

Memorial Town Hall, 1 Library Street, Georgetown, MA 01833
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BOARD OF SELECTMEN MEETING MINUTES
Memorial Town Hall
Second Floor Meeting Room
3/26/07
7:00 PM

Selectmen Present: Richard Clough, Chairman; Lonnie Brennan, Clerk; Matthew Vincent

Others Present: Stephen Delaney, Town Administrator; Janet Pantano, Administrative Assistant

Absent:

Call to Order

Mr. Clough called the meeting to order at 7:00PM.

Public Hearing

Dog Complaint-Shores/Ratte

Mr. Delaney stated that the Selectmen have received a complaint from Mr. & Mrs. Shores regarding two rotweilers owned by the Ratte's. He explained the process and that everyone who speaks must be sworn in.

Brad Shores, 12 Taylor Street was sworn in. Mr. Shores explained that the two rotweilers live next door and explained how they exited their home and bit his son on the rear end and that the marks are still visible. He stated that he has talked to the Police and at that time the owners stated that they would take care of the dogs and keep them on their property. He stated that on Friday the dogs did a tug of war with his son and that this is the second time the dogs have bit his son and that he deems them vicious and dangerous. He stated that it has become difficult to live next door to these dogs. He stated that if the dogs are not removed or euthanized he will move out of town. He stated recently the dogs got out and his son hid behind a tree. He stated that they can not live with these dogs and have to look outside before they go out.

Mr. Brennan stated he drove down the street and asked where the dogs were located. Mr. Shores stated to the right of the home. Mr. Vincent asked if the dog owner's lot is fenced. Mr. Shore stated that it is not.

Michael Ratte, 14 Taylor Street was sworn in. He stated that regarding the first incident he stated that it was the fault of both. He stated the Shore boy was walking a small dog on a leash and that his dogs were going crazy on his deck and he had a wooden door that was fastened on top and dogs went out the bottom. He stated that the dogs went after the dog not Chandler. He stated that the dog would have bitten him if he had wanted to. He stated that the last time he opened the door and the phone rang and the dogs took off. He stated that he is looking for a home for the dogs. He stated that he offered to have the

Shores over to make friends with the dog. He stated that if you get excited they get excited. He stated they are friendly dogs. He stated that the dogs have to be split up. He stated that he can not fence his yard. He stated that the female is the one that takes off and the male follows. He stated that he looking to keep the dogs together.

Mr. Vincent stated that he is a dog owner. He stated that on the first incident Mr. Ratte stated both are at fault he does not agree. He stated that people have to be able to walk their dog with out fear. Mr. Ratte stated that the boy has teased the dogs when they have been chained. He stated that the boy has been in a window with a Santa hat jumping up and down exciting the dogs. Mr. Vincent stated if the decision was to euthanize the dogs would be bring to a breeder to house the dogs. Mr. Ratte stated that he has looked into this. He stated that he would want to keep the dogs together. He stated that if the dogs are split up he would like to keep the male.

Mr. Brennan stated that he could never vote to kill a dog. He stated that the board did not do a site walk. He stated that they have the neighbors and children to protect.

Don Cudmore, Police Sergeant was sworn in. Sgt. Cudmore stated that he is only here to verify that the complaints have been reported to the police. He stated that the 1st incident was handled by Mr. Reed assistant dog officer. He stated that on September 30th there was a report of loose dogs by the Shores. Officer Barber and Helen Phillips, Animal Control Officer responded and there was a leash law violation.

Mr. Delaney asked if the Police Department had a recommendation. Sgt. Cudmore stated that the animals must be tethered. Mr. Brennan asked if the board should have special licensing for certain bred of dog. Sgt. Cudmore stated that the ACO would have this information and all dogs must be licensed and tethered. He stated that he is sure other communities have information for owners of certain breeds. He stated that they need to be pro active to certain breeds. Mr. Vincent asked the size of the dogs. Mr. Ratte stated 75 lbs.

Mr. Delaney stated that the Selectmen have a wide range of options. Mr. Clough stated that difficult situation for both parties and we want to be safe in our homes. He stated that there appears to be a tethering problem. He stated that the best thing is to get rid of one of the dogs.

