

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: September 7, 2021
Date of Transcription: September 8, 2021
Transcribed by: Cassandra Slaney

1. CALL MEETING TO ORDER BY CHAIRMAN

Remote meeting due to COVID 19

2. ROLL CALL

Selectmen Present: Judith Whiteside, Chairman
Patrick G. Tropeano, Clerk
James M. Munise
Peter W. Teitelbaum, Esq.

Also Present: Derek Sullivan, Town Administrator

Not Present: Alan Slavin
Rich Bowen, Town Counsel

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

The Wareham Free Library has new hours: Monday 9-5; Tuesday and Wednesday 9-8; Thursday 9-5; Friday and Saturday 9-3.

Selectman Tropeano will be attending an Eagle Scout ceremony on September 12th.

There is a community survey available by the Wareham Cultural Council on the Town's website. The responses will be used for future grant funding and outreach decisions.

5. CITIZEN'S COMMENTS

None.

6. BOARD'S COMMENTS

Selectman Munise discussed a letter received pertaining to handicap accessibility and sidewalks and the possibility of discussing this issue further at a future meeting.

7. 7:15 P.M. - DOG HEARING – GILBERT

MOTION: Selectman Whiteside moved to open the hearing. Selectman Tropeano seconded.
Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

Selectman Teitelbaum read the complaint into record. *(See attachment)*

Selectman Teitelbaum swore in all witnesses testifying.

Present before the Board: Eva Golden, Natural Resources Officer;

SELECTMEN MEETING MINUTES-9/7/2021 (CONT'D)

Cheryl Gorveatt-Dill, Animal Control Officer; Dawn Gilbert, owner of dogs.

Ms. Golden read her report into the record along with a report from Garry Buckminster, Director of the Department of Natural Resources. *(See attachment)*

Ms. Gilbert stated that she was not contacted by Ms. Golden about the incident and she wasn't given any information until she received the letter from the Selectmen's office regarding the hearing. She also stated that she has an electric fence around her yard and her dogs have never escaped. Ms. Gilbert explained that her dogs are not known to be aggressive dogs and are never outside unless someone is home. Since the incident, she has purchased a new fence with new transmitters and receivers.

Ms. Gorveatt-Dill stated that the Department received three complaints from three individuals regarding Ms. Gilbert's dogs.

Ms. Golden recommended that when not under direct control of a controlling person, the dogs shall be contained within a building, vehicle, or secure and locked enclosure, the dogs may only leave the owner's property accompanied by a controlling person on a leash of not more than four feet having a minimum tensile strength of three hundred pounds, used in conjunction with a muzzle and behavior training for the dogs from a trainer approved by the Animal Control Officer.

Ms. Gilbert maintained her dispute arguing that her dogs are not aggressive. Ms. Gorveatt-Dill responded that she would be open to deeming the dogs at risk with safety measures put in place because there are two documented incidents.

MOTION: Selectman Tropeano moved to close the hearing. Selectman Whiteside seconded.

Roll Call: Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Whiteside moved to take no action except to understand that Ms. Gilbert will make every effort to provide signage identifying the electric fence and that someone will be at the owner's property when the dogs are out. This case will be reviewed in ninety days. Selectman Munise seconded. Roll Call: Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE: 4-0-0 (Unanimous)

8. 7:30 P.M. - DOG HEARING – CARNES

MOTION: Selectman Whiteside moved to open the hearing. Selectman Munise seconded.

Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

Selectman Teitelbaum read the complaint into record. *(See attachment)*

Selectman Teitelbaum swore in all witnesses testifying.

Present before the Board: Eva Golden, Natural Resources Control Officer; Cheryl Gorveatt-Dill, Animal Control Officer; Calvin Carnes owner of the dogs; Kayla Carnes, Anthi Frangiadis

Ms. Golden read her report into record. *(See attachment)*

SELECTMEN MEETING MINUTES-9/7/2021 (CONT'D)

Discussion ensued regarding the dogs and continuous barking in the middle of the night as well as during the day. Ms. Gorveatt-Dill stated that this is the second hearing for the same issue and the complaints have continued. Mr. Carnes explained that the warmer weather and being uncomfortable may be the reason the dogs bark so much. He also stated that he purchased a bark collar and he is making other efforts to stop the dogs from barking.

MOTION: Selectman Whiteside moved to close the hearing. Selectman Munise seconded. Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Whiteside moved to deem the dogs a nuisance by reason of continuously barking with the following conditions: 1. To take all measures, including but not limited to supervised or limited outdoor excursions, and/or the use of construction of a visual opaque barrier between the street and the yard. 2. To take all measures, including but not limited to the use a muzzle as well as bark collars. 3. Supervise outside excursions prior to 8:00 am or after 9:00 pm daily so as to assure no barking occurs. 4. The dogs be humanely restrained. 5. The dogs be confined outdoors in a securely enclosed and locked pen for no more than 20 minutes at a time. This case will be revisited in 30 days. Selectman Tropeano seconded. Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

9. 7:45 P.M. – CONTINUED DOG HEARING – ROBBERY

MOTION: Selectman Whiteside moved to open the continued dog hearing. Selectman Munise seconded. Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

Selectman Teitelbaum stated that the reason for the continuation of the hearing was there was a reference made about a prior incident and the Board requested additional information regarding it.

