

MINUTES OF MEETING OF THE SELECT BOARD

Date of Meeting: October 10, 2023
Date of Transcription: October 16, 2023
Transcribed by: Karen Wilfert

1. CALL TO ORDER BY CHAIR

2. ROLL CALL

Mr. Chadwick, Clerk, is absent. **MOTION:** Mr. Slavin moved to approve Patricia Wurts as Clerk Pro Tem. Seconded. **VOTE: 4-0-0 (Unanimous).**

Select Board members present: Judith Whiteside, Chair

Ronald S. Besse
Alan Slavin
Patricia Wurts, Clerk Pro Tem

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

Not Present: Jared Chadwick, Clerk

3. PLEDGE OF ALLEGIANCE

4. RESIDENT'S COMMENTS

Ms. Susan Noonan spoke about her concerns for the individuals who have been placed in the two motels in Wareham by the Commonwealth of Massachusetts.

5. ANNOUNCEMENTS

Ms. Wurts complimented the groups helping the immigrants.

Ms. Whiteside reminded residents that all dogs over the age of six months must be licensed by the Town, and that there is a leash law.

Ms. Whiteside reminded the public that use of watercraft when there are small craft warnings endangers not just the vessel operators, but all first responders as well.

6. APPOINTMENTS/REAPPOINTMENTS/ INTERVIEWS

a. Conservation Commission

- i. Denise Schulz – **MOTION:** Ms. Wurts moved to appoint Denise Schulz Associate Member, for a term to expire June 30, 2024. Seconded.

VOTE: 4-0-0 (Unanimous)

- ii. Paulajean O'Neill – **MOTION:** Ms. Wurts moved to appoint Paulajean O'Neill a Member, with term to expire June 30, 2024. Seconded.

VOTE: 4-0-0 (Unanimous)

7. 7:15 HEARINGS

- a. **Ranchod d/b/a/ Liquor Locker**, 3021 Cranberry Highway, East Wareham, has application for a Transfer in Stock and Change of Officers/Directors, relative to chapter 138 section 15 all alcoholic beverage license. **MOTION:** Ms. Wurts moved to open the hearing. Seconded. **VOTE: 4-0-0 (Unanimous)**

Presentation by Attorney M. Porter and Ms. Patel. **MOTION:** Ms. Wurts moved to close the hearing. Seconded. **VOTE: 4-0-0 (Unanimous)**

MOTION: Ms. Wurts moved to grant the transfer of stock and change in stockholders, as requested. Seconded. **VOTE: 4-0-0 (Unanimous)**

- b. **Candle Paper Lane** To see if the Board will recommend favorable action to the Town Meeting for the layout of Candle Paper Lane as a public way. **MOTION:** Ms. Wurts moved to open the hearing. Seconded. **VOTE: 4-0-0 (Unanimous)**

Mr. Roger Mello made the presentation. Mr. Bowen conducted the hearing and explained the steps necessary to have a road accepted by a town as a town public road. Mr. David Heard spoke in opposition to the request. Wurts moved to close the hearing. Seconded. **VOTE: 4-0-0 (Unanimous)**

MOTION: Ms. Whiteside moved to recommend further study. Seconded. Roll Call: Ms. Wurts -abstain, Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Ms. Wurts -abstain. **VOTE: 3-0-1**

8. LICENSES AND PERMITS

9. TOWN BUSINESS

- a. Presentation by Mr. Pigeon on Warrant Article 26 / Sewer. PowerPoint presentation by Marc Drainville, Sara Greenberg and Bernard Pigeon regarding Warrant Article 26, Sewer. **MOTION:** Ms. Wurts moved to recommend favorable action to Town Meeting. Seconded. Roll Call: Ms. Whiteside-yes, Ms. Wurts-yes, Mr. Besse-No, Mr. Slavin-abstained. **VOTE: 2-1-1**
- b. Discussion and possible vote to prorate fees for Bebo's Sports Grill. **MOTION:** Ms. Wurts moved to prorate the fees for Bebo's to be ¼ of annual fee, as establishment will not be open until end of October. Seconded. **VOTE: 4-0-0 (Unanimous)**
- c. Discussion and possible vote to accept a \$150 donation from Richard Paulus to the Wareham Free library Gift Account. **MOTION:** Ms. Wurts moved to accept the donation. Seconded. **VOTE: 4-0-0 (Unanimous)**
- d. Discussion and possible vote to recommend favorable action on Articles 1-8 and 13-27 on Fall 2023 Town Meeting Warrant articles.

