

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: June 19, 2018
Date of Transcription: August 6, 2018
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Alan H. Slavin , Chairman
Patrick G. Tropeano, Clerk
Peter W. Teitelbaum
Anthony Scarsciotti
Mary Bruce

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

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

The Relay for Life will be happening on Saturday, June 23rd at the Wareham Middle School track.

The Historical Antiques Faire will be held on July 4th along with a car show.

5. BOARDS COMMENTS

6. CITIZENS COMMENTS

Present before the board: Susan Graver
Ms. Graver was before the board saying that the rents in this town are ridiculous and shouldn't be at the rate of rents in Boston and was in favor of the 40B project coming into Town.

7. DOG HEARING @ 7:30 P.M.

Benoit Hearing:

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

SELECTMEN MEETING MINUTES-6-19-18 (CONT'D)

Selectman Tropeano read into record the complaint (as attached) from the Animal Control Officer.

Attorney Bowen asked anyone who was going to speak on this issue to please stand and sworn them in.

Ms. Gorveatt-Dill was before the board on the dog hearing of a dog owned by Bambi Benoit. Ms. Benoit was notified of the hearing via certified mail and sent an email to Cheryl to let them know that the dog no longer lives with her and she had given the dog to a family member who lives in Maine. She suggested that the dog be deemed as dangerous. Selectman Teitelbaum asked that the board take administrative notice of the file.

MOTION: Selectman Tropeano moved to deem the dog as dangerous with the following conditions: 1. When not under direct control of a controlling person, the dog shall be contained within a building, vehicle, or secure and locked enclosure. 2. The dog may only leave owner's property accompanied by a controlling person on a leash not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle. 3. Microchip or tattoo identification for the dog. 4. Behavior training for the dog from a trainer approved by the Animal Control Officer. 5. Spaying or neutering of the dog unless an owner of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact. 6. Proof of insurance for the dog in the amount not less than \$100,000, insuring the owner. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

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

Mateo Hearing:

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

Attorney Bowen asked anyone who was going to speak on this issue to please stand and sworn them in.

Selectman Tropeano read into record the complaint (as attached) from the Animal Control Officer.

Ms. Gorveatt-Dill stated that she did reach out to the victim and she thought that she would be there. She also stated that she has never received any complaints on this dog and went and checked with the neighbors and nobody had any complaints and

SELECTMEN MEETING MINUTES-6-19-18 (CONT'D)

they have never seen the dog outside the fence unattended. She did said that the fence was damaged and that the dog has no past history and this wasn't intentional. Mr. Mateo said that he wasn't aware of what was going on and he left his dog in the yard and didn't realize the fence was damaged and when he heard the victim outside he immediately brought his dog inside and went back out and the victim and the dog were both gone. He did wait on his porch for 30 minutes. He did state that he was willing to put him in behavioral class and the incident was isolated. Selectman Teitelbaum didn't feel anything needed to be done and felt the owner was responsible, Selectman Bruce and Scarsciotti would like to go with the Animal Control Officer's recommendations and deem the dog "at risk" not dangerous.

MOTION: Selectman Tropeano moved to deem the dog "at risk" with the following conditions: 1. When not under the direct control of a controlling person, the dog shall be contained within a building, vehicle, or secure and locked enclosure. 2. The dog may leave owner's property accompanied by a controlling person on a leash of not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle. 3. Behavior training for a dog from a trainer approved by the Animal Control Officer. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

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

Geigle Hearing:

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

Selectman Tropeano read into record the complaint (as attached) from the Animal Control Officer.

Attorney Bowen asked anyone who was going to speak on this issue to please stand and sworn them in.

Ms. Gorgeatt-Dill stated that she did speak with the victim and she has chosen not to be there this evening. She explained that she was walking her dog on the bogs and the dogs came charging at her and attacked her causing her to be treated at the hospital for what was described as a severe injury to her left hand resulting in profuse bleeding and torn skin, multiple punctures behind her right knee. She screamed for the woman to call her dogs but her dogs kept biting her. Finally the woman called the dogs and left. Ms. Gorgeatt-Dill said that one neighbor said that the owner of the dog said that she thought her dogs had bitten someone. The dogs haven't had any other incidents that were reported to the Animal Control Officer. Mr. Geigle said that his wife wasn't in attendance due to being beat-up on social media and she is very

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remorseful as is he. He said that they have been in contact with the victim via letter and telephone calls and have stated that they will pay for the woman's expenses. Also present was Charles Morrison who lives directly across the street from the Geigle's, he said that he has never felt threatened by the dogs and have never seen them loose. Also present was Ron Merlot who lives on Bethel Way he said that he had an incident with the dogs last summer while he was walking his 3 dogs. He said that the Geigle's dogs chased him and were barking rather aggressively.

