

MINUTES OF THE SELECT BOARD

Date of Meeting: November 28, 2023
Date of Transcription: December 5, 2023
Transcribed by: Karen Wilfert

1. CALL TO ORDER BY CHAIR

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

Also Present: Richard Bowen, Town Counsel
Devin Cloutier, Animal Control Officer

Not Present: Derek Sullivan, Town Administrator (excused)

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. 7:00 DOG HEARING – CALVIN CARNES (violation of the October 28, 2019 order, deeming nuisance dogs.)

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

The Chair declared the hearing open and turned it over to Attorney Bowen. Mr. Bowen swore in witnesses Calvin Carnes and Devin Cloutier. Ms. Patricia Morrisson, Mr. Andrew Gallagher and Ms. Kayla Carnes were sworn in later in the hearing.

Ms. Cloutier summarized the complaint against Mr. Carnes, whose dogs had previously been deemed nuisance dogs in October 28, 2019. Mr. Carnes has been issued several citations regarding the barking of his dogs during the hours of 1 am to 3 am, and the dogs have been loose off property several times. Ms. Cloutier feels Mr. Carnes does not take his responsibility to his community seriously, and recommends that Mr. Carnes be found in violation of the Orders of October 28, 2019 and that any further violations result in the Town's seizure of the dogs. The dogs are three Cane Corso, a female approximately 8 years old, and a male and female offspring, both approximately 5 years old.

Mr. Carnes responded to the allegations.

Select Board members questions Mr. Carnes, as well as Ms. Cloutier. During the questioning, it was revealed that not only has Mr. Carnes been fined several times in the past 6 or 7 months, he has not registered the dogs, nor had them properly vetted.

Ms. Morrisson stated she has repeatedly reported the dogs barking in the early morning hours.

Mr. Gallagher stated he had helped build the fence.

Ms. Carnes stated she would help her father be responsible for accomplishing all conditions of any orders.

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

MOTION: Ms. Whiteside asked for recommendations. A motion made by Mr. Chadwick failed for lack of a second vote. A motion made by Mr. Besse failed for lack of a second vote.

Ms. Whiteside made a **MOTION** to adopt the following recommendations:

The dogs shall be deemed a nuisance.

The dogs must be properly vaccinated/inoculated, including rabies shots.

The dogs must be properly licensed in the Town of Wareham, in the Town Clerk's office.

The dogs may only be in the back yard, on leash, individually.

None of the dogs shall be allowed outside in the Carnes back yard, between the hours of 10 pm and 7 am, unless it has a bark collar on, is leashed and under the control of the owner, and is only outside to "relieve" itself. Mr. Besse seconded. Roll Call: Mr. Besse-yes, Mr. Slavin-no, Ms. Whiteside-yes, Mr. Chadwick-no. **VOTE: 2-0-2**

After a vote of 2-0-2, Mr. Bowen suggested that the Chair get assent for each segment of the motion, to get a sense of what the sticking points were.

After further discussion, the following conditions were adopted:

The dogs shall be deemed a nuisance.

The dogs must be properly vaccinated/inoculated, including rabies shots.

The dogs must be properly licensed in the Town of Wareham, in the Town Clerk's office.

The dogs may only be in the back yard, on leash, individually.

None of the dogs shall be allowed outside in the Carnes back yard, between the hours of 10 pm and 7 am, unless it has a bark collar on, is leashed and under the control of the owner, and is only outside to "relieve" itself.

All of the conditions must be met immediately, except that the inoculation/vaccinations and registering of the dogs must be accomplished on or before January 10, 2024.

Failure to adhere to these orders shall result in the seizure of the dogs and new homes found for them.

Ms. Whiteside asked Mr. Carnes if he understood the orders. He stated that he did.

MOTION: Ms. Whiteside moved to approve all conditions that were approved by majority vote of the Select Board. Seconded. Roll call: Mr. Besse-yes, Mr. Slavin-yes, Mr. Chadwick-no, Ms. Whiteside-yes. **VOTE: 3-0-1**

5. TOWN BUSINESS

- a. Discussion and possible vote to approve Seasonal Liquor License Extension to Sterling Golf Management Inc. d/b/a Little Harbor Golf Course Ave, 1 Little Harbor Road, Wareham. **MOTION:** Mr. Chadwick moved to approve a Seasonal Liquor License Extension to Sterling Golf Management Inc. d/b/a Little Harbor Golf Course Ave, 1 Little Harbor Road, Wareham. Seconded. Roll call: Mr. Chadwick-yes, Mr. Slavin-yes, Mr. Besse-yes, Ms. Whiteside-yes. **VOTE: 4-0-0 (unanimous)**
- b. Discussion and possible vote to approve Seasonal Liquor License Extension Project Half Shell Inc. d/b/a Quahog Republic 197 Onset Ave, Onset. **MOTION:** Mr. Chadwick moved to approve a Seasonal Liquor License Extension to Project Half Shell Inc. d/b/a Quahog Republic 197 Onset Ave, Onset. Seconded. Roll call: Mr. Chadwick-yes, Mr. Slavin-yes, Mr. Besse-yes, Ms. Whiteside-yes. **VOTE: 4-0-0 (unanimous)**
- c. Discussion and possible vote to approve Seasonal Liquor License Extension to Main Street Deli d/b/a Onset Beach Patio & Grille 182 Onset Ave, Onset. **MOTION:** Mr. Chadwick moved to approve a Seasonal Liquor License Extension to Main Street Deli d/b/a Onset Beach Patio & Grille 182 Onset Ave, Onset. Seconded. Roll call: Mr. Chadwick-yes, Mr. Slavin-yes, Mr. Besse-yes, Ms. Whiteside-yes. **VOTE: 4-0-0 (unanimous)**
- d. Discussion and possible confirmatory vote regarding Trash Fees for the upcoming vote, as presented by the Town Administrator under his report of November 21, 2023 Select Board meeting. **MOTION:** Mr. Chadwick moved to confirm the vote previously taken on November 21, 2023 regarding "trash rates". Seconded. Roll call: Mr. Chadwick-yes, Mr. Slavin-yes, Mr. Besse-yes, Ms. Whiteside-yes. **VOTE: 4-0-0 (unanimous)**

6. ADJOURNMENT

MOTION: Mr. Slavin moved to adjourn. Seconded. Roll call: Mr. Chadwick-yes, Mr. Slavin-yes, Mr. Besse-yes, Ms. Whiteside-yes. **VOTE: 4-0-0.**

Meeting adjourned at 7:55 p.m.

Respectfully submitted,
Karen Wilfert
Department Assistant

Attest: 
Jared Chadwick, Clerk

Date Signed: 01/02/2024

The foregoing minutes were submitted to the Select Board on: 12/19/23

DOCUMENTS REVIEWED AND/OR USED IN MEETING

1. School and Finance Committee Agenda for 12/7/23
2. FY25 School Department Public Hearing Budget
3. School Committee Agenda 12/7/23 - REVISED AND REPOSTED
4. School Committee FY25 Budget Presentation