Ms. Golden read her report into record. (*See attachment*)

Selectman Teitelbaum swore in all witnesses testifying.

Present before the Board: Eva Golden, Natural Resources Control Officer; Cheryl Gorveatt-Dill, Animal Control Officer; Gerald Robbery owner of the dog

Ms. Golden read the report into record from June 16, 2021. (*See attachment*)

Mr. Robbery stated that he did not know about the first incident. Ms. Gorveatt-Dill explained that she spoke to Mr. Robbery over the phone about the first incident after the second incident occurred.

MOTION: Selectman Whiteside moved to close the hearing. Selectman Tropeano seconded. Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Whiteside moved to deem the dog at risk with the following conditions: 1) When not under direct control of a controlling person, the dog shall be contained within a building, vehicle, or secure and locked enclosure. 2) The dog may only leave owner's property accompanied by a controlling person on a leash of not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle. 3) Behavior training for the dog from a trainer approved by the Animal Control Officer. 4) Spaying or neutering of the dog unless the owner of the dog provides evidence that a

SELECTMEN MEETING MINUTES-9/7/2021 (CONT'D)

veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact. Selectman Tropeano seconded. Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

10. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

- a. Zoning Board of Appeals-term to expire June 30, 2026
 - i. Veronica Debonise

MOTION: Selectman Tropeano moved to appoint Veronica Debonise to the Zoning Board of Appeals to a term to expire no later than June 30, 2026. Selectman Teitelbaum seconded. Selectman Munise requested updated information pertaining to any training or certifications and suggested being provided proof of any training prior to approving appointments or reappointments in the future.

Roll Call: Selectman Teitelbaum-yes, Selectman Munise-no, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 3-1-0 (Selectman Munise opposed)

11. LICENSES AND PERMITS

12. TOWN BUSINESS

- a. Proclamation-Suicide Prevention.

Present before the Board: Jennie Babcock and Laura Rosenthal, Co-Chairs of the Plymouth County Suicide Prevention Coalition.

Ms. Babcock stated that the Plymouth County Suicide Prevention Coalition is one of nine coalitions in the state. The coalition offers suicide awareness intervention and trainings which are funded through the Department of Public Health to all communities. She also stated that there were 647 suicides last year in Massachusetts and 47,511 nationally. Selectman Whiteside read the proclamation into record. (See attachment)

- b. Disband the group known as 'Beach and Tourism.'

This item will be discussed at a later meeting.

- c. Discussion and possible vote to approve the opt-out and reduction fee applications for Curbside Billing FY21 (Abatement Recommendation 6).

MOTION: Selectman Teitelbaum moved to approve the opt-out and reduction fee application for Curbside Billing FY21 (Abatement Recommendation 6) in the amount of \$8,301.25. Selectman Tropeano seconded. Roll Call: Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-no.

VOTE: 3-1-0 (Selectman Whiteside opposed)

- d. Discussion and possible vote to support House Bill: H.2508 - An Act relative to construction and rehabilitation of public safety facilities and Senate Bill: S.1594 - an Act relative to construction and rehabilitation of public safety facilities.

Selectman Tropeano explained the bills will fund up to 90% for Police or Fire Station upgrades if passed.

MOTION: Selectman Tropeano moved to authorize the Chair to send a letter supporting House Bill 2508 and Senate Bill 1594. Selectman Teitelbaum seconded. Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

SELECTMEN MEETING MINUTES-9/7/2021 (CONT'D)

e. Discussion regarding formulating the bylaw review committee.
This item will be discussed at the next meeting.

f. Ratify the hiring of James Luch-part-time laborer at the Transfer Station and Justin Corley-laborer for the WPCF.

MOTION: Selectman Tropeano moved to ratify the hiring of James Luch-part-time laborer at the Transfer Station and Justin Corley-Laborer for the WPCF. Selectman Teitelbaum seconded. Roll Call: Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

g. Review Policy Statement No. 91-1 Town Policy for the Registration and Regulation of Sales Agents and Sales Supervisors.

This item will be reviewed at the next meeting.

13. TOWN ADMINISTRATOR'S REPORT

Mr. Sullivan stated that there were fifty confirmed cases and four probable cases. 35% were fully vaccinated and 65% were unvaccinated.

Mr. Sullivan also provided an from Patrick McDonald, Board of Health Director and Emergency Management Director thanking the Police Department, Fire Department, Municipal Maintenance Department and A.D. Makepeace Company for a job well done handling the effects of tropical storm Ida that took place September 2, 2021.

