that this application for a Class 2 license has been withdrawn has been withdrawn and the vehicles will be gone from the property. Closing the hearing will be held off until that is completed.

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- h. Ms. Whiteside explained that the Onset Bay Association does a great job with the summer concerts but the aftermath from trash is horrendous. Mr. Slavin stated that the turn out for the last concert was very much unexpected. Onset Bay Association usually has crew members cleaning up and they do a lot for the Town.
- i. **MOTION:** Ms. Wurts made a motion to confirm the vote to authorize the Chair to sign the letter regarding Buzzards Bay Coalition grant for nitrogen reduction. Mr. Besse seconded. Roll call: Mr. Slavin=yes, Mr. Chadwick=yes, Mr. Besse=yes, Ms. Wurts=yes, Ms. Whiteside=yes.

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

- j. **MOTION:** Ms. Wurts made a motion to recommend favorable action on Article 1- Construction cost for WPCF Projects clarifier and headwork's upgrade. Mr. Besse seconded. Roll call: Mr. Slavin=no, Mr. Chadwick=no, Mr. Besse=no, Ms. Wurts=yes, Ms. Whiteside=yes.

**VOTE: 2-3-0**

**MOTION:** Ms. Wurts made a motion to recommend favorable action on resend Article 15-2022 Spring Town Meeting. Mr. Besse seconded. Roll call: Mr. Chadwick=no, Mr. Slavin=no, Mr. Besse=no, Ms. Wurts=no, Ms. Whiteside=no.

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

**MOTION:** Ms. Wurts made a motion to recommend favorable action on Article 3- Engineering plans Swifts Beach into Ruggle's pump station. Mr. Besse seconded. Roll call: Ms. Wurts=no, Mr. Besse=no, Mr. Chadwick=no, Mr. Slavin=abstained, Ms. Whiteside=abstained.

**VOTE: 0-4-1 (Mr. Slavin abstained)**

**MOTION:** Ms. Wurts made a motion to recommend favorable action on Article 4- Transfer of retained earnings. Mr. Besse seconded. Roll call: Mr. Chadwick=no, Mr. Besse=no, Ms. Wurts=no, Mr. Slavin=abstained, Ms. Whiteside=no.

**VOTE: 0-4-1 (Mr. Slavin abstained)**

**MOTION:** Ms. Wurts made a motion to recommend favorable action on Article 5- Amend Article 15, 2022 Spring Town Meeting. Mr. Besse seconded. Roll call: Mr. Chadwick=yes, Ms. Wurts=yes, Mr. Besse=yes, Mr. Slavin=abstained, Ms. Whiteside=yes.

**VOTE: 4-0-1 (Mr. Slavin abstained)**

### **9. TOWN ADMINISTRATOR'S REPORT**

Mr. Sullivan stated that the damaged panels and the big belly solar trash compactors are getting fixed within 1-2 weeks and the Onset Band Shell information regarding the change of benches will be out soon.

### **10. LIAISON/INITIATIVE REPORTS/BOARD'S COMMENTS**

Ms. Wurts stated that she had a meeting with the Affordable Housing Trust regarding distributing funds and applications have been going out.

Mr. Slavin stated that more residents should be supporting the Gatemen, the games are a lot of fun.

### **11. CONSENT AGENDA**

a. Authorization to sign bills and documents, etc.

b. **MOTION:** Ms. Wurts made a motion to approve the meeting minutes for: March 21, 2023; April 24, 2023; April 25, 2023; May 2, 2023; May 16, 2023; May 30, 2023; June 6, 2023. Mr. Besse seconded. Roll call: Mr. Chadwick=yes, Mr. Slavin=yes, Ms. Wurts=yes, Mr. Besse=yes, Ms. Whiteside=yes.

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

### **12. SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

### **13. EXECUTIVE SESSION**

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- a. M.G.L c. 30A § 21 (3)

**MOTION:** Ms. Wurts made a motion to open an executive session to discuss Joseph Edwards vs. Town of Wareham for reason number 3. Mr. Besse seconded. Roll call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Wurts-yes, Mr. Besse-yes, Ms. Whiteside-yes.

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

- b. M.G.L c. 30A § 21 (3)

To discuss litigation of Town of Wareham vs. A.D. Makepeace.

**14. ADJOURNMENT**

Respectfully submitted

***Samantha Monast***

Department Assistant

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

Attest:   
***Patricia A. Wurts, Clerk***

Date Signed: 

**DOCUMENTS REVIEWED AND/OR USED IN MEETING.**

1. Application from Towne Tavern & Tap for transfer of Alcohol License
2. WPCF PowerPoint presentation
3. Documents concerning the Municipal Relief Year End Transfer requests
4. Application for Curbside Billing FY23
5. Application from Wareham Truck & Equipment for a class 2 license
6. Letter regarding Buzzards Bay Coalition grant
7. Meeting minutes: March 21, 2023; April 14, 2023; April 25, 2023; May 2, 2023; May 16, 2023; May 30, 2023; June 6, 2023.
8. Warrant for the July 24, 2023 Special Town Meeting