

Selectmen Meeting  
September 9, 2021

Who is in attendance: David Dufresne, Richard Eichacker, Derick Veliz

1. **Call the Meeting to order:** 6:00 pm
2. **Pledge of Allegiance:**
3. **Appointment with Chief Millette for Mike Shea full-time 1 year term:** Chief Millette presented Officer Michael Shea as an outstanding officer that has been part time and would like him to become full time. Michael was asked if he would like to say something. He said that he enjoys working for the town and was happy to be in town. He likes working with the other officers. Mr. Eichacker made the motion, 2<sup>nd</sup>, AIF Passed Welcome to the full-time position.
4. **Dog Hearing for Dog complaint Elm Street:** Mr. Dufresne outlined the rules of the dog hearing and that we will give the people with the complaint 15 mins to voice their complaint and the owners 15 mins to rebut, 5 mins to go back and forth in an orderly manner. The ACO started out saying the "Bear's" owner was on her way and "Diamond's" owner was not coming. The complaints started 11/29/18. The ACO said that she could only speak on since she started, the first complaint to her was on 7/12/21 when the dog named Bear got off his leash and was charging a Corgi, Bear is a 134# Pit Bull mix. On 7/19/21 the dog Diamond got loose and then Bear got loose also. The ACO said that she didn't feel that they are dangerous, but they are a nuisance to the neighbors. She has helped the owner put in the stakes and showed how to tether the dogs. The complainants Mr. Tripp & Mrs. Tripp were next to speak he first read his complaint, reported several incidences where the dogs got loose when they were being walked. Mrs. Tripp wanted to know why they should live in fear for their dogs. Chief Millett was asked if he was familiar with the dogs? He replied yes, he was very familiar. Anne then spoke about several times that the dogs were in her yard, and she had to rescue her dogs for fear they would be bitten by Bear and Diamond. Next abutter to speak was John Nason related that he recues dogs and he has learned how to control the dogs that he owns but "these dogs are uncontrollable." Ms. Wordell who is the partial owner of the home and owns "Bear". She states that the fence has been in disrepair since she purchased the house. She has been working with the ACO to make sure the dogs don't get loose. The dogs have never bitten anyone or any animal she stated. She feels that these dogs are not dangerous or never bit anyone. They are her life, and she is sorry that they have gotten loose. Mr. Tripp showed 3 videos of the dogs getting loose and running down the streets. Mr. Tripp said that it took the owners to long to get the dogs once they were loose. Anne said that she feels that Bear and Diamond would hurt the other dogs. Ms. Wordell said that she went on a long walk with Bear, around other dogs at a park and there weren't any problems. She can control the dogs. Mr. Dufresne asked the ACO if from her experience does she feel that these dogs are dangerous or aggressive. ACO said No, she felt that Bear would be a good dog if he was trained with a professional trainer. There was more discussion of the difference between a dangerous dog and a nuisance dog. After much going back and forth between abutters and owners, Mr. Eichacker asked Ms. Wordell why the fence wasn't fixed? She stated it isn't about the fence because the dogs are on the tethers. Closed the meeting down for any input from the abutters or owners or ACO. Had a discussion between the selectmen and decided on 3 orders:
  - a. A solid fence standing not less than 6 feet tall and touching the ground shall be erected within 30 days of this hearing. If said fence has a gate, it shall be hinged and locked in such a way that the dogs cannot force their way through it. The fence will encompass the entire back yard with no space

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that the dogs can see through. The dogs will be always tethered in the back yard until said fence is installed.

- b. Within 30 days of this hearing the dogs will be evaluated by a professional license dog trainer. The owners of said dogs shall follow the training requirements. The trainer is to give the ACO notice that this has been completed. The trainer will also apprise the ACO when the dogs are trained well enough to be taken for walks with a leash. The dogs shall not leave the owner property until all training has been completed and only if the trainer and ACO recommend it.
- c. The dogs' owners will insure both dogs stay current with vaccinations and are properly registered in the town. The owners will keep the ACO apprised of all required vaccines, and licenses.

Motion to close the public dog hearing 2<sup>nd</sup> AIF passed

- 5. **Reports on Town Hall Building Commissioner, & Structural Engineer:** Mr. Peter Reynolds from McKenzie Engineering was here to answer questions about the report. We have put the two reports that we have on the website. The selectmen will put the environmental report as soon as we receive it. Mr. Dufresne asked some questions about doing it in stages, Mr. Reynolds said that it could be done that way, but it would make it more expensive. There is so much work to get the first floor up to where it could be occupied. The mezzanine level would need to be totally taken out. Does the number you have in your report putting the building back to the way it was or just bringing it up to code. Mr. Reynolds said just bring the first floor up to code. Mr. Veliz asked what would happen to the building if wasn't repair at this time. Mr. Reynolds said that if you look at the clock tower it is about to fail now. The timbers are rotting, that hold up the top part of the tower. More discussion about the outside of the brick and what is behind the first layer of brick. Mr. Dufresne stated that the select board is not making the decision on what is happening with the building. This needs to go to the voters, to decide what is to be done with the building and the site. Chief Lavoie said that people need to understand that once occupancy changings in the building you must bring the entire building up to code. Question: Mr. Reynolds said that it would need to be gutted what does that mean? Mr. Reynolds: Gutting all electrical, plumbing, HVAC, horsehair plaster, taking out all interior walls, dealing with everything that doesn't meet code. Then what do we do with the building or the site? We should do a survey from the towns people to see what they think. We are right back to having a special town meeting in November to have a vote.
- 6. **Update on the Police move:** Chief Millette said that he is still working on getting a generator bid. Mr. Dufresne said that there is a meeting this Friday with DexTrust
- 7. **NO Warrants, or Bills**
- 8. **Minutes: Approve August 26, and September 2** Mr. Eichacker made a motion to accept the minutes for meeting on August 26 and September 2; 2<sup>nd</sup> AIF Passed
- 9. **Correspondence:** Mr. Dufresne received an email from a residence about have the Town wide Tag sale on September 11. The person felt it was disrespectful to have it that day. That maybe we should be aware of the national remembrance days and not have things like this.
- 10. **New Business:** Mr. Romasky contract for him to come back to the sewer department 19 hours a week. Mr. Eichacker made a motion 2<sup>nd</sup> AIF Passed

