

**Wellfleet Selectboard
Virtual Meeting ~ Zoom
April 29, 2021; 6PM
Meeting Minutes**

Members Present: Michael DeVasto, Chair; Justina Carlson, Ryan Curley, Helen Miranda- Wilson

Members Absent: Janet Reinhart

Others Present: Chief Rich Pauley, Acting Town Administrator; Rebekah Eldridge, Executive Assistant; Harry Terkanian, Former Town Administrator; Carole Ridley, Friends of the Herring River Project representative; Demond Keough, Animal Officer; Chief Michael Hurley, Police Chief; Martha Craig, Friends of the Herring River; Curt Felix, Chair of Wastewater Committee

I. Announcements, Open Session and Public Comments

Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

- No comments or announcements

II. COVID-19 Updates and Recommendations

A. Eldridge reported that a new vaccine clinic was posted on the town's website today by the Health Agent.

III. Business

A. High Toss Road layout for Herring River Restoration project.

- Ridley thanked the Board and began her presentation for High Toss Road. She explained that there was some lack of clarity regarding the town's ownership of the road. She continued by explaining that she and the project have been working with Katherine Klein from KP Law and they came to the conclusion that this road has always been considered and treated like a town road. She explained the Board needs to except the layout of the Road and then send the document that she provided over to the Planning Board to review.
- She Continued there needs to be another public meeting of the Selectboard after the Planning Board reviews the plan and layout of the road to vote and accept the layout. Ridley screen shared the plans and the steps needed to be taken to continue this process and get the article on the Town Meeting Warrant for June 26,2021.
- Ridley continued by showing the Board a map that was drawn up by an engineer firm and showed them parts of the roads that the project is looking to have the Board approve and accept. There were a few questions regarding land swap with the National Seashore.
- Terkanian gave his knowledge of the road and stated the town took the formal status way back that they would not maintain the road any longer.

- **Chair DeVasto moved; Board Member Wilson seconded; and it was voted to have the Selectboard vote its intention to lay out High Toss Road, between Pole Dike Road and Duck Harbor Road, as a town way as shown on a plan entitled “Plan of Land High Toss Road, Wellfleet MA being a 40’ Public way as Laid Out by The Town of Wellfleet” dated April 6, 2020, prepared by Outermost Land Survey Inc., and that the Selectboard forward the layout petition and plan to the Planning Board for its comments and recommendations pursuant to G.L. c 41 §§81G and 81I.**

Roll Call Vote: 4-0

- **Board Member Wilson moved; Board Member Carlson seconded; and it was voted to send the letter as amended and presented by Carole Ridley by screensharing during this part of the meeting.**

Roll Call Vote: 4-0

B. Authorization for the Town Administrator or the Selectboard Chair to sign permit applications and funding requests in relation to the HRR project.

- Ridley gave a small and short presentation on this and explained she needed more people to have the ability to sign documents, so papers are able to be facilitated more quickly. Board Member Curley suggested that the Assistant Town Administrator be added to the approved p
- **Chair DeVasto moved; Board Member Wilson seconded; and it voted was to authorize the Town Administrator, Assistant Town Administrator or the Selectboard chair to sign on behalf of the town of Wellfleet as an applicant or as a co-applicant as the case may be any funding requests or environmental permit applications for phase 1 of the Herring River Restoration Project and further authorize Friends of Herring River Inc. and their respective consultants to represent the town in connection with public hearing processes and other aspects of the permit administration or fundraising.**

Roll Call Vote: 4-0

C. Discussion on the Animal Control Bylaw

- Officer Keough spoke to the Board regarding the regulations as they are now and spoke to the fact that he doesn’t have much jurisdiction when it comes to enforcing the rules in the town of Wellfleet. He stated the dog leash law is in effect, but the dog feces and the barking dog issues. HE gave some examples of when he has been called to residence in town with complaints of barking dogs and dog feces and he has to explain that there is nothing he can do.
- The Board continued to discuss the rules and regulations. The fine for leaving any animal in a vehicle the fine begins at \$50 and up the fourth offense it will be brought up to \$500. Office Keough explained that these are mandated by the state. He continued with the barking and that he would like more tools to give him the ability to enforce these regulations.

There was a lot of discussion about the \$500 fine. Officer Keough explained that he wouldn't use that \$500 for dog barking and feces. He explained these are separate offenses. Board Member Carlson expressed to the Board that the officer is asking for tools to be able to do his job as an animal control officer.

- Chair DeVasto explained that he isn't okay with a \$500 fine for dog barking, leash law and feces law. He was fine with giving a fine just not that high. Officer Keough explained it's not so much the fine that he is looking to give out but the fact that he can give a verbal warning and then educate the offender with the ability to state that if the offense isn't corrected. The Board continued to discuss the bylaws.
- **Chair DeVasto moved; Board Member Carlson seconded; and it was voted to make the fine for violation of the leash law, and the barking dog law to not exceed \$50.**

Roll Call Vote: 4-0

- Officer Keough questioned the dog feces violation. Chair DeVasto explained he was fine with the fee schedule as presented in packet.
- Felix spoke to the bylaw and agreed with most of everything. He spoke to the leash bylaw. The Board continued to discuss the bylaws and the support that they are willing to offer the animal control officer.

D. Warrant Article discussion, placement, and recommendations– Chair DeVasto expressed to the Board that it has been a long week and would like to end the meeting and return to discussions the following week.

E. 2022 Budget discussion and approval

IV. Selectboard Reports

V. Topics for Future Discussion

VI. Correspondence and Vacancy Reports

- Board Member Wilson informed the Board that Ann Sterling took the Board's request to consider granting an easement regarding Omaha Road and Wilson would like to get this on a meeting in the very near future.
- A letter from Even Brunage regarding the whole Harbor leases surveyed for everyone.
- CYCC offered to host town meeting.
- Reports and Management letter were given to the Board and they will review.

VII. Minutes

A. April 13, 2021 – moved to the next meeting

B. April 20, 2021 – moved to another meeting.

VIII. Adjournment

- **Board Member Wilson moved; Board Member Carlson seconded; and it was voted to adjourn.**

Roll Call Vote: 4-0

****Public Documents***

Packet for High Toss Road

Map of High Toss Road, letter to planning board, motions to be made at the meeting, letter to Abutters regarding the public meeting being held by both the Selectboard and Planning Board.

Amended Animal Control Bylaw

Meeting Minutes for April 13, 2021