14. LIAISON REPORTS/INITIATIVE REPORTS

No reports provided.

15. CONSENT AGENDA

a. Authorize payment to the Law Office of Richard P. Bowen.

MOTION: Selectman Tropeano moved to authorize payment to the Law Office of Richard P. Bowen. Selectman Teitelbaum seconded. Roll Call: Selectman Munise-yes, Selectman Tropeano-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

VOTE: 4-0-0 (Unanimous)

a. Authorization to sign bills and documents, etc.
b. Approval of meeting minutes:

16. ADJOURNMENT

The Board of Selectmen entered into Executive Session at 9:18 p.m.

17. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

18. EXECUTIVE SESSION

M.G.L. 30A §20 (3) Re: Litigation-Habitat for Humanity vs Town of Wareham
To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

M.G.L. 30A §21 (6) Re: Little Harbor-purchase of property

SELECTMEN MEETING MINUTES-9/7/2021 (CONT'D)

To consider the purchase, exchange, lease of value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Respectfully submitted
Cassandra Slaney
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen on:

Attest: _____

Patrick G. Tropeano, Clerk

Date Signed: 10-7-21

Date sent to the Town Clerk: 10-7-21

Documents used in meeting:

Report from DNR -Gilbert
Report from DNR- Carnes
Report from DNR -Robery
Suicide Proclamation
Abatement recommendation #6
House Bill 2508, Senate Bill 1594

Commonwealth of Massachusetts

**Complaint of Vicious or Barking Dogs
MGL Chapter 140 Section 157**

August 11, 2021

I hereby make complaint hereon, that the dogs owned or harbored by:

Dawn Gilbert
48 Blackmore Pond Circle
Wareham, MA 02576

Are dangerous by reason of aggression:

On August 4, 2021 at approximately 11:40 AM, Mr. Brendan Malley was bitten in the left calf while he was walking along Blackmore Pond Circle. He stated that he was walking in the road in front of 48 Blackmore Pond Circle when two boxers passed through the electric fence surrounding their owner's lawn and began harassing Mr. Malley. The two tan boxers in question, a 7 year-old male named Thor and a 7 year-old female named Envy, ran into the street and chased Mr. Malley. He states that one of the two boxers bit him in his leg, but he was unable to identify which of the two bit him as they were both chasing him. Mr. Malley was able to enter the house across the street to escape the attack. He suffered minor injuries to his left calf. Mr. Malley informed me that he has observed both boxers escaping the electric fence in the past.

Although it remains unclear which dog bit Mr. Malley, on January 2, 2020, Thor escaped the electric fence at Ms. Gilbert's previous address and bit a passerby in the calf while she was walking in the road. It is clear that the electric fence is not suitable for these dogs and that they have a history of aggression toward people walking in front of their owner's property. I am requesting a hearing to discuss further actions Ms. Gilbert may take to secure her two boxers.

This complaint is made under the penalties of perjury.



Natural Resource Officer Eva Golden
Wareham Department of Natural Resources
Law Enforcement Division



Town of Wareham

54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Judith Whiteside, Chairman
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

August 12, 2021

Certified Mail: 70203160000205857435

Dawn Gilbert
48 Blackmore Pond Circle
W. Wareham, MA. 02576

Re: Hearing

Dear Ms. Gilbert:

In accordance with the provisions of Chapter 140, Section 157 of the Massachusetts General Laws, you are hereby notified that a public hearing will be held before the Board of Selectmen on **Tuesday, September 7, 2021** at 7:15 p.m. regarding a dog owned or kept by you. Please find attached a complaint letter from the Wareham Animal Control Officer. If you require more information, please let me know at your earliest convenience.

The hearing will be held in the Multi-Service Center, Room 320, 48 Marion Road, Wareham, MA.

Your attendance is requested at this hearing in order that your interest is properly protected.

Please be advised that masks are required to be worn in the meeting room.

Sincerely,

Judith Whiteside
Chairman

cc: Board of Selectmen
Animal Control Officer Eva Golden
Director of Natural Resources/Harbormaster
Police Chief Walter Correia
Town Counsel



Wareham Police Department
Incident Report

Page: 1
08/25/2021

Incident #: 21-1156-OF
Call #: 21-26858

Date/Time Reported: 08/04/2021 1148
Report Date/Time: 08/05/2021 1403
Status: No Crime Involved

Reporting Officer: DNR Eva Golden

Signature: Eva Golden

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	GILBERT, DAWN A 48 BLACKMORE POND CIR WEST WAREHAM MA 02576	F	W			

Military Active Duty: N
HEIGHT: 506 WEIGHT: 150 HAIR: BROWN EYES: HAZEL
BODY: MEDIUM COMPLEXION: FAIR
DOB: [REDACTED] PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: MA [REDACTED] ETHNICITY: NOT HISPANIC

[CAUTIONS]

