

MONTAGUE SELECTBOARD MEETING
Town Hall, 1 Avenue A, Turners Falls, MA 01376
Wednesday, August 3, 2022

Meeting was opened at 5:00 PM. Present were Selectboard members Rich Kuklewicz, Chris Boutwell, and Matt Lord; Town Administrator Steve Ellis; Executive Assistant Wendy Bogusz; Town Counsel Gregg Corbo; Town Clerk Deb Bourbeau; Police Chief Chris Williams; Animal Control Officer Cailin Giurgiu; and Animal Inspector Kathleen Burek.

Selectboard Chair opens the meeting, including announcing that the meeting is being recorded

Dog Complaint Hearing, Nancy and Jason Pike

Investigation of Nuisance or Dangerous Dog as those terms are defined in said statute

- All individuals testifying are sworn in.
- Chief Williams reviews the police reports of animal complaints on 9/23/21, 12/16/21, 4/11/22, and 6/14/22.
- A citizen who lives next door to the dog owners testifies, stating he does not understand why the owners don't fence the dog in the back yard.
- Burek states that citizens should contact the Board of Health when there is an incident.
- The dog is not licensed.
- Jason Pike, the dog owner, states he is working on putting up fencing. He will follow-up on the licensing and the rabies vaccine. He says his dog is not a danger and that his dog was vaccinated.
- Kuklewicz feels that Pike has not been a responsible dog owner.
- Ellis tells Pike that he needs to follow through on his notices.
- Discussion ensues about rabies vaccination opportunities in town.
- Pike's neighbor offers to lend him an 10'x10' enclosure until he gets his fence built.
- Burke suggests Pike get some training for the dog.
- Kuklewicz reads aloud the definitions of the following terms: Dangerous Dog, Nuisance Dog, and attack.
- Lord and Kuklewicz feel that the dog falls under the definition of "Dangerous Dog."
- *Lord makes a motion based on the facts presented both by testimony and writing, including but not limited to the packet of police reports and information from Animal Control, that the dog complained of is a Dangerous Dog by reason of recent bites and attacks that would be considered unreasonable. Seconded by Boutwell, unanimously approved. Lord - Aye, Boutwell - Aye, Kuklewicz - Aye*
- *Boutwell makes a motion to enact the following conditions: (1) the dog shall not be allowed outdoors unless it is kept within a six-foot kennel or fenced-in area in the rear of the property; a temporary kennel may be used until a permanent fence can be built; both the temporary kennel and the permanent are subject to the approval of the Animal Inspector and the Animal Control Officer; (2) the owner must provide documented proof of no less than \$100,000 insurance for claims resulting from intention or unintentional acts of the dog, or reasonable efforts to obtain such insurance., said insurance policy to be issued within 30 days of the date of this hearing; (3) if the dog is removed from the premises of the owner or keeper or removed from the temporary or permanent enclosure, the dog shall be securely and humanely muzzled and restrained with a chain or other tethering device, having a minimal tensile strength of 300 lbs. and not exceeding 3 feet in length, held by person capable of controlling the dog; this condition will be reviewed in six months and may be withdrawn if the owner gives proof of adequate training; (4) the dog shall be vaccinated and licensed within five business days of this order, and the owner shall ensure that the dog is kept current on all licensing and vaccine requirements for the life of the dog; (5) the dog shall not be tethered to an inanimate object in front of the house at any time. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*

Kuklewicz closes the hearing. The Pikes will hear from the Board as discussed.

Execute Winter Recovery Assistance Program (WRAP) funding Contract with Mass DOT, \$343,831

Boutwell makes the motion to execute the Winter Recovery Assistance Program (WRAP) funding Contract with Mass DOT, in the amount of \$343,831; and authorize the Chair to sign it. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye

Other

Next Selectboard Meeting: August 8, 2022 at 6:30 PM

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Executive Sessions

- **Executive Session in accordance with G.L. c. 30A, §21(a)(6), to consider the possible purchase, exchange, lease or value of real property - First Light Power, votes may be taken**
- **Executive Session under G.O. c. 30A, §21(a)(6), to consider the possible purchase, exchange, lease or value of real estate, GMTA Garage, 382 Deerfield Street, Greenfield**
- The Chair deems that holding either of these topics in public session would be detrimental to the Town's position.
- *Boutwell makes the motion to go into Executive Session. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye*