

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: October 22, 2019
Date of Transcription: January 9, 2023
Transcribed by: Cassandra Slaney

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Patrick G. Tropeano, Chairman
Mary Bruce, Clerk
Alan H. Slavin
Peter W. Teitelbaum
James M. Munise

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

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

Grumpy's Cranberry Harvest 5K Run/Walk will take place on November 2nd, you can register online at www.grumpy5k.racewire.com or you can register the morning of the race.

A visit with Ben Franklin will take place on Friday November 8th from 7pm-8pm at the Wareham High School. After the presentation, raffle tickets will be sold for the "Dinner with Ben" in which three winners and their three quests will enjoy an evening with Ben Franklin impersonator on Saturday, November 9th.

Selectman Slavin requested a moment of silence in memory of Michael Bird who passed away October 8th and Joseph Leggett who also passed away October 8th.

The Onset Bay Association, Glen Cove Hotel and Watermelon Alligator Theatre Company presents "Murder on the Petulant Express" on Saturday, November 2nd from 6:30-9:30 pm at the Glen Cove Hotel. The fee is \$35.00 per person or \$60.00 per couple.

Onset Bay Association is hosting a Kindness Rocks Project Night on Wednesday, October 23rd from 5:30pm – 8:30pm at 196 Onset Avenue, Onset. The fee is \$20 per person and \$15.00 for Onset Bay Association members. Please RSVP to onsetvillage@gmail.com or text 508-725-2657.

5. CITIZENS COMMENTS

Present Before the Board: Claire Smith, Town Moderator

There have been questions regarding electronic voting at Town Meeting. Nothing is changing about Town Meeting except the electronic voting. There will be two options for voting, button 1 will be for yes, button 2 will be for no. The votes will be displayed on the screen and instructions will be provided to the voters.

6. BOARDS COMMENTS

7. DOG HEARING AT 7:15 P.M.

SELECTMEN MEETING MINUTES-10-22-19 (CONT'D)

MOTION: Selectman Bruce moved to open the hearing. Selectman Munise seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Bruce-yes, Selectman Tropeano-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

Present before the board: Calvin Carnes & Cheryl Gorgeatt-Dill, Eve Asteltine, Patricia Morrison, John Tirrell, Steve Hurley, Anthi Frangiadis, Andrew Gallagher, Kayla Carnes

Ms. Gorgeatt-Dill read the complaint letter into record (*See attachment*)

Selectman Teitalbaum swore in all individuals testifying.

Ms. Asteltine stated that the dogs owned by Mr. Carnes bark constantly day and night and would like to see something done about this.

Ms. Morrison stated that she has spoken to Mr. Carnes regarding his dogs barking and he has always been polite. The dogs are on a runner and bark day and night and she is afraid of them getting loose. She also stated that conversations with neighbors can be difficult due to the barking and this has been going on for over three months.

Mr. Tirrell explained that the he cannot have a conversation when he is outside because the dogs are with fighting or barking. He also stated that they have been known to bark for a couple of hours at a time.

Mr. Hurley stated that the dogs bark morning, noon and night and something must be done.

Ms. Frangiadis reiterated the excessive barking. She also stated that the dogs have been loose and are intimidating with the barking and aggressive behavior.

Mr. Gallagher confirmed that he has also heard the dogs constantly barking and would like to see something done about it.

Ms. Dill explained that she has been working with Mr. Carnes. He has always been receptive and has made numerous attempts to resolve the situation. She stated that multiple citations have been issued for the dogs being loose and barking. The dogs are currently licensed. Ms. Dill proposed that Mr. Carnes take all reasonable measures including, but not limited to, supervised or limited outdoor excursions that would include the deck and/or use of construction of a visual opaque barrier between the street and the yard or the deck in his neighbor's property so that the dogs can't see people walking by the house. Take all reasonable measures including, but not limited to, possible use of a muzzle. Supervise any outside excursions prior to 8am and after 9pm. In addition, ask that the dogs be humanely restrained and be confined outdoors in a secure and enclosed locked pen in a manner that the dogs cannot get loose.