Caution Type	Start Date	End Date
Caution (Other/Unspecified)	01/07/2021	

[CONTACT INFORMATION]

Home Phone (Primary) [REDACTED]
Home Phone [REDACTED]

[APPEARANCE]

GLASSES WORN: NO

EVENTS(S)

LOCATION TYPE: Residence/Home/Apt./Condo Zone: WAREHAM NORTH PATROL
48 BLACKMORE POND CIR
WAREHAM MA 02571

1 Animal Complaint

Wareham Police Department
Incident Report

Page: 2
08/25/2021

Incident #: 21-1156-OF
Call #: 21-26858

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	MALLEY, BRENDAN C 2001 COMMONWEALTH AVE Apt. #35 BRIGHTON MA 02135 DOB: ***** INJURIES: Apparent Minor Injury ETHNICITY: Unknown RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1	M	W	27	*****	*****

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	DOG, MALE, 7 YEARS OLD, TAN BOXER QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 08/08/2021 OWNER: GILBERT, DAWN A	VALUE:	Evidence (Not Nibrs Reportable)
2	DOG, FEMALE, 7 YEARS OLD, TAN BOXER QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 08/08/2021 OWNER: GILBERT, DAWN A	VALUE:	Evidence (Not Nibrs Reportable)

NARRATIVE FOR DNR EVA GOLDEN

Ref: 21-1156-OF

On August 4, 2021 at approximately 11:40 AM, I, Natural Resource Officer Golden of the Wareham Department of Natural Resources, was at the Maintenance Shop when I received a report of a dog bite that occurred on Blackmore Pond Circle. I called the reporting party to check his status and verify he was safe, and then drove the Animal Control Van to his location.

Upon arrival I was met by the calling party, Brendan Malley (DOB [REDACTED]) who stated that he was walking along Blackmore Pond Circle when two boxers passed through the electric fence surrounding their owner's lawn at 48 Blackmore Pond Road and began harassing Mr. Malley. The two tan boxers, a 7 year-old male named Thor and a 7 year-old female named Envy, allegedly have a history of passing through the electric fence at this location. Both boxers live at this location and are owned by Dawn Gilbert (DOB [REDACTED]).

Mr. Malley states that he was in the street trying to escape from the two dogs when one of them bit him in the left calf. The injury appeared minor in nature; however, he did have broken skin as a result of the bite. Mr. Malley stated that he had to run into the house across the street from 48 Blackmore Pond Circle to escape the attack.

When I went to the residence of Ms. Gilbert, I observed a white cable running along the outer perimeter of the lawn as well as a "Beware of Dog" sign posted at the end of the driveway. I did not see either of the two boxers outside. I knocked on the door and attempted to make contact with Ms. Gilbert, but was unable to make contact with any party at the residence. I left a tag on the door explaining the nature of my visit and requesting Ms. Gilbert call the Animal Control phone number.

The following day, Animal Control Officer Gorveatt-Dill was able to make contact with Ms. Gilbert and explained the

Wareham Police Department
Incident Report

Page: 3
08/25/2021

Incident #: 21-1156-OF
Call #: 21-26858

situation. ACO Gorveatt-Dill issued the required 10-day quarantine to both boxers as it was unclear which of the two bit Mr. Malley. Both are up-to-date with required rabies vaccinations.

PLEASE FROM QUARANTINE

Animal(s) described on the right does not
opinion show symptoms of any
this contagious disease.

Order of Animals

Date

Ins-to inspector: Write the full name of the
whom you delivered the original order of
Designate that person as the owner, or
being interest in, or person in charge, by
the words which do not apply. If you are
deliver the original order of quarantine to
by caretaker, please post the original on



Commonwealth of Massachusetts DEPARTMENT OF AGRICULTURAL RESOURCES DIVISION OF ANIMAL HEALTH ORDER OF QUARANTINE

Massachusetts General Laws, Chapter 129 § 2, 2A, 22

DUPLICATE

To be sent to
Animal Health

Town or City of

WARREN

Date

8-4-2021

To

Dorchester

owner/person having an interest in/or person in charge

Upon premises of

NO. 100

Address

48 G. S. K. Road

The following is quarantined, by virtue of the power and authority vested in me by law

2 M. DOG BOSTON 745

1000 T. H. R. E. A. V. Y.

Reason for quarantine: [Suspected disease, importation violation, animal bite (name of person bitten / address / date of bite)]

3/1/2021

Further conditions of quarantine:

You and all other persons whom it may concern are hereby forbidden to remove anything under quarantine from the premises for any purpose
whatsoever, except by permission of the Director of Animal Health or his authorized agent. VIOLATION OF THIS ORDER CAN RESULT IN A
FINE OF UP TO FIVE HUNDRED DOLLARS OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BOTH.

