



**Town of Wellfleet - Board of Selectmen  
Wellfleet Council of Aging  
August 12, 2008  
Regular Meeting - Minutes**

Chair Jacqui Beebe called the meeting to order at 7:00 p.m. Selectmen present included Dale Donovan, Michael May and Ira Wood. Town Administrator Paul Sieloff also attended.

**Regrets:** Jerry Houk

**Public Hearing**

Animal Control Officer Lorial Russell presented information on two unrestrained pit bulls at Pine Point Rd. Since April 9, there have been numerous complaints about the dogs. She had several letters regarding the dogs running loose. Russell stated for the record that the dogs be confined to a fenced in yard with a locked gate. She said that if that fails, she would like to see the white, aggressive male pit bull removed from town. May established that pit bulls in Wellfleet need to be muzzled. Sam. Scherer, owner of the male pit bull, said that they are constructing a new fence for the yard. Mrs. Scherer said that the young male dog is to be neutered. Neighbors and abutters discussed the dogs. Police Chief Rosenthal said he agreed with the dog officer. Chair Beebe said there were 12 cases of the dogs running loose, which violates Town bylaws. She said the situation needed to be resolved as soon as possible. Donovan said that the leash law and the muzzle for pit bulls should be enforced.

**MOTION 08-0239:** *To move the following findings:*

- 1.) There have been numerous complaints about the American Staffordshire terriers a.k.a. pit bulls, since April 9, 2008.*
- 2.) Specific complaints have been made about the white, male pit bull*
- 3.) There are additional complaints about a brindle-colored, female pit bull.*
- 4.) The dates of the incidents include: April 9, April 20, April 27, June 8, June 11, July 7, July 15, July 17, July 20, July 22, July 24 and July 27.*

**Motion by:** Wood                      **Seconded by:** Donovan                      Yea 4                      Nay 0

**MOTION 08-0240:** *To move to follow recommendation of dog officer that all three dogs are to be fenced in secure facility with a locked gate. If there is a further reported incident, the dogs are to be banished from the Town.*

**Motion by:** Donovan                      **Seconded by:** May                      Yea 4                      Nay 0

Wood clarified that the findings and motion applied to both owners of the dogs.



signs bylaw amendment, Tax Collector's increased fee for real property searches, Budget transfers, modification of specifications for commercial wind turbines through Planning Board, borrowing for firing range clean-up, authorization for selling Town-owned land parcels, adoption of first-year union contracts, and borrowing for the Main Street demolition project.

**Use of Town Property**

- Paul Curley had requested use of the White Crest Beach parking lot for Sunday, September 13, 2008 from 9:00 a.m. to 1:00 p.m. as a water stop for bicyclists on the 24<sup>th</sup> Annual Autumn Escape Bike Trek.
- Kel Kelly had requested the use of Indian Neck Beach on August 15, 2008 from 10 a.m. to 3:00 p.m. for the third annual company outing of Kel & Partners of Hopkinton, Mass.
- Gary Sorkin of the Wellfleet Housing Authority had requested the use of the Town Hall lawn for a table and median strip at the lights on Route 6 for signage from August 1 to August 17, 2008 at selected times for the promotion of a benefit featuring Michael Dukakis.
- Teresa Townsend of the Wellfleet Firefighters Relief Association had requested the use of the Town Hall lawn and entrance way by Abioyo's on Saturday, August 16, 2008 from 8:00 a.m. to 1:00 p.m. for the Annual Bake Sale.

***MOTION 08-0242: To move to approve the four (4) requests for Town property from Paul Curley, Kel Kelly, Gary Sorkin and Teresa Townsend.***

***Motion by: Wood      Seconded by: Donovan      Yea 4      Nay 0***

**Joint Meeting with Truro**

A joint meeting with the Truro Board of Selectmen has been planned for September 23, 2008 at 6:00 p.m. at Truro Town Hall. Paul Sieloff said he had a commitment for this date with Truro. Donovan said one agenda item should be about process for regionalization of services.

**Letter from Town Counsel**

The Selectmen discussed forwarding Town Counsel's letter regarding the role of Town Counsel. Paul Sieloff said that Kopelman & Paige had sent a letter a few weeks ago, and he suggested that the letter be forwarded to all boards and committees.

