

## **MINUTES OF THE SELECT BOARD**

Date of Meeting: December 19, 2023  
Date of Transcription: December 20, 2023  
Transcribed by: Karen Wilfert

### **1. CALL TO ORDER BY CHAIR**

### **2. ROLL CALL**

Select Board members present: Judith Whiteside, Chair  
Jared Chadwick, Clerk  
Alan Slavin

Also Present: Richard Bowen, Town Counsel

Not Present: Ron Besse  
Derek Sullivan, Town Administrator

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

### **4. RESIDENT'S COMMENTS: NONE**

### **5. CERTIFICATE OF RECOGNITION**

- a. Select Board Recognition Award to Wareham High School JROTC Cadet Lieutenant Colonel Robert Sylvia for Legion of Valor Award.

### **6. ANNOUNCEMENTS**

Mr. Slavin reported that the deadline for Community Preservation Grants is January 9, 2024. All information is on the website.

Mr. Slavin commented that both the Council an Aging, as well as the VFW Auxiliary had wonderful and well attended Christmas parties.

Mr. Slavin explained that the question of a traffic light at the end of Swift's Beach Road has been in the hands of DOT, as Route 6 is a State Road, over which the Town has no control. Mr. Slavin continues to speak on the Town's behalf to his contacts at Department of Transportation.

Mr. Slavin reported that the first phase of the reconstruction of Route 6 and 28 is complete.

Ms. Whiteside reminded residents that 'signs' of any sort placed on Town property are not allowed, and will be removed.

## 7. APPOINTMENTS/REAPPOINTMENTS/ INTERVIEWS

- a. Alternative Energy Committee
  - i. Christopher Smith – Associate-term to expire June 30, 2024  
**MOTION:** Mr. Chadwick moved to appoint Christopher Smith as an Associate to the Alternative Energy Committee – term to expire June 30, 2024. Seconded. **VOTE: 3-0-0 (unanimous)**
- b. Certified Weigh Masters – terms to expire December 31, 2024
  - i. Brian Walecka  
**MOTION:** Mr. Chadwick moved to appoint Brian Walecka as a Certified Weigh Master – term to expire December 31, 2024. Seconded. **VOTE: 3-0-0 (unanimous)**
  - ii. Daniel Walecka  
**MOTION:** Mr. Chadwick moved to appoint Daniel Walecka as a Certified Weigh Master – term to expire December 31, 2024. Seconded. **VOTE: 3-0-0 (unanimous)**

## 8. LICENSES AND PERMITS

- a. **Renewal of the following Year Round Common Victualler All Alcoholic Beverages Licenses for the year 2024, under the provisions of Chapter 138 of the Massachusetts General Laws:**
  - i. Barnacle Bob's, Inc. d/b/a **BB's BAR & GRILLE**, 2424 Cranberry Hwy., Wareham
  - ii. Barnacle Bill's Seafood, LLC, d/b/a **BARNACLE BILL'S SEAFOOD** 3126 Cranberry Hwy., East Wareham
  - iii. Shenanigan's d/b/a **SHENANIGANS**, 2691 Cranberry Hwy, Wareham
  - iv. Pier View Restaurant Inc. d/b/a **STEPHEN'S LOUNGE**, 201 Onset Ave, Onset
  - v. VMB Restaurants, Inc. d/b/a/ **TOWNE TAVERN & TAP** 3138 Cranberry Hwy., East Wareham
  - vi. Cranberry Hospitality LLC d/b/a **TOWNPLACE SUITES & ROSEBROOK EVENT CENTER**, 50 Rosebrook Way, Wareham

**MOTION:** Mr. Chadwick moved to approve renewal of the above Year Round Common Victualler All Alcoholic Beverages Licenses for the year 2024, under the provisions of Chapter 138 of the Massachusetts General Laws, with the stipulation that all inspections be complete before release of the license. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.  
**VOTE: 3-0-0 (Unanimous)**
- b. **Renewal of the following Year Round Common Victualler Wines and Malt Beverages License for the year 2024, under the provisions of Chapter 138 of the Massachusetts General Laws:**

i. Mary Labonte d/b/a **MUMMA MARY'S**, 219 Main Street, Wareham  
**MOTION:** Mr. Chadwick moved to approve renewal of the above Year Round Common Victualler Wines and Malt Beverages License for the year 2024, under the provisions of Chapter 138 of the Massachusetts General Laws, with the stipulation that all inspections be complete before release of the license.  
Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.