Helen Phillips, Animal Control Officer was sworn in. She stated that dangerous dog laws are originated by the city or town. She stated that they have been limited to pit bulls. She stated that when you break up packs the dogs usually do better. She stated that good fencing makes good neighbors. Mr. Vincent asked if an invisible fence would work on this size dog. She stated it could but before the pack mentality has been established. She stated that it is difficult get someone to take two dogs. Mr. Vincent stated that one dog could be removed now and the other at a later time. Mr. Brennan asked the best conditions to keep these dogs. Ms. Phillips stated tethering is not the best option. She stated that a run would be okay but a 6 foot fence would be best.

Mr. Vincent asked which dog did the biting. Mr. Shores stated female the first time and both the last time. Mr. Vincent stated that there have been two dog bites. He asked if Ms. Phillips has enough experience to give them a recommendation on this type of dog and if this would happen again. Ms. Phillips stated that the two dogs feed off each other and seeing a child flail and run can excite a dog. Mr. Brennan asked what conditions she would want to see at the home. Ms. Phillips stated that she would like to see a fence and that she could see a slider/run. She stated that homeowners can by a kennel and do walks. She stated that they can do dog gates inside the house also. She stated that this dog was on quarantine and that the Animal Officer is here tonight and can answer questions. She stated that she would not recommend euthanizing. Mr. Vincent asked how much it costs to kennel the dog. Ms. Philips stated \$20 a day. Mr. Vincent stated if Mr. Shore's son was teasing the dog would he split the cost of kenneling the dogs. Mr. Shores stated no. Mr. Shores explained that his son stood still this last time and did not run. He stated that his son does not want to go outside. Mr. Vincent stated that his son's safety is most important. Mr. Clough asked Ms. Phillips recommendation. Ms. Phillips stated that she thinks the dogs should be gone. Sgt. Cudmore stated that in the interim they in the past have been kenneled. He stated that these are large dogs. He stated that the safety of the public is their responsibility. Mr. Delaney stated if the next bite is on the face this takes on a different dynamic, safety is first.

Arthur Greenberg, 123 Pond Street was sworn in. He stated that he is an expert on dogs and a breeder for 40 years. His dogs are very well behaved. He stated that the worst thing to do is to put a dog on a chain. He stated that the best option is to kennel and that these can be purchased at Lowes.

Mr. Ratte stated that he has a 16 by 30 pad outside his door that he could put a chain link up and he still wants to get rid of the female. He stated that he has an 18 month granddaughter that he would not want to see her hurt. He stated he feels he can control the male.

Holly Willard, animal inspector was sworn in. She stated that the only concern is should only be one dog and that they are escaping from the home. With biting issues she stated once happens can happen again. She stated that something must be done a crate or a system set up so the accident can not happen.

Mr. Greenberg stated that he may have a home for one of the dogs. Mr. Brennan stated that the female must be gone.

Ms. Lisa Shores 14 Taylor Street was sworn in. She stated that she wanted to talk about her child teasing the dogs. She explained that even her drawing her shades and opening a window that the dogs get excited. Mr. Brennan asked about socializing the neighbors with the dog. Ms. Philips stated that there are specialists who can work with this. Ms. Shores stated that there are other dog bites to their family not by these dogs so they do have a fear.

Mr. Ratte stated that there is no absolute but he can control the male and would give up the female and if they can not keep them together he would like to keep the male.

Mr. Brennan stated that the female is gone immediately and the male is on a 30 day review. He stated that he would like to see both dogs gone. He stated that they could request a review every 120 days.

Mr. Greenberg stated that Humane Society has classes for pet owners. Discussion

Mr. Vincent stated that he does not see that either dog should stay at the home. He stated that with the history he can not see the male staying in the home. Mr. Ratte stated that he has 10 kids in and out and the dog has not hurt anyone.

Mr. Brennan moved to remove the female dog from the home.