Form 38 250-6/18

10 day Quarantine

Inspector of Animals



Wareham Police Department
Incident Report

Page: 1
08/25/2021

Incident #: 20-7-OF
Call #: 20-170

Date/Time Reported: 01/02/2020 1235
Report Date/Time: 01/02/2020 1316
Status: No Crime Involved

Reporting Officer: DNR Garry Buckminster

Signature: _____

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	GILBERT, DAWN A 39 STATION ST WAREHAM MA 02571-1324	F	W			

Military Active Duty: N

BODY: NOT AVAIL.

DOB: _____

LICENSE NUMBER: _____

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: UNKNOWN

[CONTACT INFORMATION]

Home Phone

(Primary)

Home Phone

[APPEARANCE]

GLASSES WORN: NO

EVENTS(S)

LOCATION TYPE: Residence/Home/Apt./Condo
39 STATION ST
WAREHAM MA 02571

Zone: WAREHAM NORTH PATROL

1 DOG BITE

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1	DEAN, JANICE 100 CHESTNUT ST NEW BEDFORD MA 02740	F	W	65	*****	*****
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DOB: *****

EMPLOYER: SPRINGBORN SMITHERS LAB *****

INJURIES: Apparent Minor Injury

ETHNICITY: Not of Hispanic Origin

RESIDENT STATUS: Non Resident

TAKEN TO: No medial requested, refused

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

Wareham Police Department
Incident Report

Page: 2
08/25/2021

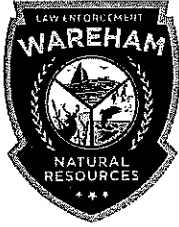
Incident #: 20-7-OF
Call #: 20-170

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	DOG LIC #988 - BOXER - THOR QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 01/02/2020 OWNER: GILBERT, DAWN A	VALUE:	Suspected

NARRATIVE FOR DNR GARRY BUCKMINSTER

Ref: 20-7-OF

On January 2, 2020 at approximately 12:35 PM, I, R. Garry Buckminster, Director for the Department of Natural Resources responded to the area of Station Street for a reported dog bite. Upon my arrival to Station Street I was met by the victim now known as Janice Dean of 100 Chestnut Street, New Bedford. Janice Dean advised me that she walks the area regularly whereas she works at Springborn/Smithers Laboratories and is familiar with the dog that bit here. As she was walking on the town maintained dirt road/public way, the male boxer know as Thor, owned by Dawn Gilbert of 39 Station Street, Wareham MA. was able to get outside of the electronic fence and exited the private property located at 39 Maple Springs Road. The male boxer approached Janice Dean and bit her on the left leg, outside portion of the calf. Janice Gilbert allowed me to view the bite area where I observed three well defined teeth marks that broke the skin and bruising within the the bite mark. I asked Janice Dean numerous times if she would like ems, Janice declined and would follow up with her primary care doctor. After gathering Janices information she walked back to work located at Springborn Smither Laboratory and I went to the dog owner, Dawn Gilbert. I advised Dawn Gilbert that her dog had exited the wireless control k9 fence and had bit an individual walking. Dawn Gilbert provided me with all documentation of town licenses as well as confirmed that Thor the male boxer was current with it rabies vaccination expiring 06/27/2020. Dawn Gilbert was advised that the dog will be under a house controlled quarantine for the required 10 days and explained of the requirements of monitoring the dog. ACO will follow up with the quarantine documentation on 01/03/2020.



**Wareham Department of Natural Resources
Animal Control Division**

54 Marion Road
Wareham, Massachusetts 02571
(508) 291-3100 x3183



I, Natural Resource Officer Eva Golden of the Wareham Department of Natural Resources, request that Thor and Envy, the dogs owned by Dawn Gilbert and harbored at 48 Blackmore Pond Circle in Wareham, Massachusetts, be deemed at risk under Town of Wareham Bylaw Division VIII, Article II, Section 15: Any dog that, when unprovoked, engages in any behavior that requires a defensive action by a human or other dog to prevent bodily injury.

I further request that the hearing authority order the following per the statute:

1. When not under direct control of a controlling person, the dog(s) shall be contained within a building, vehicle, or secure and locked enclosure
2. The dog(s) may only leave owner's property accompanied by a controlling person on a leash of not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle
3. Behavior training for the dog(s) from a trainer approved by the Animal Control Officer

Respectfully,

A handwritten signature in cursive script that reads "Eva Golden".

Eva Golden

Natural Resource Officer
Department of Natural Resources
Law Enforcement Division
Town of Wareham
egolden@wareham.ma.us
(508) 291-3100 x3180



Town of Wareham

54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Judith Whiteside, Chair
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

September 1, 2021

Dawn Gilbert
48 Blackmore Pond Circle
W. Wareham MA 02576

Re: **Hearing Update**

Dear Ms. Gilbert:

This letter is to inform you that the continued dog hearing scheduled before the Board of Selectmen will now be taking place remotely on Tuesday, September 7, 2021 at 7:15 p.m. Information to sign into the meeting is as follows:

URL to join

<https://us02web.zoom.us/j/83258925070?pwd=dzh3SmIzTzBLaG1teEJmakpZb2lsZz09>

Passcode: 962288

One tap mobile:

+19292056099 (New York)

+13017158592 (Washington DC)

Webinar ID: 832 5892 5070

Passcode: 962288

Your attendance is requested at this hearing in order that your interest is properly protected.