**VOTE: 3-0-0 (Unanimous)**

c. **Renewal of the following Year Round Common Victualler licenses for the year ending December 31, 2024, under the provisions of Chapter 140 of the Massachusetts General Laws:**

- i. Barnacle Bill's Seafood, LLC, d/b/a **BARNACLE BILL'S SEAFOOD** 3126 Cranberry Hwy., East Wareham
- ii. The Blue Foot Café LLC d/b/a **THE BLUE FOOT CAFÉ**, 379 Main St, Wareham
- iii. GMB Restaurant Group d/b/a **THE BREAKFAST NOOK**, 3147 Cranberry Hwy., East Wareham
- iv. Chipotle Mexican Grill of Colorado, LLC d/b/a **CHIPOTLE MEXICAN GRILL**, 1 Seth F Tobey Rd, Wareham
- v. Jaelyn Paulo d/b/a/ **EMBODIED NUTRITION**, 3147 Cranberry Hwy., East Wareham
- vi. Hyde Park Burger LLC d/b/a **FIVE GUYS BURGERS**, 10-40 Rosebrook Way, Wareham
- vii. Mary Good d/b/a **GOOD LIFE NUTRITION CORP.**, 172 Main St., Wareham
- viii. Chankait Suksanit – Wonthip Niyomsin d/b/a **KRUA THAI 2**, 3043 Cranberry Hwy, E. Wareham
- ix. Jorge Moreno d/b/a/ **MILL POND DINER**, 2571 Cranberry Hwy, Wareham
- x. Mary Labonte d/b/a **MUMMA MARY'S**, 219 Main Street, Wareham.
- xi. Nouria Energy Retail, Inc. d/b/a **NOURIA** 2501 CRANBERRY HWY, 2501 Cranberry Hwy., Wareham
- xii. Nouria Energy Retail, Inc. d/b/a **NOURIA AMATO'S**, 2501 Cranberry Hwy., Wareham
- xiii. Sonam, LLC d/b/a **PIZZA BOY & ROAST BEEF**, 3103 Cranberry Hwy., East Wareham
- xiv. Shenanigan's Bar & Grill d/b/a **SHENANIGANS**, 2691 Cranberry Hwy., East Wareham
- xv. Starbucks Corp. d/b/a **STARBUCKS COFFEE**, 1 Seth F. Tobey Rd, Wareham
- xvi. Pier View Restaurant Inc. d/b/a **STEPHEN'S LOUNGE**, 201 Onset Ave, Onset
- xvii. Target Corporation d/b/a/ **TARGET STORE T-2292**, 2421 Cranberry Hwy, Wareham
- xviii. VMB Restaurants, Inc. d/b/a/ **TOWNE TAVERN & TAP** 3138 Cranberry Hwy., East Wareham

- xix. Cranberry Hospitality LLC d/b/a **TOWNPLACE SUITES & ROSEBROOK EVENT CENTER**, 50 Rosebrook Way, Wareham.
- xx. F & J Restaurant LLC d/b/a **WAREHAM HOUSE OF PIZZA**, 127 Marion Road, Wareham.

**MOTION:** Mr. Chadwick moved to approve renewal of the above Year Round Common Victualler licenses for the year ending December 31, 2024, under the provisions of Chapter 140 of the Massachusetts General Laws, with the stipulation that all inspections be complete before release of the license.

Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.

**VOTE: 3-0-0 (Unanimous)**

d. **Renewal of the following Annual Entertainment License for the year 2024, weekdays only, under the provisions of MGL Ch 140, section 183A:**

- i. Shenanigan's d/b/a **SHENANIGANS**, 2691 Cranberry Hwy., Wareham.
- ii. Pier View Restaurant Inc. d/b/a **STEPHEN'S LOUNGE**, 201 Onset Ave, Onset
- iii. VMB Restaurants, Inc. d/b/a/ **TOWNE TAVERN & TAP** 3138 Cranberry Hwy., East Wareham
- iv. Cranberry Hospitality LLC d/b/a **TOWNPLACE SUITES & ROSEBROOK EVENT CENTER**, 50 Rosebrook Way, Wareham.

**MOTION:** Mr. Chadwick moved to approve renewal of the above Annual Entertainment Licenses for the year 2024, weekdays only, under the provisions of MGL Ch 140, section 183A, with the stipulation that all inspections be complete before release of the license. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.

**VOTE: 3-0-0 (Unanimous)**

e. **Renewal of the following Annual Entertainment License for the year 2024, Sundays only, under the provisions of MGL Ch 136:**

- i. Shenanigan's d/b/a **SHENANIGANS**, 2691 Cranberry Hwy, Wareham.
- ii. Pier View Restaurant Inc. d/b/a **STEPHEN'S LOUNGE**, 201 Onset Ave, Onset
- iii. VMB Restaurants, Inc. d/b/a/ **TOWNE TAVERN & TAP** 3138 Cranberry Hwy., East Wareham
- iv. Cranberry Hospitality LLC d/b/a **TOWNPLACE SUITES & ROSEBROOK EVENT CENTER**, 50 Rosebrook Way, Wareham.