Mr. Clough asked Mr. Greenberg if he could take both dogs. Mr. Greenberg stated he did not think so. Mr. Vincent stated that the Ratte's should find a home for the dogs or we take the dogs into custody.

Mr. Vincent seconded the motion and amended that the female dog be removed in 48 hours. Motion was approved by a unanimous vote.

Mr. Brennan stated that the Ratte's can appeal if they want to.

Mr. Brennan moved that the male should be confined at all times and/or muzzled and the only egress should be rear door to a chain link fenced area, with stockade fence on the side toward the Shores home, and that the front door shall have a restraint, 30 day review by the ACO. Mr. Vincent seconded the motion.

Ms. Willard stated she would go with the ACO.

Mr. Vincent asked if this works for the Shores. Ms. Shores stated that they are amendable to the removal of one dog, the fence and 30 day review.

Mr. Brennan amended the motion.

Mr. Brennan moved that both the male and female dog be removed within 48 hours. That the male dog be restrained at all times, when out of enclosure and be under the direct supervision of the owner and be muzzled, that an enclosure be built of chain link fencing attached to the rear of the home with a stockade fence on the side toward the Shore's home, dog warning sign posted, all amendable to the ACO. A review to be done in 30 days and then again in 120 days by the ACO. Mr. Vincent seconded the motion and the motion was approved by a unanimous vote.

Mr. Brennan moved for a 5 minute recess. Mr. Vincent seconded the motion and the motion was approved by a unanimous vote.

Board Business-Budgets

Historical Commission

Joe Knapp and Ed Desjardins were present.

Mr. Desjardins explained that the Historical Commission has been very active and has a \$100 budget and that most boards or commissions get a \$500 budget. He stated that they are asking for the \$500 amount so they can be more productive. He explained that they receive funding from volunteers and from the Brocklebank Museum. He stated that Mr. Knapp has been doing deed research for the town which has been invaluable. He stated that they have been asked to join the Mass Historical Assoc. and Mass Register. He stated that they really need \$1000 but are only asking for \$500. He stated that they have five articles on the warrant fence at Union Cemetery, Town Reports & Code book, Harry Murch Park landscaping, Historic Markers, Cemetery plan. He stated that there is also an Article for town to take over the Union Cemetery.

Discussion on the Union Cemetery

Park & Recreation

Jim DiMento stated that they are looking for a small tractor to purchase and this is half of what they are asking for in their budget. He stated that Harry Murch Park is a park that Historical is taking under their article. He stated that they have a maintenance person who is fixing equipment instead of raking etc. Using non toxic materials to keep geese off of grass. He stated need equipment now and in a few years will need new playground equipment and beach. He stated really have two parks and they need a park on the other side of 95 and need recreational land. Want to put funds into the infrastructure they have now. Vincent asked CPC for sand on beach. Mr. DiMento stated that they may be able to have this been done by CPC. He stated equipment purchase can not be done by CPC. He stated that a sand equip would be a used piece of equipment. Mr. Brennan stated personnel changes they asked for last year and again. Mr. DiMento stated that they wanted to start a summer morning program. He stated that they want to start small and expand as they go. He stated a low cost program. Mr. Brennan asked about fields and parks on the other side of Town. Mr. DiMento stated that the Town is very cognizant of land in town and they have to be ready when land becomes available. Mr. Vincent asked if this gets written into the Master Plan. Mr. DiMento stated that it will be. Mr. Vincent stated they he has talked with people on an overlay plan. Mr. Brennan mentioned changing Park & Rec from a volunteer to paid town department.

Citizen Request

Mr. Greenberg stated hat he was told by the Assessors that he can not get a Veterans discount on his property taxes because the home is in his wife's name. He stated that this is not fair. Mr. Brennan stated that this is an Assessor's issue. Mr. Vincent asked if it has been denied. Mr. Greenberg stated that twice he has been denied.

Mr. Brennan moved to refer Mr. Greenberg to the Assessors. Mr. Vincent seconded the motion and the motion was approved by a unanimous vote.

Conservation Commission

Steve Przyjemski and Carl Shreder were present

Mr. Delaney stated that they have two appointments for the ConCom a new member and an Assistant.

