

## **MINUTES OF THE SELECT BOARD**

Date of Meeting: March 19, 2024  
Date of Transcription: March 25, 2024  
Transcribed by: Karen Wilfert

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

### **2. ROLL CALL**

Select Board members present: Ms. Judith Whiteside, Chair  
Mr. Jared Chadwick, Clerk  
Mr. Alan Slavin  
Mr. Ronald Besse

Also Present: Mr. Derek Sullivan, Town Administrator (remote)  
Attorney Richard Bowen, Town Counsel (remote)

Meeting held in the Multi-Service Center, Room 320.

Ms. Whiteside asked for a Moment of Silence for David MacKinnon, retired Superintendent of the Wareham School system, who served the schools for 34 years.

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

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

### **5. ANNOUNCEMENTS**

Mr. Slavin reported on the progress of the construction on Route 6 and Route 28.  
Mr. Slavin reported on the lack of progress for the Swift's beach traffic controls.  
Mr. Slavin reported on WCTV information program with Ms. Ishihara, regarding town meeting procedures.  
Mr. Chadwick reported on the open house sponsored by Plymouth County.  
Mr. Besse had no announcements.  
Ms. Whiteside had no announcements.

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

**None**

**7. 7:15 HEARING –**

- a. Discussion and possible vote to approve an application from Daniel Ward, **AQUAFARMS**, LLC, 51 North Falmouth Highway, North Falmouth, MA to renew Shellfish Grant No. W-2 for 10 years, term to expire April 16, 2034.

**MOTION:** Mr. Chadwick moved to open the hearing. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

Presentation by Mr. Daniel Ward regarding application for renewal of Shellfish Grant No. W-2 for 10 years, term to expire April 16, 2034.

**MOTION:** Mr. Chadwick moved to close the hearing. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

**MOTION:** Mr. Chadwick moved to grant renewal of Shellfish Grant No. W-2 for 10 years, term to expire April 16, 2034. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

**8. LICENSES AND PERMITS**

- a. **Renewal of the following Seasonal Common Victualler All Alcohol Liquor Licenses under the provisions of Chapter 138 of MGL for the year 2024:**

- i. Sterling Golf Management, Inc., d/b/a **LITTLE HARBOR GOLF COURSE**, 2 Little Harbor Road, Wareham. Subject to receiving all department approvals and required paperwork.
- ii. Point Independence Yacht Club, Inc., d/b/a **POINT INDEPENDENCE YACHT CLUB**, 15-17 Independence Lane, Onset. Subject to receiving all department approvals and required paperwork.
- iii. Project Half Shell, Inc., d/b/a **QUAHOG REPUBLIC**, 197 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.

**MOTION:** Mr. Chadwick moved to grant all Seasonal Common Victualler All Alcohol Liquor Licenses as listed on the agenda, 8a i-iii. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- b. **Renewal of the following Seasonal Common Victualler Wine & Malt Liquor Licenses under the provisions of Chapter 138 of MGL for the year 2024:**

- i. Melissa Clement, d/b/a **CAPE COD LOBSTER ROLL**, 239 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.
- ii. Main Streel Deli, Inc, d/b/a **ONSET BEACH PATIO & GRILL**, 182 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.

**MOTION:** Mr. Chadwick moved to grant all Seasonal Common Victualler Wine & Malt Liquor Licenses as listed on the agenda, 8b i-ii. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

c. **Renewal of the following Year Round Common Victualler Licenses under the provisions of Chapter 140 of MGL for the year 2024:**

- i. Melissa Clement, d/b/a **CAPE COD LOBSTER ROLL**, 239 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.
- ii. Sterling Golf Management, Inc., d/b/a **LITTLE HARBOR GOLF COURSE**, 2 Little Harbor Road, Wareham. Subject to receiving all department approvals and required paperwork.
- iii. Point Independence Yacht Club, Inc., d/b/a **POINT INDEPENDENCE YACHT CLUB**, 15-17 Independence Lane, Onset. Subject to receiving all department approvals and required paperwork.
- iv. Project Half Shell, Inc., d/b/a **QUAHOG REPUBLIC**, 197 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.