Kayla Carnes read into record a letter from Mr. Carnes extending his apologies and stated that he is taking measures to resolve the barking situation which include purchasing bark boxes, kennels and cameras as well as enrolling the dogs in training classes. Mr. Carnes did not dispute any of the allegations and will comply with the recommendations given by the Animal Control Officer.

MOTION: Selectman Tropeano moved to close the hearing. Selectman Bruce seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Bruce-yes, Selectman Tropeano-yes, Selectman Teitelbaum-yes.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to determine the dogs a nuisance by reason of continuously barking and to comply with the following measures within twenty-one days: 1) take all reasonable

SELECTMEN MEETING MINUTES-10-22-19 (CONT'D)

measures, including, but not limited to, supervised or limited outdoor excursions, and/or use of construction of a visual opaque barrier between the street and the yard. 2) take all reasonable measures including, but not limited to, possible use of a muzzle. 3) Supervise any outside excursions prior to 8am and after 9pm, daily, so as to assure no excessive barking occurs. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

8. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

a. Charter Review Committee

Present Before the Board: Jacqui Nichols

MOTION: Selectman Slavin moved to appoint Jacqui Nichols as a member to the Charter Review Committee for a term to expire no later than the completion of the 2020 Annual Fall Town Meeting. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

9. LICENSES AND PERMITS

a. Application from Barnacle Bobs, Inc., d/b/a Barnacle Bob's and/or BB's, 2424 Cranberry Highway for a change of hours.

Present Before the Board: Timothy Ciaffoni, owner of Barnacle Bobs, Inc.

Mr. Ciaffoni stated that there has been significant difficulty with staffing during lunch hours and is requesting a change of hours to open later in the afternoon.

MOTION: Selectman Slavin moved to approve the application from Barnacle Bobs, Inc., d/b/a Barnacle Bob's and/or BB's, 2424 Cranberry Highway, Wareham for a change of hours as presented. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

b. Reevaluate license for Gateway Motors of Wareham, LLC issued on June 25, 2019.

MOTION: Selectman Bruce moved to open the hearing. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Bruce-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes.

Present Before the Board: John Mello, Owner of Gateway Motors of Wareham, LLC

Mr. Mello stated that a Class 2 license was granted in June and would like to amend it. A tenant has expressed interest in renting the building and Mr. Mello would like to Class 2 license to be moved to the building next door on the property.

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MOTION: Selectman Munise moved to continue the hearing on November 19, 2019 subject to a site plan review from the Planning Board along with a contract from a servicing company to repair vehicles. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Bruce-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes.

VOTE: 5-0-0 (Unanimous)

10. TOWN BUSINESS

a. Discussion and vote whether to recommend or not on fall town meeting warrant articles.

No articles were discussed.

b. Ratification of contracts approved in executive session.

SELECTMEN MEETING MINUTES-10-22-19 (CONT'D)

MOTION: Selectman Teitelbaum moved to confirm the approved contracts in executive session for the Wareham Clerical Union, Waste Water Treatment Facility, Municipal Maintenance, and two Steelworkers Unions. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

c. Special Events Policy.

MOTION: Selectman Slavin moved to modify the process for Special Events by giving the applicant the responsibility to gather all department approvals for any event taking place on Town property. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

d. Discussion and vote on Town of Lakeville Animal Shelter

MOTION: Selectman Slavin moved to accept the Town of Lakeville Animal Shelter Agreement. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

e. Discussion with Richard Swenson re: Congress

Present Before the Board: Richard Swenson

Mr. Swenson provided a presentation regarding the Wareham Congress proposal. He explained what the Congress would entail, why having a Congress should be implemented and reasons it would be successful. *(See attachment)*

f. Appoint Town Administrator as custodian of the November 14, 2019 auction.