Mr. Delaney stated that Mr. John Lopez has requested appointment to the ConCom. Mr. Shreder stated that they have met with Mr. Lopez and recommend the appointment.

Mr. Delaney stated that the ConCom has interviewed and recommend Sharon Munro as the Conservation Assistant.

Mr. Brennan moved to appoint Sharon Munro as the ConCom Assistant. Mr. Vincent seconded the motion and the motion was approved by a unanimous vote.

Mr. Brennan moved to appoint John Lopez as a ConCom member to an unexpired term to expire June 30, 2008. Mr. Vincent seconded the motion and the motion was approved by a unanimous vote.

Mr. Przyjemski stated that they have a warrant article on the warrant for the ATM and have mostly level funded their budget. Mr. Brennan stated that the ConCom has done some educational programs in town. Mr. Shreder stated that this helps when residents come before them and that they try to put as much on their web site as possible. Discussion on beavers in town. Mr. Shreder stated that they have a draft Open Space plan going on the web site. Mr. Brennan asked about mitigation plans. Mr. Shreder stated that State comes in on some properties because of endangered species. Mr. Vincent stated that he is looking at development of some of the industrial land. Mr. Przyjemski stated that they treat all applicants equally. Mr. Shreder stated that their goal is to protect wetlands. Mr. Greenberg asked about a house being built on Thurlow Street that was build under water. Mr. Shreder explained the process that the board goes through in their process. Mr. Brennan suggested putting some information on the web on some projects. Mr. Brennan asked if 10 – 12 enforcement orders are common for them. Mr. Shreder stated that they try to work with people and try not to use enforcement orders.

Planning Board

Request from the Planning Board for the Selectmen to refer the petitions for Street Acceptance for Pillsbury Lane, Ilene Circle, and Bernay Way to the Planning Board for a recommendation at Town Meeting.

Mr. Brennan moved to refer the petitions for Street Acceptance for Pillsbury Lane, Ilene Circle, and Bernay Way to the Planning Board. Mr. Vincent seconded the motion and the motion was approved by a unanimous vote.

License

Mr. Brennan moved to approve the *Common Victuallers License* for JoJo's Restaurant. Mr. Vincent seconded the motion and the motion was approved by a unanimous vote.

Health Insurance Renewal

Mr. Delaney stated that there is a 6.2 percent increase in cost this year and the Insurance Review Committee did a review last year and stayed with MIIA. Mr. Delaney asked the Selectmen to renew the MIIA Insurance for FY 2008.

Mr. Vincent moved to approve the renewal of the MIIA Insurance for FY 2008. Mr. Brennan seconded the motion and the motion was approved by a unanimous vote.

Appointments

Mr. Greenberg stated that he has an issue with Mark Unger who works in town and inspects in Town. Mr. Clough stated that they have an alternate inspector. He stated that they would take his concern under consideration.

Mr. Vincent moved to reappoint *John Caldwell, as Building Inspector; Glen Clohecy, as Alternate Building Inspector; Mark Unger as Wiring Inspector; Robert Brown, as Alternate Wiring Inspector; William Gianacoples, as Plumbing and Gas Inspector; Stanley Kulacz as Alternate Plumbing and Gas Inspector.* Mr. Brennan seconded the motion and the motion was approved by a unanimous vote.

Mr. Vincent moved to appoint *Charles T. Gansenberg, as Alternate Wiring Inspector.* Mr. Clough seconded the motion and the motion was approved by a unanimous vote. (2-0 Mr. Brennan did not vote as he had a conflict)

Mr. Brennan stated that before Kopelman & Paige comes up reappointment that they do a review. He stated that he has nothing against K & P but just wants to make available to the public how these people are doing.

Mr. Clough stated that at the meeting April 2 the board would just work on the warrant and minutes.

Mr. Vincent moved to adjourn. Mr. Brennan seconded the motion and the motion was approved by a unanimous vote.

Meeting adjourned at 10:10PM.

Minutes transcribed by J. Pantano.

Minutes approved June 18, 2007.