**MOTION:** Mr. Chadwick moved to approve renewal of the above Annual Entertainment License for the year 2024, Sundays only, under the provisions of MGL Ch 136, with the stipulation that all inspections be complete before release of the license. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.

**VOTE: 3-0-0 (Unanimous)**

f. **Renewal of the following Class 2 licenses for the year 2024, under the provisions of Chapter 140 of the Massachusetts General Laws:**



i. **A1 Auto Unlimited LLC d/b/a A1 AUTO UNLIMITED LLC, 58**  
Sandwich Road, Wareham, MA

- a. **MOTION:** Mr. Chadwick moved to approve renewal of the above Class 2 license for the year 2024, under the provisions of Chapter 140 of the Massachusetts General Laws, with the stipulation that all inspections be complete before release of the license. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes.

**VOTE: 3-0-0 (Unanimous)**

**9. TOWN BUSINESS**

- a. Discussion and possible vote to accept a \$107.00 donation from Stop & Shop to the Council on Aging. **MOTION:** Mr. Chadwick moved to accept a \$107.00 donation from Stop & Shop to the Council on Aging. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
- b. Discussion and possible vote to accept a donation from a town resident to the Council on Aging. **MOTION:** Mr. Chadwick moved to accept a donation from a town resident to the Council on Aging. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
- c. Discussion and possible vote to issue letter in support of the proposed Crossroads Apartments Senior Affordable Local Initiative Project, 242 Sandwich Road.

Mr. Peter Teitelbaum, Mr. Fred Mannix, and Mr. Patrick Tropeano were present before the board on behalf of the Crossroads Apartments Senior Affordable Local Initiative Project.

Mr. Teitelbaum explained that Mr. Mannix previously had been granted approval for an assisted living development on the location at 242 Sandwich Road. Due to the changes in the way our society views 'elder care', the decision was made to change the proposed development to 60 units of Senior Affordable Housing. In conjunction with this change of plan Mr. Mannix has presented before the Zoning Board of Appeals, and had an updated traffic study completed. His permit has been extended for two years.

Mr. Teitelbaum explained that this proposal is a 'friendly' 40 B development, under the Local Initiative Project (LIP) It is the intent and desire of the developer to work with the Town to provide much needed housing for those over the age of 55. The project previously had a 'sewer set aside' from the WPCF and the Sewer Commissioners, so the project is not hindered by the 'moratorium'. Mr. Mannix spoke briefly about his over 4 decades of working in the building industry, which has included working on dormitories for Berklee College, and a development of the Hotel Onyx (Boston).

Mr. Mannix has an appointment to meet with the commissioner of EOHLC (Executive Office of Housing and Livable Communities) to explore the

opportunities for support for such a project. The process of obtaining financing may be lengthy.

**MOTION:** Mr. Chadwick moved to authorize the Chair to send a letter in support of the proposed Crossroads Apartments Senior Affordable Local Initiative Project, 242 Sandwich Road. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**

- d. Discussion and possible vote regarding cannabis regulations and the impact on the Town. **MOVED TO THE 1/9/24 AGENDA**
- e. Discussion and reassignment of liaisons to boards and committees. **MOVED TO THE 1/9/24 AGENDA**
- f. Discussion and possible vote to appoint a new Select Board member to the Wareham Affordable Trust. **MOVED TO THE 1/9/24 AGENDA**
- g. Discussion and possible vote to approve the 2024 ABCC Seasonal Population Increase Estimation Form. **MOTION:** Mr. Chadwick moved to approve the 2024 ABCC Seasonal Population Increase Estimation Form. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
- h. Discussion and possible vote to approve the 2024 ABCC Renewal Certification. **MOTION:** Mr. Chadwick moved to approve the 2024 the 2024 ABCC Renewal Certification. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
- i. Discussion and possible vote to authorize the Town Administrator to enter into an Inter-Municipal Agreement with GATRA to utilize the former Decas School location.  
Mr. Sullivan described the proposed lease to GATRA, at \$1,000 per month, as a depot.  
**MOTION:** Mr. Chadwick moved to authorize the Town Administrator to enter into an Inter-Municipal Agreement with GATRA to utilize the former Decas School location. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
- j. Discussion and possible vote to authorize the Town Administrator to enter into agreement with COG, Inc. for CDBG grant management services and other related services for the FY22-23 Mini-Entitlement grant. **MOTION:** Mr. Chadwick moved to authorize the Town Administrator to enter into agreement with COG, Inc. for CDBG grant management services and other related services for the FY22-23 Mini-Entitlement grant. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
- k. Discussion and possible vote to authorize allocation of ARPA Funds for phase 2 of the Wankinquoah project. **MOTION:** Mr. Chadwick moved to authorize allocation of ARPA Funds for phase 2 of the Wankinquoah project. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
- l. Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting

