



Town of Wellfleet - Board of Selectmen

Wellfleet Public Library

October 9, 2007

Regular Meeting - Minutes

The meeting was called to order at 7:00 p.m. by Vice Chairman Michael May. Selectmen present included Jerry Houk, Ira Wood and Dale Donovan. Interim/Assistant Town Administrator Rex Peterson also attended. Selectwoman Jacqui Beebe was absent.

Public Hearing

Dog Hearing

Requested by the Animal Control Officer & Dale Rice.

Represented by Lorial Russell. Three incidents with a dog of Lucinda Goldman attacking neighboring dogs of Dale Rice. The Rice's are requesting the dog either banned from town or put down. Ms. Russell recommends that the dog be banned from town or muzzled while outside. Deirdre Callahan representing Lucinda Goldman stated that she was unable to come to the hearing due to health. Dale Rice handed the board a witness statement. Michael Fortie spoke about the dog going after his dogs as well.

MOTION: *To move that the Board of Selectmen vote to banish the dog from the Town of Wellfleet starting on October 15th, and be confined to the Goldman property until that time.*

Motion by: Dale Donovan.

Seconded by: Ira Wood.

Yea 4 Nay 0

NEW POLICE DEPARTMENT RULES & REGULATION

To hear a petition from Chief Rosenthal for the Selectmen to consider the following addition to the Police Department Rules and Regulations:

Wellfleet Police Department Rules and Regulations

Regulation #66 - Electronic Weapons

◆ *Policy*

Member of this Department shall use only for force reasonably necessary to effect lawful objectives and effectively bringing an incident under control. ECWs may be used by authorized and trained personnel in accordance with this policy and additional guidelines established herein.

Represented by Chief Rosenthal and Lt. Ron Fisetto. The Chief gave a brief verbal outline on the benefits of allowing officers use of electronic weapons. Mr. Houk was concerned about the numerous deaths from electronic weapons. The Chief stated that the deaths were brought on due to additional substances affecting the victim, and there is no scientific evidence that those deaths were caused by an electronic weapon. Lt. Fisetto spoke about the power of tasers when in use was less than a single light bulb on a strand of lights. Mr. Wood was concerned with the possibility of more entitlement from an officer to use a taser. Chief Rosenthal stated that he was willing to show the incidents from video tape, when an electronic weapon would be used. Mr. Donovan spoke about the electronic weapon being an effective intermediate level of weapon which would result in less injury for the non-compliant citizen & the officer. Mark Berry spoke against the taser. Moe Barocas was concerned with summer officers with less training handling a taser. Chief Rosenthal stated that special officers would not have a taser, and that they are paired up with a permanent officer who would only have access to the weapon. Mr. Donovan suggested having more research & evidence on the topic prior to a vote.

Postponed till a future meeting.

Open Session & Announcements

- ◆ Harriet Korim announced "Climate Actions on the Outer Cape" seminars on November 3rd & 4th.

- ◆ Jerry Houk spoke about “Municipal Advocate” article about capital costs/projects, and would like to discuss it as an agenda item on the next meeting.
- ◆ Michael May announced the Oysterfest this weekend on the 13th & 14th.

New Business

1. Water issues and wastewater planning – Board of Water Commissioners
Represented by Mark Berry, Moe Barocas, Emily Beebe & Health Agent Hillary Greenberg.
 - ◆ *Fire Station – could hook up at the well at the elementary school.*
 - ◆ *Charter Changes and how they will be implemented – standards of cooperation and communication should take place now prior to a new TA. Helen Miranda Wilson spoke about the lack of staff support for the Board of Water Commissioners. Mr. Wood would like to request from the Interim TA that more communication between the DPW and the BWC take place.*
 - ◆ *Estuaries Final report – expected to arrive within the year.*
 - ◆ *Wastewater – identifying trouble areas and how to treat it individually. Mr. Donovan suggested a committee/board with some slotted spots from Board of Health and Board of Water Commissioners.*

MOTION: *To move that the Board of Selectmen vote to appoint a Wastewater Committee of 7 members, requesting a suggested charge from the Health Agent.*

Motion by: dale Donovan. **Seconded by:** Ira Wood. Yea 4 Nay 0

2. Boats, Floats & Barges Policy – Harbormaster, Health & Conservation Agent.
Postponed till a future meeting.

3. Power Lines Management Program
Represented by Robert Hubby of the Open Space Committee requesting approval of the proposed Power Line Management Line Plan. Mr. Wood would like to thank the Open Space Committee for taking this on. Mr. Houk suggested a by-law be drafted to add enforcement capabilities.