Sincerely,


Judith Whiteside
Chair

cc: Board of Selectmen
Animal Control Officer Eva Golden
Police Chief Walter Correia
Town Counsel
DNR Director Garry Buckminster



TOWN OF WAREHAM

54 Marlon Road
Wareham, MA 02571

BOARD OF SELECTMEN
Judith Whiteside, Chair
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

September 13, 2021

Certified Mail: 7020 3160 0002 0585 7350

Dawn Gilbert
48 Blackmore Pond Circle
W. Wareham, MA 02576

RE: Notice of Decision

Dear Ms. Gilbert:


On September 7, 2021, a public hearing was held before the Board of Selectmen Pursuant to M.G.L. Chapter 140 Section 157 concerning complaints involving dogs owned or harbored by you.

After the close of the evidentiary hearing, based on the testimony heard and exhibits presented, the Board voted to take no action with the understanding that you will place signs on your property informing neighbors of the electric fence.

You will be invited to a Board of Selectmen's meeting in ninety (90) days to review this case.

If you should have any questions, please contact the Board of Selectmen's office at 508-291-3100 ext. 3102 or email the Board of Selectmen at selectmen@wareham.ma.us.

Very truly yours,


Judith Whiteside
Chairman

cc: Board of Selectmen
Animal Control Officer Cheryl Gorgeatt-Dill
Natural Resource Officer Eva Golden

Commonwealth of Massachusetts

**Complaint of Vicious or Barking Dogs
MGL Chapter 140 Section 157**

August 11, 2021

I hereby make complaint hereon, that the dogs owned or harbored by:

Calvin Carnes
11 Barrett Way PO Box 1811
Onset, MA 02558

Are nuisances by reason of continually barking:

The Wareham Department of Natural Resources has received multiple complaints about barking dogs at all hours of the day, including throughout the night and into the mornings. This is an ongoing issue for the dogs owned by the individual in question. Animal Control Officers have responded to this location numerous times. On October 22, 2019, a public hearing was held regarding the issue of continuous nuisance barking and the following mandates were imposed:

1. To take all reasonable measures, including but not limited to, supervised or limited outdoor excursions, and/or the use of construction of a visual opaque barrier between the street and the yard;
2. To take all reasonable measures, including but not limited to, the use of a muzzle;
3. In addition to the above measures, to supervise any outside excursion prior to 8:00 a.m. or after 9:00 p.m., daily; so as to assure no excessive barking occurs.

It is apparent that these measures are not resolving the ongoing issue of nuisance barking at this location. Our department has spoken to the dog owner to no avail. I am requesting to hold a hearing to address this unresolved problem.

This complaint is made under the penalties of perjury.



Natural Resource Officer Eva Golden
Wareham Department of Natural Resources
Law Enforcement Division



Wareham Natural Resources Department

Animal Control Division

54 Marion Road
Wareham Massachusetts 02571
508-291-3100 x3183



ACO@wareham.ma.us

Cheryl Gorveatt-Dill
Animal Control Officer
Animal Inspector

September 2, 2021

RE: Barking Dog violations

I, Wareham Animal Control Officer Gorveatt-Dill, of the Wareham Natural resources Department, request that the dogs owned and cared for by Calvin Carnes at 11 Barrett's Way be deemed nuisance dogs, per M.G.L. Chapter 140 Section 157 and Wareham Town Bylaw DIV VIII, AR II, IX, by way of continuous and ongoing barking dog complaints. Furthermore I am requesting the following requirements be placed on these dog,

1. To take all reasonable measures, including but not limited to, supervised or limited outdoor excursions, and/or the use or construction of a visual opaque barrier between the street and yard.
2. To take all reasonable measures, including but not limited to, the use of a muzzle.
3. In addition to the above measures, to supervise any outside excursions prior to 8 A.M. or after 9 P.M., daily so as to assure no barking occurs.
4. That the dog be humanely restrained.
5. That the dog (s) be confined outdoors in a securely enclosed and locked pen for no more than 20 minutes at a time.

Cheryl A. Gorveatt-Dill
Animal Control Officer / Inspector



Town of Wareham
54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Judith Whiteside, Chairman
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

August 12, 2021

Certified Mail: 70203160000205857442

Calvin Carnes
PO Box 1811
Onset MA 02558

Re: Hearing

Dear Mr. Carnes:

In accordance with the provisions of Chapter 140, Section 157 of the Massachusetts General Laws, you are hereby notified that a public hearing will be held before the Board of Selectmen on **Tuesday, September 7, 2021** at 7:30 p.m. regarding a dog owned or kept by you. Please find attached a complaint letter from the Wareham Animal Control Officer. If you require more information, please let me know at your earliest convenience.