**MOTION:** Mr. Chadwick moved to grant all Year Round Common Victualler Licenses as listed on the agenda, 8c i-iv. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

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

- i. Main Streel Deli, Inc, d/b/a **ONSET BEACH PATIO & GRILL**, 182 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.
- ii. Point Independence Yacht Club, Inc., d/b/a **POINT INDEPENDENCE YACHT CLUB**, 15-17 Independence Lane, Onset. Subject to receiving all department approvals and required paperwork.
- iii. Project Half Shell, Inc., d/b/a **QUAHOG REPUBLIC**, 197 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.

**NOT ACTED ON**

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

- i. Main Streel Deli, Inc, d/b/a **ONSET BEACH PATIO & GRILL**, 182 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.

- ii. Point Independence Yacht Club, Inc., d/b/a **POINT INDEPENDENCE YACHT CLUB**, 15-17 Independence Lane, Onset, MA. Subject to receiving all department approvals and required paperwork.
- iii. Project Half Shell, Inc., d/b/a **QUAHOG REPUBLIC**, 197 Onset Avenue, Onset. Subject to receiving all department approvals and required paperwork.

#### **NOT ACTED ON**

f. **Renewal of Seasonal Package Store All Alcohol Liquor Licenses under the provisions of Chapter 138 of MGL for the year 2024:**

- i. NAP Liquors, Inc. d/b/a **THE JUG SHOP**, 219 Main Street Unit G, Wareham. Subject to receiving all department approvals and required paperwork.
- ii. Pankaj Liquors d/b/a/ **PK LIQUORS**, 3074 Cranberry Highway, Wareham. Subject to receiving all department approvals and required paperwork.

**MOTION:** Mr. Chadwick moved to grant Season Package Store All Alcohol Liquor Licenses as listed on the agenda, 8f i-ii. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- g. Discussion and possible vote to approve the Onset Bay Association application for the Kayak Poker Run event, Shellpoint lot/Beach on June 29, 2024, pending all department approvals and permission of the Town Administrator.

**MOTION:** Mr. Chadwick moved to approve the Onset Bay Association application for the Kayak Poker Run event, Shellpoint lot/Beach on June 29, 2024, pending all department approvals and permission of the Town Administrator. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- h. Discussion and possible vote to approve the Onset Bay Association application for the Onset Summer of Love Concert Series event, Wednesday nights at the Bandshell June 26 through August 28, 2024. Rain location would be at the Onset VFW. Pending all department approvals and permission of the Town Administrator.

**MOTION:** Mr. Chadwick moved to approve the Onset Bay Association application for the Onset Summer of Love Concert Series event, Wednesday nights at the Bandshell June 26 through August 28, 2024. Rain location would be at the Onset VFW. Pending all department approvals and permission of the Town Administrator. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- i. Discussion and possible vote to approve the Onset Bay Association application for the Wareham Celebrates Pride event at Bayview Park on June 1, 2024, rain

date June 2, 2024. Pending all department approvals and permission of the Town Administrator.

**MOTION:** Mr. Chadwick moved to approve the Onset Bay Association application for the Wareham Celebrates Pride event at Bayview Park on June 1, 2024, rain date June 2, 2024. Pending all department approvals and permission of the Town Administrator. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- j. Discussion and possible vote to approve the Onset Bay Association application for the Blessing of Fleet event, Onset Pier on July 6, 2024. Rain date July 7, 2024. Pending all department approvals and permission of the Town Administrator.

**MOTION:** Mr. Chadwick moved to approve the Onset Bay Association application for the Blessing of Fleet event, Onset Pier on July 6, 2024. Rain date July 7, 2024. Pending all department approvals and permission of the Town Administrator. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- k. Discussion and possible vote to approve the Onset Bay Association application for the Family Beach Day event, Onset Beach, west of Pier on July 13, 2024. Rain date July 14, 2024. Pending all department approvals and permission of the Town Administrator.

**MOTION:** Mr. Chadwick moved to approve the Onset Bay Association application for the Family Beach Day event, Onset Beach, west of Pier on July 13, 2024. Rain date July 14, 2024. Pending all department approvals and permission of the Town Administrator. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- l. Discussion and possible vote to approve the Onset Bay Association application for the Chalk Fest event, Prospect Park/Bandshell on August 17, 2024. Rain date August 18, 2024. Pending all department approvals and permission of the Town Administrator.