***MOTION 08-0243: To move to approve forwarding Town Counsel's letter regarding the role of Town Counsel to all boards and committees.***

***Motion by: Donovan      Seconded by: Wood      Yea 4      Nay 0***

**Zoning Bylaw Revisions**

Rex Peterson explained changes to the proposed zoning bylaw revisions that deal with Seashore building. One change in 6.1.5 applies to the Town as a whole.

***MOTION 08-0244: To move to send the bylaw revisions to Planning Board for a public hearing.***

***Motion by: Donovan      Seconded by: Wood      Discussion***

Attorney Ben Zehnder asked if the Selectmen had read the document and asked about procedure. He said that the draft would freeze zoning with the first publication of the advertisement. Chairman of the Planning Board Dennis O'Connell said the revision would be arriving at the Planning Board as a petitioned Article. Ben Zehnder said if the draft was to be published August 29 and zoning frozen, there should be a public hearing

by the Town first. Planning Board cannot make changes to the document, according to O'Connell. Donovan said it was not a petitioned Article. Ben Zehnder said that the bylaw changes were significant and were not what had been talked about by Planning Board.

Tom Rinehart spoke in favor of moving forward with the bylaw revision and bringing it to a public hearing. Donovan spoke about the freeze that would be placed on building.

**MOTION 08-0245: *To move to amend his motion to send to PB for a public hearing after Rex Peterson has consulted with Town Counsel on the procedural questions***

**Motion by: Donovan            No Second**

O'Connell asked about Donovan's revised motion and urged the other members to vote against it. From the floor, Brent Herold and John Williams, Chairman of the Boundbrook Island Rd. Homeowners Association, spoke in favor of resolving the bylaw changes. Donovan discussed the language in the new proposal. Beebe said she had agreed to suggestions for revision but upon reviewing the current document in public, she had many concerns she wanted answered before going forward.

Donovan and Wood withdrew the original motion.

**MOTION 08-0246: *To move to withdraw his amended motion until a BOS meeting August 19, 2008 with Town Counsel addressed the questions of procedure of sending the Zoning bylaw changes from the Board of Selectmen to the Planning Board.***

**Motion by: Donovan            Seconded by: Wood            Yea 4            Nay 0**

There was further discussion of the proposed changes from the floor and by the Selectmen.

#### **Old Business**

Paul Sieloff revisited the parking enforcement issue. There were two issues: Town Hall parking lot and former church parking lot parking. The Methodist Church and Congregational Church had a proposal for use of their lots. Sieloff recommended that for the rest of the summer the Town continue with the Police Chief's policy that was in effect.

Chief Rosenthal gave a report on vehicle speeds on Commercial Street. Chief Rosenthal had sent up a traffic monitoring computer which indicated speeds that were mainly in compliance. Chief Rosenthal had requested that DPW set up speed limit signs on Commercial St.

#### **Correspondence**

- Donovan said most of the issues had been addressed. He noted the Mass Municipal Photo Contest.
- Roger Putnam spoke in greater detail on the hearing on the Herring River Restoration at 2 p.m. on Thursday, August 14, 2008. The meeting will be held again August 24, 2008.

**Minutes**

**MOTION 08-0247: To move to approve the minutes of July 22, 2008 meeting of the Board of Selectmen**

**Motion by: Wood      Seconded by: Donovan      Yea 4      Nay 0**

**MOTION 08-0248: To move to approve the amended minutes of the July 23, 2008 Joint Meeting with the Planning Board.**

**Motion by: Donovan      Seconded by: Beebe      Yea 4      Nay 0**

**Future Meetings & Agendas**

- Topics for the August 26, 2008 meeting included fees for: Use of Town property, Senior Center, Marina, Board of Health and Transfer Station. Gary Joseph will present a report on the status of the Herring River Restoration Project at this meeting.
- A discussion of SEMASS issues is scheduled for the September 9, 2008 BOS meeting. Beebe said that the Town Administrator’s evaluation and goals would be also considered at the Sept. 9 meeting.

**Adjournment**

**MOTION 08-0249: To move to go into Executive Session for legal matters and not return to open meeting.**

**Motion by: Beebe      Seconded by: Donovan      Yea 4      Nay 0  
Yea 5      Nay 0**

**Roll call (May, Beebe, Wood, Donovan – yea)**

The regular meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Mary Rogers, Committee Secretary

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Jacqueline Beebe, Chair

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Michael May

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Ira Wood

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Dale Donovan