MOTION: *To move that the Board of Selectmen vote to approve the Power Line Management Program as outlined by the Open Space Committee’s letter of September 24th to the Town of Wellfleet Select Board be accepted and adopted and that the Open Space Committee be authorized to work with the appropriate Town departments for the program’s implementation. Progress reports from those charges with enforcement shall be provided every 6 months.*

Motion by: dale Donovan. **Seconded by:** Ira Wood. Yea 4 Nay 0

4. Vehicle Rollover Policy – Finance Committee
Represented by Arlene Kirsch. A draft policy was submitted to the Board, dated 10/6/07. Mr. Wood would like to thank the Finance Committee for all of their assistance with this policy. He would like to get input from department heads on the draft policy. Chief Rosenthal spoke about his existing policy within his department. Chief Silverman had not seen the draft policy and would like to look at it prior to commenting on how it could affect the Fire Department. Mark Vincent spoke in favor of the Rollover Decision Form and how it will assist the DPW with a timeframe for vehicle replacement.

MOTION: *To move that the Board of Selectmen vote to approve the draft version of the Finance Committee’s vehicle policy for DPW, and to circulate the policy to other departments with vehicles for input.*

Motion by: Ira Wood. **Seconded by:** Jerry Houk. Yea 4 Nay 0

5. Board/Committee Appointments
 - ◆ Shelia Lyons – Local Comprehensive Planning Committee

MOTION: *To move that the Board of Selectmen vote to appoint Shelia Lyons to the LCPC.*

Motion by: Ira Wood. **Seconded by:** Dale Donovan. Yea 4 Nay 0

6. Assistant DPW Director Appointment

MOTION: *To move that the Board of Selectmen vote to disapprove the appointment.*

Motion by: Jerry Houk. **Seconded by:** None.

7. Fireworks

Represented by George White. Mr. Houk questioned whether having the show on a Saturday evening rather than a week night would be a problem. Mr. White stated that it would not be a problem. Mr. Donovan publicly thanked Mr. White for all his assistance in producing it every year.

8. Use of Town owned Property – WOMR live broadcast from the Oyster Festival.

Represented by David Myers. Use of a phone line from Town Hall is requested.

MOTION: *To move that the Board of Selectmen vote to approve use of a town owned phone line during Oyster festival for a live broadcast.*

Motion by: Ira Wood. **Seconded by:** Dale Donovan. Yea 4 Nay 0

Old Business

1. STM Warrant

MOTION: *To move that the Board of Selectmen vote to place Questions 1 & 2 on the Ballot*

Motion by: Dale Donovan. **Seconded by:** Michael May. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote to place Article 1 & 2.*

Motion by: Dale Donovan. **Seconded by:** Ira Wood. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote to place Article 6.*

Motion by: Dale Donovan. **Seconded by:** Ira Wood. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote to place Article 7.*

Motion by: Dale Donovan. **Seconded by:** Ira Wood. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote to place Article 8.*

Motion by: Ira Wood. **Seconded by:** Dale Donovan. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote to place Article 11.*

Motion by: Dale Donovan. **Seconded by:** Ira Wood. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote to place Article 12.*

Motion by: Dale Donovan. **Seconded by:** Ira Wood. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote to place Article 13.*

Motion by: Dale Donovan. **Seconded by:** Ira Wood. Yea 4 Nay 0

Correspondence

Mr. Wood reviewed the Correspondence report dated 9/24 – 10/8.

MOTION: *To move that the Board of Selectmen vote to send a letter of support to the New England Fisheries Management Council regarding Herring Fishery, after the letter has been approved by the Herring Warden*

Motion by: Dale Donovan. **Seconded by:** Dale Donovan. Yea 4 Nay 0

Minutes

1. September 11, 2007

MOTION: *To move that the Board of Selectmen vote to approve the September 11, 2007 minutes.*

Motion by: Ira Wood. **Seconded by:** Dale Donovan. Yea 4 Nay 0

Future Meetings/Agendas

MOTION: *To move that the Board of Selectmen adjourn the regular meeting.*

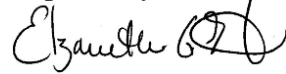
Motion by: Ira Wood.

Seconded by: Dale Donovan.

Yea 4 Nay 0

The regular meeting adjourned at 9:55 p.m.

Respectfully submitted,



Elizabeth G. Hartsgrove
Executive Assistant

Jacqueline Beebe, Chair

Michael May

Ira Wood

Dale Donovan

Jerry Houk