## 10. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan described some of the damage and flooding which resulted from yesterday's unnamed storm. Merchant's Way, lower Main Street, Besse Park, Lopes Playground and Swift's Beach all had serious flooding.

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

Mr. Slavin commented on the continued generosity of the residents of Wareham, noting that Pierview and Bebo's had clothing drives this past week.

Mr. Slavin reported that Mr. Buckland has applied for a \$750,000 grant to create the bikepath connecting Marion with Buzzards Bay. Mr. Slavin noted that the finding would not cover all the costs, nor provide ongoing maintenance financing.

## 12. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes:
  - i. Select Board Meeting Minutes 11/21/23  
**MOTION:** Mr. Chadwick moved to approve the Select Board Meeting Minutes of 11/21/23. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
  - ii. Select Board Meeting Minutes 11/28/23  
**MOTION:** Mr. Chadwick moved to approve the Select Board Meeting Minutes of 11/28/23. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
  - iii. Select Board Executive Meeting Minutes 11/28/23  
**MOTION:** Mr. Chadwick moved to approve the Select Board Executive Meeting Minutes of 11/28/23. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**
  - iv. Select Board Joint Meeting Minutes 12/7/23  
**MOTION:** Mr. Chadwick moved to approve the Select Board Joint Meeting Minutes of 12/7/23. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**  
**MOTION:** Mr. Chadwick moved to go into Executive session. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**

## 13. EXECUTIVE SESSION

- a. **M.G.L. 30A § 21 (Reason 2):** To discuss strategy relating to litigation, if discussion in open session will have a detrimental effect on the position of the governmental body.

To discuss the potential litigation between the Town of Wareham and Wareham Community Television, Inc.

16. Crossroads Apartments Project package
17. CCC latest regulations email from A. Slavin to TA Sullivan
18. Updated Select Board Representative/Liaison List
19. ABCC 2024 Seasonal Population Increase Estimation form and population stats email
20. ABCC 2024 Renewal Certification form
21. TA Sullivan email to Chair Whiteside re: Inter-Municipal Agreement with GATRA to utilize the former Decas School location
22. 12/12/23 CDBG Grant Management and Related Services bid approval letter to COG, Inc.
23. 12/12/23 Wankinquoah project bid approval letter to N. Granese & Sons, Inc.

b. **M.G.L. 30A § 21 (Reason 2):** To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

Re: Derek Sullivan, Town Administrator

**MOTION:** Mr. Chadwick moved to go into Executive session. Seconded. Roll Call: Mr. Slavin-yes, Mr. Chadwick-yes, Ms. Whiteside-yes. **VOTE: 3-0-0 (unanimous)**  
The Chair declared the necessity of holding this discussion in Executive session and stated that the Board would adjourn from the Ex session.

**14. ADJOURNMENT**

The Chair announced the Board would adjourn from the Executive Session. Meeting paused at 8:16 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:   
**Jared Chadwick, Clerk**

Date Signed: 01/08/24

The foregoing minutes were submitted to the Select Board on: 1/9/24

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

1. Select Board Meeting Minutes 11/21/23
2. Select Board Meeting Minutes 11/28/23
3. Select Board Executive Session Meeting Minutes 11/28/23
4. Select Board Joint Meeting Minutes 12/7/23
5. Christopher Smith Alternative Energy Committee application and recommendation
6. Daniel Walecka Certified Weigh Masters reappointment application letter dated 11/29/23
7. Daniel Walecka Certified Weigh Masters reappointment application letter dated 11/29/23
8. Year Round Common Victualler All Alcoholic Beverages license renewals
9. Year Round Common Victualler Wines and Malt Beverages license renewals
10. Year Round Common Victualler license renewals
11. Annual Entertainment, weekdays only, license renewals
12. Annual Entertainment, Sundays only, license renewals
13. A1 Auto Unlimited LLC Class II license renewal application
14. 12/1/23 Stop & Shop donation letter with \$107 check for Wareham COA
15. 12/12/23 \$100 donation check from town resident for Wareham COA