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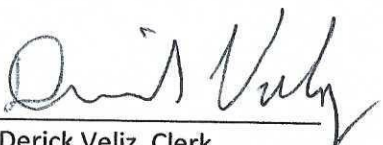
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**11. Comments & Concerns:** Chief Lavoie reported on several grants that they received. How it will help with the cost of the new fire truck, equipment, turnout gear, etc. he was also to hear of another one that Friday. That is wonderful Thank you Chief for working so hard on getting grants. Mr. Veliz read a statement from the Parks department thanking everyone for coming out to the Fireworks and all the hard work that the Fire Department and everyone did to make it such a success.

**12. Next Meeting Date:** September 16, 2021, 6:00PM

**13. Adjourn:** Made a motion to adjourn 2<sup>nd</sup> AIF adjourned 9:55 pm

Respectively Submitted  
Karen Dusty

  
Derick Veliz, Clerk



# Board of Selectmen Meeting

Facilitator: David Dufresne

Date: 9/9/21

Objectives			

Attendee: Adam Carver

Attendee: WFD

Attendee: Anne Bonville

Attendee: Tamara Dufresne

Attendee: Madeline Webster

Attendee: Jim Dusty

Attendee: Beverly Saltys

Attendee: \_\_\_\_\_

Attendee: Nicole Tyson

Attendee: \_\_\_\_\_

Attendee: Jeff Tygo

Attendee: \_\_\_\_\_

Attendee: Doug Schmitt

Attendee: \_\_\_\_\_

Attendee: Pam Mangum

Attendee: \_\_\_\_\_

Attendee: Bob Mangum

Attendee: \_\_\_\_\_

Attendee: John Nason

Attendee: \_\_\_\_\_

Attendee: G. Milette

Attendee: \_\_\_\_\_

Attendee: M. Shea

Attendee: \_\_\_\_\_

JMK



# BOARD OF SELECTMEN

CHARLES E. SHEPARD MUNICIPAL BUILDING

48 High St. • P. O. Box 609 • Warren, MA 01083-0609 • Tel. 413-436-5701 • Fax 413-436-9754

September 13, 2021

Mr. Todd A. Brodeur

Ms. Angela L. Wordell

38 Elm Street

Warren, MA 01083

## NOTICE OF DECISION NUISANCE DOGS

Dear Mr. Brodeur and Ms. Wordell,

On Thursday, September 9, 2021, the Board of Selectmen of the Town of Warren held a public hearing in accordance with Massachusetts General Laws, Chapter 140, Section 157, to determine whether the dogs owned and/or kept by both of you in the Town of Warren, and known as "Bear and Diamond", are Nuisance or Dangerous Dogs as those terms are defined in said statute. The hearing was based on three written complaints from neighbors concerning several incidents involving your dogs. Based on the facts introduced at the public hearing including, but not limited to, the testimonies and documents, the Board of Selectmen voted to declare both dogs owned and/or kept by both of you at the property located at 38 Elm Street, Warren, Massachusetts, and known as "Bear and Diamond" are Nuisance Dogs, and based on this finding, the Board of Selectmen issued the following orders:

1. A solid fence standing not less than 6 feet tall and touching the ground shall be erected within 30 days of this hearing. If this fence has a gate, it shall be hinged and locked in such a way that the dogs cannot force their way through it. The fence will encompass the entire back yard with no space that the dogs can see through. The dogs will be always tethered in the back yard until said fence is installed.
2. Within 30 days of this hearing, the dogs will be evaluated by a professional license dog trainer. The owners of said dogs shall follow the training requirements. The trainer is to give the ACO notice that this has been completed. The trainer will also apprise the ACO when the dogs are trained well enough to be taken for walks with a leash. The dogs shall not leave the owner's property until all training has been completed and only if the trainer and ACO recommend it.
3. The dogs' owners will insure both dogs stay current with vaccinations and are properly registered in the town. The owners will keep the ACO apprised of all required vaccines and licenses.

Please be advised that this Order constitutes an order of the Board of Selectmen issued in accordance with G.L. c 140, §157 and that it may be enforced in accordance with the procedures set forth in said statute. Upon proof of a violation of these requirements, the statutes provide for immediate surrender of the dogs; a requirement that you will be prohibited from owning a dog in the Commonwealth for a period of five years; a fine of not more than \$500.00; imprisonment for not more than 60 days in a jail or house of correction; or all of the above. Therefore, given the serious consequences that may follow from your failure to abide by the terms of this order, your prompt attention to this matter is strongly suggested.

Sincerely,

David Dufresne, Town of Warren  
Board of Selectmen, Chair