MOTION: Selectman Teitelbaum moved to appoint the Town Administrator as custodian of the November 14, 2019 auction. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

g. Chapter 61A Land conversion – Charlotte Furnace Road, Map 106, Lot L- 2, Map 105, Lot 1010.

MOTION: Selectman Slavin moved to not exercise the right under 61A for map 106; lot L-2, Map 105, Lot 1010. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

h. Chapter 61A Land Conversion – Charlotte Furnace Road, Map 106, Lot L-2, Map 105, Lots 16 & 17.

MOTION: Selectman Slavin moved to not exercise the right under 61A for map 106, Lot L-2, Map 105, Lots 16 & 17. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

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

MOTION: Selectman Teitelbaum moved to authorize the Chairman and Town Counsel to execute the AD Makepeace tolling agreement. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

11. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan attended the public hearing for House Bill 4070 which was put forward by Representative Susan Gifford. Mr. Sullivan stated that he did testify in favor of it because Wareham deserves the opportunity to vote on that if it is to move forward.

Mr. Sullivan also stated that there is currently a proposal for a Route 25 interchange. He asked the Board to provide a letter requesting that the interchange be put on the Bond Bill because that area has the potential for growth for the community.

12. LIAISON REPORTS/INITIATIVE REPORTS

Selectman Slavin will be attending a meeting to discuss the two control gate crossings and possible development along Merchants Way.

SELECTMEN MEETING MINUTES-10-22-19 (CONT'D)

Mass DOT had a meeting and discussed the Bike Path, a potential rotary at the end of Minot Avenue, Great Neck Road and Depot Street. There was also discussion of a traffic study on Route 6 and Swifts Beach Road for the installation of traffic lights.

Wareham Redevelopment Authority is making progress on Littleton Drive. The Wareham Redevelopment Authority met with Mass Housing regarding proposals.

13. CONSENT AGENDA

- a. **Authorization to sign bills and documents, etc.**
- b. **Approval of meeting minutes: October 1, 2019.**

MOTION: Selectman Bruce moved to approve the meeting minutes of October 1, 2019. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

14. ADJOURNMENT

MOTION: Selectman Teitelbaum moved to adjourn 8:52p.m. Selectman Slavin seconded.

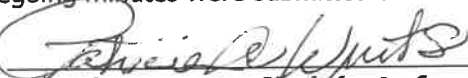
VOTE: 5-0-0 (Unanimous)

15. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted
Cassandra Slaney
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen on:

Attest:


Patricia A. Wurts, Clerk (out of necessity)

Date Signed: 1/18/23

Date sent to the Town Clerk: 1-18-23

Documents reviewed during meeting:

1. Dog Hearing documents.
2. Charter Review Committee application.
3. Barnacle Bobs application for Change of Hours.
4. Gateway Motors request for modification.
5. Special Events Policy.
6. Town of Lakeville Animal Shelter Agreement.
7. Town of Wareham Congress presentation.
8. Chapter 61A land conversion.
9. Meeting minutes for October 1, 2019.

9/26/2019

Dog hearing Request - Cassandra Slaney

Dog hearing Request

Attachment to
10-22-19,
meeting minutes

Cheryl Gorgeatt-Dill

Thu 9/26/2019 2:25 PM

To: Peter Teitelbaum <pteitelbaum@wareham.ma.us>; Janet Wilson <jwilson@wareham.ma.us>; Cassandra Slaney <CSlaney@wareham.ma.us>;

Cc: Garry Buckminster <gbuckminster@wareham.ma.us>;

📎 1 attachment

calvin carnes hearing request.doc;

Greetings,

Please see attached dog hearing request.

Below I have listed 3 suggested restrictions I would like to see placed on these dogs.

Thank you,

Cheryl

1. To take all reasonable measures, including but not limited to, supervised or limited outdoor excursions, and/or the use or construction of a visual opaque barrier between the street and yard.
2. To take all reasonable measures, including but not limited to, the use of a muzzle.
3. In addition to the above measures, to supervise any outside excursion prior to 8 A.M. or after 9 P.M., daily; so as to assure no excessive barking occurs.