MOTION: Selectman Tropeano moved to deem the dogs as dangerous. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved that the following conditions be placed on the dogs 1. When not under direct control of a controlling person, the dog shall be contained within a building, vehicle, or secure and locked enclosure 6' in height or angled arms. 2. The dog may only leave the owner's property accompanied by a controlling person on a leash of not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle. 3. Microchip or tattoo identification for the dog. 4. Behavior training for the dog from a trainer approved by the Animal Control Officer. 5. Spaying or neutering of the dog unless an owner of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner of the dog shall cause the dog to be altered so that the dog shall be reproductively intact 6. Proof of insurance for the dog in an amount no less than \$100,000, insuring the owner. 7. The dogs shall not be allowed to be left in secure area alone without a person over the age of 18 at the residence. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

Selectman Bruce thanked Cheryl Gorveatt-Dill for her recommendations and said that she hopes that everyone cooperates with her.

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

8. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

A. Reappointments

i. Conservation Commission

MOTION: Selectman Tropeano moved to appoint Sandy Slavin as a member to the Conservation Commission to a term to expire no later than June 30, 2021. Selectman Teitelbaum seconded.

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

MOTION: Selectman Tropeano moved to appoint Mark Carboni as an associate member to the Conservation Commission to a term to expire no later than June 30, 2019. Selectman Scarsciotti seconded.

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VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to appoint Mary Taggart as a member to the Conservation Commission to a term to expire no later than June 30, 2021. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

ii. Constables

MOTION: Selectman Tropeano moved to appoint Joseph Latimer as a Constable for the Town of Wareham to a term to expire no later than June 30, 2019. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to appoint Charles T. Devlin as a Constable for the Town of Wareham to a term to expire no later than June 30, 2019. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

iii. Board of Health

MOTION: Selectman Tropeano moved to appoint Thomas Gleason, M.D. as an associate member to the Board of Health to a term to expire no later than June 30, 2019. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

iv. Historical Commission

MOTION: Selectman Tropeano moved to appoint Cheryl Knapp as a member to the Wareham Historical Commission to a term to expire no later than June 30, 2021. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

v. Recycling Committee

MOTION: Selectman Tropeano moved to appoint Jennifer Gady as a member to the Recycling Committee to a term to expire no later than June 30, 2021. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

9. LICENSES AND PERMITS

a. Application from Cromesett Tribe 156 Improved Order of Redmen for a Change of Manager.

Present before the board: Steve Curry

Mr. Curry will be replacing Mr. Souza who will be retiring from the Redmen soon.

MOTION: Selectman Tropeano moved to approve the application from Cromesett Tribe 156 Improved Order of Redmen for a Change of Manager to Steven F. Curry. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

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- b. Application from 99 West, LLC, d/b/a 99 Restaurant & Pub for a Change of Manager.

Present before the board was Peter Kelly

Mr. Kelly will be the new Manager at the 99 Restaurant.

MOTION: Selectman Tropeano moved to approve the application from 99 West, LLC, d/b/a 99 Restaurant & Pub for a Change of Manager to Peter Kelly. Selectman Scarsciotti seconded.

VOTE: 5-0-0 (Unanimous)

10. TOWN BUSINESS

a. Discussion of 2-3 projects for the Board of Selectmen for the upcoming year. Chairman Slavin asked that the board let the office know what projects they would like to work on.

b. Request to place signs on Town property.

No signs requested.

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

11. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan stated that Mr. Riquinha the building commissioner has been doing a lot of things and would like to bring him before the board for an update. Mr. Sullivan also asked the board if Mr. Evans could come before the board about his proposed increase in EMS fees.

12. LIAISON REPORTS/INITIATIVE REPORTS

Selectman Slavin attended the SPREED MPO & JTPG meetings and stated that the town should have in place a new program in about 2 weeks which would allow the town to input the roads into inventory for Chapter 90 funds.

13. CONSENT AGENDA

a. Authorization to sign bills and documents, etc.

b. Approval of meeting minutes of: Executive Session 5/29/18.

MOTION: Selectman Tropeano moved to approve and hold the executive session minutes of May 29, 2018. Selectman Teitelbaum seconded.

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

14. ADJOURNMENT

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

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VOTE: 5-0-0 (Unanimous)

15. 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: _____

Patrick G. Tropeano, Clerk

Date Signed: 8-14-18

Date sent to the Town Clerk: 8/16/18