MOTION: Ms. Wurts moved to pass over articles 1 (Approve and fund FY24 Capital Plan), 2 (Transfer of available funds) and 25 (Amend section 590, Solar Energy Generation facilities) Seconded. **VOTE: 4-0-0 (Unanimous)**

MOTION: Ms. Wurts moved to recommend Favorable Action on Articles 3 (Prior Year Bills & Deficits), 4 (Peg Access Receipts Reserved for Appropriation), 6 (Harbor Services Permit Receipts Reserved for Appropriations Account /Software), 7 (Harbor Services Permit Receipts Reserved for Appropriations Account/Debt Payment) and 8 (Amendment to Waterway Rules). Seconded. **VOTE: 4-0-0 (Unanimous)**

MOTION: Ms. Wurts moved to recommend Favorable Action on Articles 13-16 13 (Delete Lottery Requirements for Town Meeting Articles), 14 (Easement Agreement with NStar-Eversource/Hammond School), 15 (Elected Constables) and 16 (Road Commissioners). Seconded. **VOTE: 4-0-0 (Unanimous)**

MOTION: Ms. Wurts moved to recommend Favorable Action on Articles 18-24 18 (update Zoning Bylaws Section 1216.9), 19 (amend Zoning Bylaws Article 16), 20 (update Zoning Bylaws Article 3), 21 (Zoning Bylaws Article 14 Clarification), 22 (Clarification of Zoning Bylaws Article 15 Land Use), 23 (Amend Zoning Bylaws Articles 3 & 5 Wireless Communications) and 24 (Zoning Bylaws Article 5 Large Solar Battery Storage). Seconded. **VOTE: 4-0-0 (Unanimous)**

MOTION: Ms. Wurts moved to recommend Favorable Action on Article 27 (Petitioned Article: Candle Paper Lane). Seconded. **VOTE: 4-0-0 (Unanimous)**

MOTION: Ms. Wurts moved to recommend Favorable Action on Article 26 (Construction Cost for WPCF Projects – Clarifier and Headworks Upgrades) Seconded. Roll call: Ms. Wurts-yes, Mr. Besse-no, Mr. Slavin -abstain, Ms. Whiteside -yes. **VOTE: 2-1-1**

MOTION: Mr. Slavin moved to recommend Further Study on Article 28 (Petitioned Article: Gift of Bench), seconded. Roll Call: Mr. Besse-yes, Mr. Slavin -yes, Ms. Wurts -abstain, Ms. Whiteside-yes **VOTE: 3-0-1**

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

- 10. **TOWN ADMINISTRATOR'S REPORT:** Mr. Sullivan complimented the Town Clerk, Ms. Gremo, for her willingness to open her office last Friday to provide essential paperwork for the following day wedding.

11. **LIAISON/INITIATIVE REPORTS/BOARD'S COMMENTS**

12. CONSENT AGENDA

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

13. EXECUTIVE SESSION

M.G.L. 30A § 21 (3) Re:

- A. Wareham Police Sergeants Union NEPBA, Local 181;
- B. Wareham Superior Officers Union NEPBA Local 180;

MOTION: Ms. Wurts moved to go into Executive Session for Reason 3:

M.G.L. Ch. 39, §23B: To discuss strategy and conduct collective bargaining. To discuss strategy and conduct bargaining with non-union personnel. To discuss strategy relating to litigation, if discussion in open session will have a detrimental effect on the position of the governmental body. Seconded. The Chair declared the necessity.

VOTE: 4-0-0 (Unanimous)

14. ADJOURNMENT

The Chair announced the Board would adjourn from the Executive Session. Meeting paused at 9:12 p.m.

15. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted,

Karen Wilfert

Department Assistant

The foregoing minutes were submitted to the Select Board:

Attest:  Date Signed: 10/13/23
Patricia Wurts, Clerk Pro Tem

The foregoing minutes were submitted to the Board of Selectmen on: 11/7/23

DOCUMENTS REVIEWED AND/OR USED IN MEETING

1. Grid containing votes of Fin Com/Select Board for 2023 Annual Fall TM Warrant
2. Denise Schulz Conservation Commission full member resignation letter
3. Denise Schulz Conservation Commission associate member application
4. Paulajean O'Neill Conservation Commission full member application
5. Ranchod Transfer in Stock/Change of Officers/Directors application package
6. Candlepaper Road Acceptance Warrant Article Application

7. Warrant Article 26 PowerPoint presentation
8. \$150 donation acceptance email from Richard Paulus to the Wareham Free library