Commonwealth of Massachusetts

Complaint of Vicious or Barking Dogs

Section 157, Chapter 140, General Laws

September 26, 2019

I hereby make complaint hereon, that dogs owned or harbored by:

Calvin Carnes
11 Barrett's Way PO Box 1811
Onset MA 02558

Are nuisances by reason of:

1. Continuously Barking,

Starting on September 8, 2017 to this date The Department of Natural Resources has had an ongoing barking dog issue with the above named dog owner, Calvin Carnes. We have issued numerous citations to the dog owner without resolution. Our department also made numerous suggestions on possible solutions to the ongoing barking dog situation with no avail. The complaints have included video evidence and Officer confirmation that the situation continues to be an issue. The multiple dogs' owned by Mr. Carnes, described as 4 Cane Corso's, are reported to be left outside at all hours of the day and night. The dogs are reported to bark non-stop while they area left outside. In addition we have had numerous complaints that these same dogs are frequently allowed to run free in the area. Mr. Carnes has been notified in writing of these complaints and failed to resolve the issue. Mr. Carnes neighbors have requested that greater measures be taken and would like to have a hearing before the Board of Selectmen in regards to this matter.

This complaint is made under the penalties of perjury.

Complainant's signature:

Cheryl Gorveatt-Dill

Cheryl Gorveatt-Dill

Wareham Animal Control Officer



Town of Wareham
54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Patrick G. Tropeano, Chairman
Mary Bruce, Clerk
Alan H. Slavin
Peter W. Teitelbaum
James M. Munise

September 30, 2019

CERTIFIED MAIL: 7018-1830-0000-9897-0085

Calvin Carnes
11 Barrett's Way
PO Box 1811
Onset, MA. 02558

Re: Hearing

Dear Mr. Carnes:

In accordance with the provisions of Chapter 140, Section 157 of the Massachusetts General Laws, you are hereby notified that a public hearing will be held before the Board of Selectmen on **Tuesday, October 22, 2019** at 7:15 p.m. regarding a dog owned or kept by you. Please find attached a complaint letter from the Wareham Animal Control Officer and Appointed Animal Inspector that outlines the allegations. If you require more information, please let me know at your earliest convenience. The hearing will be held in the Multi-Service Center, Room 320, 48 Marion Road, Wareham, MA.