**MOTION:** Mr. Chadwick moved to approve the Onset Bay Association application for the Chalk Fest event, Prospect Park/Bandshell on August 17, 2024. Rain date August 18, 2024. Pending all department approvals and permission of the Town Administrator. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- m. Discussion and possible vote to approve the Church of the Good Shepherd application for the Wareham Walks for the Homeless event on May 19, 2024. Pending all department approvals.

**MOTION:** Mr. Chadwick moved to approve the Church of the Good Shepherd application for the Wareham Walks for the Homeless event on May 19, 2024. Pending all department approvals. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

## 9. TOWN BUSINESS

- a. Discussion and possible votes to approve the sale of General Obligation Bonds, for the cost of The Wareham Elementary School Project, presented by John Foster.

**MOTIONS** : Mr. Chadwick made the following motions

I move: we hereby determine, in accordance with G.L. c.70B, that the cost of the Wareham Elementary School project authorized by a vote of the Town passed on October 22, 2018 (Article 5) being financed with proceeds of the Notes defined below, together with all other bonds and notes of the Town previously issued to pay costs of this project, does not exceed the portion of the total cost of the project that is not being paid by the school facilities grant and we hereby approve the issuance of notes and bonds to finance this project under G.L. c. 70B.

I further move: to approve the sale of \$2,975,000 4.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated April 5, 2024, and payable April 4, 2025, to Fidelity Capital Markets, a division of National Financial Services LLC at par and accrued interest, if any, plus a premium of \$15,440.25.

I further move: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated March 6, 2024, and a final Official Statement dated March 14, 2024, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

I further move: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

I further move: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

I further move: that any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document: delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to

such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

I further move: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

**MOTION:** Mr. Chadwick's motion was seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

- b. Presentation by Josh Faherty with discussion and possible vote on proposed By-law Revisions. **MOTION:** Mr. Chadwick moved to approve the proposed By-law revisions for the Special Town Meeting. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
- c. Presentation by Sandy Slavin with discussion and possible vote regarding 4 CPC Article(s). **MOTION:** Mr. Chadwick moved to approve the two articles from the annual Spring Town Meeting and two from the Special Town Meeting. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
- d. Presentation by Jacqui Nichols to explain town meeting warrant article on state mandated revaluation. **MOTION:** Mr. Chadwick moved to approve the proposed By-law revisions. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
- e. Discussion and possible vote regarding the authorization of Towing Companies, **Marc's Towing** and **Portside Towing** (f/k/a Vaughn's Towing.) **MOTION:** Mr. Chadwick moved to approve the authorization of Towing Companies, **Marc's Towing** and **Portside Towing** (f/k/a Vaughn's Towing). Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-abstained. **VOTE: 3-0-1**
- f. Discussion and possible vote to draft a letter to the DOT requesting to remove the Indian Mound Beach sign on Cranberry Highway on the west side of Route 6/28. **MOTION:** Mr. Chadwick moved to authorize the Chair to draft a letter to the DOT requesting to remove the Indian Mound Beach sign on Cranberry Highway on the west side of Route 6/28. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
- g. Discussion and possible vote to accept a donation to the Council on Aging for \$1,300.00 from the Advocates For Seniors, Inc. **MOTION:** Mr. Chadwick moved to accept a donation to the Council on Aging for \$1,300.00 from the Advocates