The hearing will be held in the Multi-Service Center, Room 320, 48 Marion Road, Wareham, MA.

Your attendance is requested at this hearing in order that your interest is properly protected.

Please be advised that masks are required to be worn in the meeting room.

Sincerely,

Judith Whiteside
Chairman

cc: Board of Selectmen
Animal Control Officer Eva Golden
Director of Natural Resources/Harbormaster
Police Chief Walter Correia
Town Counsel



Town of Wareham

54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Judith Whiteside, Chair
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

September 1, 2021

Calvin Carnes
PO Box 1811
Onset MA 02558

Re: **Hearing Update**

Dear Mr. Carnes:

This letter is to inform you that the continued dog hearing scheduled before the Board of Selectmen will now be taking place remotely on Tuesday, September 7, 2021 at 7:30 p.m. Information to sign into the meeting is as follows:

URL to join

<https://us02web.zoom.us/j/83258925070?pwd=dzh3SmlzTzBLaG1teEJmakpZb2lsZz09>

Passcode: 962288

One tap mobile:

+19292056099 (New York)

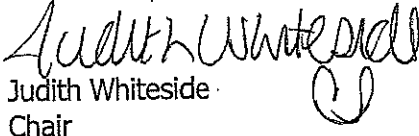
+13017158592 (Washington DC)

Webinar ID: 832 5892 5070

Passcode: 962288

Your attendance is requested at this hearing in order that your interest is properly protected.

Sincerely,


Judith Whiteside
Chair

cc: Board of Selectmen
Animal Control Officer Eva Golden
Police Chief Walter Correia
Town Counsel
DNR Director Garry Buckminster



TOWN OF WAREHAM

54 Marion Road
Wareham, MA 02571

BOARD OF SELECTMEN

Judith Whiteside, Chair
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

September 14, 2021

CERTIFIED MAIL NO. 7020 3160 0002 0585 6612

Calvin Carnes
11 Barrett's Way
P.O. Box 1811
Onset, MA 02558

RE: Notice of Decision

Dear Mr. Carnes:

On September 7, 2021, a public hearing was held before the Board of Selectmen Pursuant to M.G.L. Chapter 140 Section 157 concerning complaints involving dogs owned or harbored by you.

After the close of the evidentiary hearing, based on the testimony heard and exhibits presented, the Board determined that your dogs are a nuisance by reason of continuously barking.

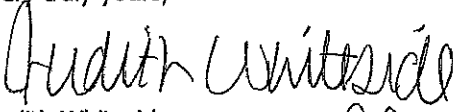
The Board voted the following motion:

1. To take all reasonable measures, including but not limited to, supervised or limited outdoor excursions, and/or the use of construction of a visual opaque barrier between the street and the yard;
2. To take all reasonable measures, including but not limited to, the use of a muzzle as well as wearing bark collars.
3. In addition to the above measures, to supervise any outside excursion prior to 8:00 a.m. or after 9:00 p.m., daily; so as to assure **no barking occurs**.
4. The dogs be humanely restrained.
5. That the dogs be confined outdoors in a securely enclosed and locked pen for **no more than 20 minutes at a time**.

You have 30 days from the date of the hearing to take the above measures.

You are hereby noticed of your right to appeal the decision of the Hearing Authority. You have the right to file an appeal in the Wareham District Court within ten (10) days of receipt of this notice.

Very truly yours,


Judith Whiteside
Chair

cc: Board of Selectmen
Animal Control Officer Cheryl Gorveatt-Dill
Natural Resources Officer Eva Golden

Commonwealth of Massachusetts

Complaint of Vicious or Barking Dogs

MGL Chapter 140 Section 157

August 5, 2021

I hereby make complaint hereon, that the dog owned or harbored by:

Gerald Robery
18 Fifteenth Ave
Wareham, MA 02571

Is dangerous by reason of aggression:

On July 27, 2021, at approximately 6:30 P.M., Mr. Frederick Olivieri was bitten by Duke, a male bloodhound belonging to the residence of 18 Fifteenth Ave in Wareham. Mr. Olivieri was walking along the Weweantic River when Duke emerged from a wooded area between Thirteenth and Fifteenth Avenues. Duke then proceeded to repeatedly jump on Mr. Olivieri and was allegedly snapping at his neck. Mr. Olivieri punched Duke repeatedly in the muzzle and was then bitten in the right hand resulting in two puncture wounds. A neighbor arrived on scene and was able to separate the dog from Mr. Olivieri with a wooden object. The owner of the dog, Mr. Gerald Robery, arrived on scene and was able to take Duke back to his property by the scruff of his neck. Mr. Olivieri stated that Duke was off-leash with no collar at the time of the incident. Mr. Robery's dog is unlicensed and unvaccinated. I am requesting a hearing to discuss the best options to address this issue.