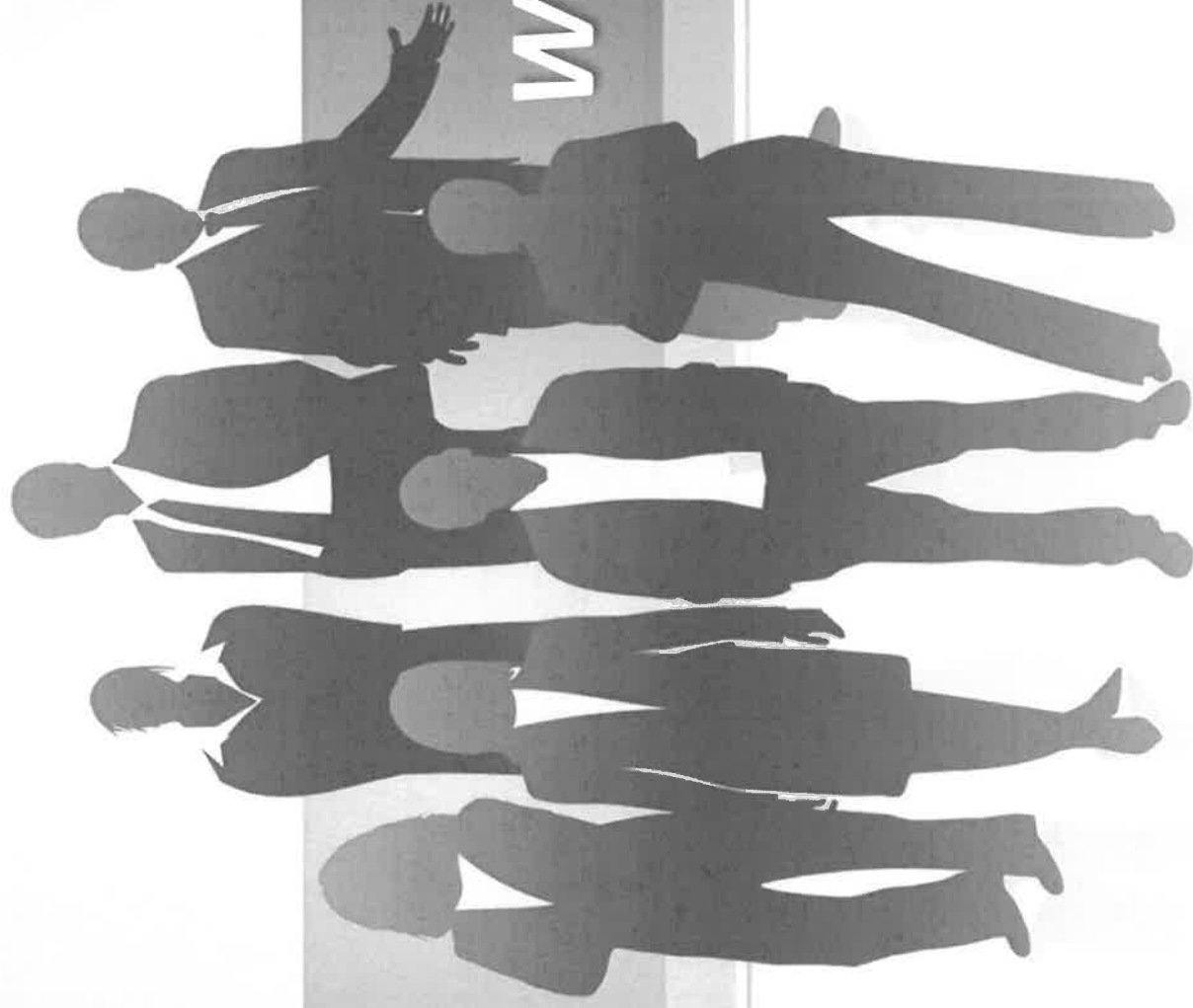
Your attendance is requested at this hearing in order that your interest is properly protected.

Sincerely,

Patrick G. Tropeano
Chairman

cc: Board of Selectmen
Animal Control Officer Cheryl Gorgeatt-Dill
Acting Police Chief John Walcek
Town Counsel

Attachment to 10-22-19
meeting minutes



Wareham Congress

*Proposal for Scope,
Initiation and Utilization*

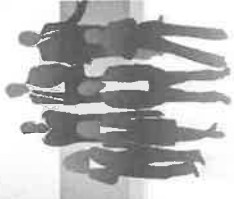
Agenda

- What is a “Congress”?
- What is a Wareham Congress?
- Why should we have a Wareham Congress?
- Wareham Congress / Master Plan Integration
- Wareham Congress Meeting Agenda Concept
- Keys to Success
- Next Steps



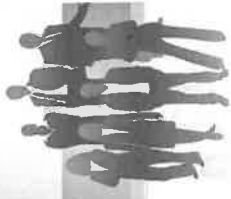
What is a “Congress”?

- Definition: *(one of several)*
*a formal meeting or assembly of
representatives for the discussion,
arrangement, or promotion of some
matter of common interest*



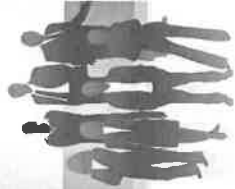
What is a Wareham Congress?

