

MONTAGUE SELECTBOARD MEETING
Town Hall, 1 Avenue A, Turners Falls, MA 01376
Tuesday, October 4, 2022 at 5:30 PM

Meeting was opened at 6:30 PM. Present were Selectboard members Rich Kuklewicz, Chris Boutwell, and Matt Lord; Town Administrator Steve Ellis; Executive Assistant Wendy Bogusz; Town Counsel Greg Corbo; Police Chief Chris Williams; and Staff Sergeant James Deery, Animal Control Officer Calin Giurgiu

Selectboard Chair opens the meeting, including announcing that the meeting is being recorded, and roll call taken.

Dog Complaint Hearing, Nancy and Jason Pike

Investigation of whether Selectboard's August 3, 2022 order to restrain a dog deemed dangerous in accordance with Massachusetts General Laws, Chapter 140, Section 157 was violated

Kuklewicz reads aloud that on September 22, 2022 there was a report that the dog was not properly confined to the property as described in the order, that it escaped from the property, and that it attacked and seriously injured a person walking by on a public way. At present, the dog is secured at the Sandy Lane Center run by the Sheriff's Department.

- Attorney Corbo swears in all individuals intending to give testimony.
- Sergeant Deery summarizes his experience on the day of the attack.
- Chief Williams summarizes the report made by Lieutenant Bonnett and the Animal Control Officer.
- The Animal Control Officer summarizes his experience in response to the incident. He states that the shelter staff has reported no problems with the dog. In addition, the dog has not exhibited any symptoms of rabies.
- In response to a question by Kuklewicz, the Animal Control Officer states that the dog was muzzled when he was transported to the shelter.
- Kyle Dragon, the Lead ACO with the Franklin County Sheriff's Office Regional and Patrol Program, shared his interactions with the dog, Titan. He describes the dog as very fearful and demonstrates defensive and aggressive behavior. A system is being used that prevents any one-on-one contact with the staff and volunteers. He is also kept away from other dogs out of necessity.
- Nancy Pike explains that when the dog was let out, he was muzzled and leashed. She also reports that they have a \$500,000 insurance policy pending.
- An inconsistency was raised with regard to the location of the grandson and Titan, the dog, when the attack occurred. The grandson stated that the dog was outside and unattended when the attack occurred.
- Jason Pike explains that he was at work during the incident. He explains the procedures that the household has in place with regard to the dog going outside.
- Pike reviews the structure of the pen.
- Pike begs the Board for one more chance, stating that he will move to Alabama if Titan is returned to him.
- Kathleen Burek, the Montague Animal Inspector, shares that she quarantined the dog in December, August, and September. She asks Pike how he would feel if it was his niece that had gotten bitten. Pike insists that it would never happen.
- Ariel Elan and Jeff Singleton raise the question about the time when the dog wasn't muzzled.
- Sergeant Deery says the juvenile was very upset during his interview with him, but was completely cooperative and did not appear deceptive.
- A Montague Center resident, Jean Conway, suggests getting a qualified trainer, animal behaviorist, or veterinarian to evaluate or assess the dog to see if it can be rehabbed.

Selectboard Discussion:

- Lord expresses that he was surprised and pleased with regard to the progress that the Pikes had made in meeting the requirements of the prior order. Nonetheless, there was a clear violation in that the dog was without a muzzle and was outside unattended.
- Lord feels that the combination of the fact that Titan feels threatened by strangers and the power that he has makes him dangerous.
- Kuklewicz states that it is clear that the dog was not muzzled which resulted in a serious injury. It is clear that the dog was not under direct control, which is a clear violation.
- Boutwell expresses that although he would like to give the dog another chance, there is no guarantee that another incident won't happen.

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- Attorney Corbo brings up the fact that evaluation, training, etc., will come at a steep financial cost and wonders whether there are resources available.
- Kuklewicz states that there is only one way to make sure that there will not be another incident.

Kuklewicz makes the motion that the Board find that Nancy and Jason Pike violated the terms of the Board's August 3rd order concerning the restraint of their dangerous dog by allowing the dog to be permitted unattended outdoors and not within a secure kennel or fenced area located on the property, keeping the dog chained, tethered, or otherwise tied to an inanimate object, and by allowing the dog to be outside of its enclosure without being securely and humanely muzzled and restrained; and while in violation, the dog escaped from their property, attacked a person without provocation and caused serious injury. He further moves that as a result of these violations, the dog will be humanely euthanized within ten days of the date of this order. Seconded by Lord, approved. Kuklewicz - Aye, Lord - Aye, Boutwell - Nay

Kuklewicz closes the public hearing.

Kuklewicz asks that Calin Giurgiu, Animal Control Officer coordinates with the Sheriffs Office.

Next Selectboard Meeting: October 17, 2022 at 6:30 PM

Boutwell makes the motion to adjourn the meeting. Seconded by Lord, unanimously approved. Boutwell - Aye, Lord - Aye, Kuklewicz - Aye