- For Seniors, Inc. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
- h. Discussion and possible vote to approve the **FY2024 Second Half Year Curbside Commitment** for \$1,344,862.50. **MOTION:** Mr. Chadwick moved to approve the FY2024 Second Half Year Curbside Commitment for \$1,344,862.50. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
  - i. Presentation by Jaakko Rinta regarding petitioned article **Remove Limit of 3 Licensed Marijuana Retailers**. **MOTION:** Mr. Chadwick moved to approve the petitioned article to remove the Limit of 3 Licensed Marijuana Retailers. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
  - j. Discussion and possible vote to authorize the modification in Host Community Agreement with Doobie. **MOTION:** Mr. Chadwick moved to authorize the modification in Host Community Agreement with Doobie. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
  - k. Discussion and possible vote to authorize the modification (paragraph 10, mutual release of all claims against one another) in Host Community Agreement with Nature's Medicines, Inc. **MOTION:** Mr. Chadwick moved to authorize the modification (paragraph 10, mutual release of all claims against one another) in Host Community Agreement with Nature's Medicines, Inc. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
  - l. Discussion and possible vote to accept a \$750.00 donation from the Friends of the Wareham Free Library to the Wareham Free Library. **MOTION:** Mr. Chadwick moved to accept a \$750.00 donation from the Friends of the Wareham Free Library to the Wareham Free Library. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
  - m. Discussion and possible vote on Annual Town Meeting Warrant Article recommendations. **MOTION:** Mr. Chadwick moved to recommend favorable action on 6, 7, 11, and 12 and to pass over 14 from the regular town meeting warrant. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**
  - n. Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting. **NONE**

## 10. TOWN ADMINISTRATOR'S REPORT

- Mr. Sullivan mentioned the police blood drive, as well as the great community support from the police department.
- Mr. Sullivan announced an MMA breakfast held at town hall auditorium on 3/15.
- Mr. Sullivan reported on the ongoing progress of catch basin cleaning.
- Mr. Sullivan reported that crosswalk painting will be accomplished shortly
- thanked the Municipal maintenance department for working on the cemetery expansions.

- Mr. Sullivan reported that the town should now help with moving forward to perhaps making a museum for Cape Verdean culture at the oak grove school.

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

Ms. Whiteside reported on the many openings on boards and committees, posted on town website.

**12. CONSENT AGENDA**

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

- i. Select Board Meeting Minutes 3/5/24

**MOTION:** Mr. Chadwick moved to approve the Select Board Meeting Minutes dated 3/5/24. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0 (unanimous)**

**13. ADJOURNMENT**

**MOTION:** Mr. Slavin moved to adjourn the meeting. Seconded. Roll Call: Ms. Whiteside-yes, Mr. Slavin-yes, Mr. Besse-yes, Mr. Chadwick-yes. **VOTE: 4-0-0(unanimous).**

Meeting was adjourned at 8:23 p.m.

**14. 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: 4/22/24

The foregoing minutes were submitted to the Select Board on: 4/2/24

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

1. Dan Ward/Ward Aquafarms, LLC. W-2 Shellfish Grant renewal packet
2. Little Harbor Golf Course Seasonal Common Victualler All Alcohol Liquor License renewal application
3. Point Independence Yacht Club Seasonal Common Victualler All Alcohol Liquor License renewal application
4. Quahog Republic Seasonal Common Victualler All Alcohol Liquor License renewal application
5. Cape Cod Lobster Rolls Seasonal Common Victualler Wine & Malt Liquor renewal License application
6. Onset Beach Patio & Grille Rolls Seasonal Common Victualler Wine & Malt Liquor License renewal application
7. The Jug Shop Seasonal Package Store All Alcohol Liquor License renewal application
8. PK Liquors Seasonal Package Store All Alcohol Liquor License renewal application
9. Kayak Poker Run event application
10. Onset Summer of Love Concert Series event application
11. Wareham Celebrates Pride event application
12. Blessing of the Fleet event application
13. Family Beach Day event application
14. 10 Annual Onset Chalk/Sidewalk Art & Craft Fair event application
15. Wareham Walks for the Homeless event application
16. \$2,975,000 Wareham Elementary School Project General Obligation Bonds packet
17. BSC Group Bylaw and Regulations Update memorandum
18. Indian Mound sign removal request email
19. \$1,300.00 donation from the Advocates for Seniors, Inc. to Council on Aging
20. \$1,344,862.50 FY24 Second Half Curbside Commitment letter from the Select Board
21. Fincom/Select Board 2024 Annual Spring Town Meeting Warrant grid
22. Jaako Rinta marijuana retailer article and petition for Spring Town warrant
23. Doobie Host Community Agreement Minor Modification letter
24. Nature's Medicines, Inc. Host Community Agreement contract
25. Select Board Meeting Minutes 3/5/24