- A forum for all Wareham agencies
 - Boards, Authorities, Committees, Commissions, etc.
- Chaired by the Planning Board
 - Representation from Wareham town agencies
- Quarterly meeting
 - Public Meeting under OML guidance
- Mission
 - Agency alignment to the Master Plan
 - Master Plan Strategy (tasks) prioritization, assignment and implementation



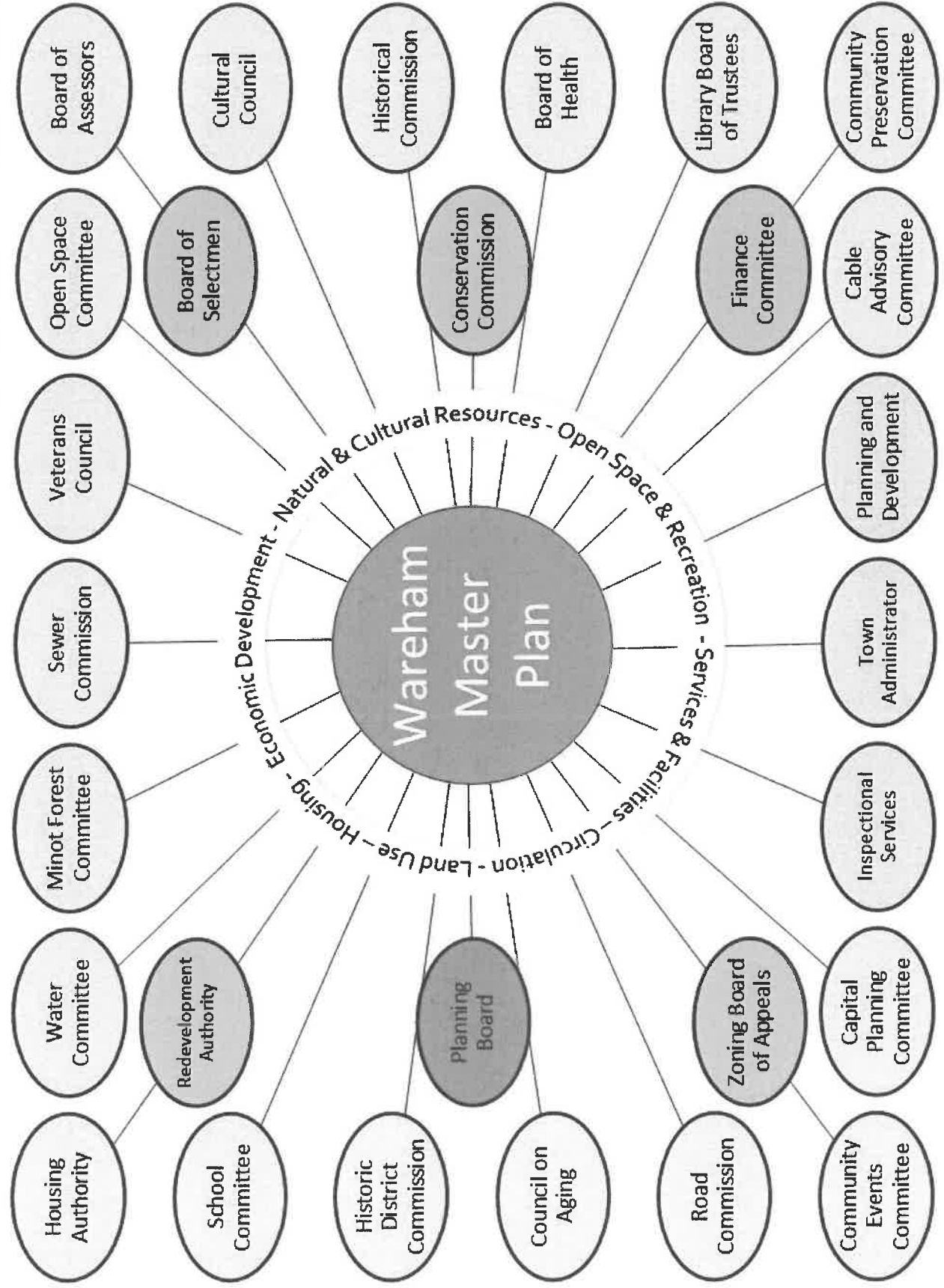
Why should we consider a Wareham Congress?

- A Wareham Congress would enable our town to...
 - Ensure alignment across town agencies against the Master Plan
 - Establish a forum for Master Plan oversight and execution
 - Provide a mechanism for town agencies to work together on common goals



Congress / Master Plan Integration

An Execution Roadmap for all Town Agencies



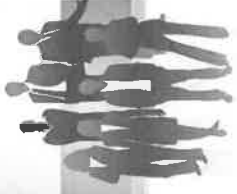
Congress Meeting Agenda Concept

- Agency alignment against Master Plan
- Master Plan strategy priority
- Master Plan strategy ownership
- Master Plan strategy implementation status
- Master Plan changes/updates



Keys to Success

- Approved, endorsed and maintained Master Plan
- Commitment to execution by all Agencies
- Key performance measures for all Master Plan strategies being executed
- Congress member empowerment
- Congress member accountability
- Full transparency



Next Steps

1. Solicit Congress proposal feedback from all town agencies
2. Solicit Congress proposal feedback from Wareham citizens via a public workshop
3. Implement the Wareham Congress

Concurrently:

1. Master Plan review and approval by Planning Board



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SELECTMEN MEETING MINUTES-10-22-19 (CONT'D)

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VOTE: 5-0-0 (Unanimous)

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

MOTION: Selectman Teitelbaum moved to authorize the Chairman and Town Counsel to execute the AD Makepeace tolling agreement. Selectman Bruce seconded.

VOTE: 5-0-0 (Unanimous)

11. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan attended the public hearing for House Bill 4070 which was put forward by Representative Susan Gifford. Mr. Sullivan stated that he did testify in favor of it because Wareham deserves the opportunity to vote on that if it is to move forward.

Mr. Sullivan also stated that there is currently a proposal for a Route 25 interchange. He asked the Board to provide a letter requesting that the interchange be put on the Bond Bill because that area has the potential for growth for the community.

12. LIAISON REPORTS/INITIATIVE REPORTS

Selectman Slavin will be attending a meeting to discuss the two control gate crossings and possible development along Merchants Way.

SELECTMEN MEETING MINUTES-10-22-19 (CONT'D)

Mass DOT had a meeting and discussed the Bike Path, a potential rotary at the end of Minot Avenue, Great Neck Road and Depot Street. There was also discussion of a traffic study on Route 6 and Swifts Beach Road for the installation of traffic lights.

Wareham Redevelopment Authority is making progress on Littleton Drive. The Wareham Redevelopment Authority met with Mass Housing regarding proposals.

13. CONSENT AGENDA

- a. **Authorization to sign bills and documents, etc.**
- b. **Approval of meeting minutes: October 1, 2019.**

MOTION: Selectman Bruce moved to approve the meeting minutes of October 1, 2019. Selectman Teitelbaum seconded.

VOTE: 5-0-0 (Unanimous)

14. ADJOURNMENT

MOTION: Selectman Teitelbaum moved to adjourn 8:52p.m. Selectman Slavin seconded.

VOTE: 5-0-0 (Unanimous)

15. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted
Cassandra Slaney
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen on:

Attest: _____
Patricia A. Wurts, Clerk (out of necessity)

Date Signed: _____

Date sent to the Town Clerk: _____

Documents reviewed during meeting:

- 1. Dog Hearing documents.
- 2. Charter Review Committee application.
- 3. Barnacle Bobs application for Change of Hours.
- 4. Gateway Motors request for modification.
- 5. Special Events Policy.
- 6. Town of Lakeville Animal Shelter Agreement.
- 7. Town of Wareham Congress presentation.
- 8. Chapter 61A land conversion.
- 9. Meeting minutes for October 1, 2019.