This complaint is made under the penalties of perjury.



Natural Resource Officer Eva Golden
Wareham Department of Natural Resources
Law Enforcement Division

For Date: 06/20/2021 - Sunday

<u>Call Number</u>	<u>Time</u>	<u>Call Reason</u>	<u>Action</u>	<u>Priority</u>	<u>Duplicate</u>
21-20406	1302	Initiated - INSPECTION BY ACO	Notification Made 3		
Call Taker:		DNRJK - Kimball, Joshua			
Location/Address:		[WAE 1558] ROBBERY RESIDENCE - 18 FIFTEENTH AVE			
Initiated By:		54 - Kimball, Joshua			
Party Entered By:		06/20/2021 1302 DNRJK - Kimball, Joshua			
Involved Party:		ROBBERY, GERALD V III @ 18 FIFTEENTH AVE - WAREHAM, MA 02571-1304 508-840-6356			
		SSN: 027507749 DOB: 05/21/1972 Race: W Sex: M			
Unit:		54 Kimball, Joshua			
			Arvd-13:01:39 Clrd-13:02:42		
Narrative:		06/20/2021 1302 Kimball, Joshua			
		Animal Quarantine Paper Service: 10 day quarantine served			
		over the phone. Notification made.			



**Wareham Department of Natural Resources
Animal Control Division**

54 Marion Road
Wareham, Massachusetts 02571
(508) 291-3100 x3183



I, Natural Resource Officer Eva Golden of the Wareham Department of Natural Resources, request that Duke, the dog owned by Gerald Robery and kept at 18 Fifteenth Avenue in Wareham, Massachusetts, be deemed at risk under Town of Wareham Bylaw Division VIII, Article II, Section 15: Any dog that, when unprovoked, engages in any behavior that requires a defensive action by a human or other dog to prevent bodily injury.

I further request that the hearing authority order the following per the statute:

1. When not under direct control of a controlling person, the dog shall be contained within a building, vehicle, or secure and locked enclosure
2. The dog may only leave owner's property accompanied by a controlling person on a leash of not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle
3. Behavior training for the dog from a trainer approved by the Animal Control Officer
4. Spaying or neutering of the dog unless an owner of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact

Respectfully,

A handwritten signature in cursive script that reads "Eva Golden".

Eva Golden

Natural Resource Officer
Department of Natural Resources
Law Enforcement Division
Town of Wareham
egolden@wareham.ma.us
(508) 291-3100 x3180



Town of Wareham

54 Marion Road
Wareham, MA 02571

SELECTMEN'S OFFICE
Phone: 508.291.3100
Fax: 508.291.3116
E-mail: selectmen@wareham.ma.us

Judith Whiteside, Chair
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

September 1, 2021

Gerald Robery
18 Fifteenth Ave.
Wareham MA 02571

Re: **Continued Hearing**

Dear Mr. Robery:

This letter is to inform you that the continued dog hearing scheduled before the Board of Selectmen will now be taking place remotely on Tuesday, September 7, 2021 at 7:45 p.m. Information to sign into the meeting is as follows:

URL to join

<https://us02web.zoom.us/j/83258925070?pwd=dzh3SmIzTzBLaG1teEJmakpZb2lsZz09>

Passcode: 962288

One tap mobile:

+19292056099 (New York)

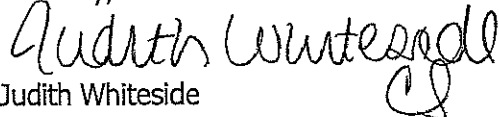
+13017158592 (Washington DC)

Webinar ID: 832 5892 5070

Passcode: 962288

Your attendance is requested at this hearing in order that your interest is properly protected.

Sincerely,


Judith Whiteside
Chair

cc: Board of Selectmen
Animal Control Officer Eva Golden
Police Chief Walter Correia
Town Counsel
DNR Director Garry Buckminster



TOWN OF WAREHAM

54 Marion Road
Wareham, MA 02571

BOARD OF SELECTMEN
Judith Whiteside, Chair
Patrick G. Tropeano, Clerk
James M. Munise
Alan H. Slavin
Peter W. Teitelbaum, Esq.

September 13, 2021

CERTIFIED MAIL: 7020 3160 0002 0585 6629

Gerald Robery
18 Fifteenth Avenue
Wareham, MA. 02571

RE: Notice of Decision

Dear Mr. Robery:

On September 7, 2021, a public hearing was held before the Board of Selectmen Pursuant to M.G.L. Chapter 140 Section 157 concerning complaints involving dogs owned or harbored by you.

After the close of the evidentiary hearing, based on the testimony heard and exhibits presented, the Board determined that your dog is deemed at risk.

The Board voted the following motion:

1. When not under direct control of a controlling person, the dog shall be contained within a building, vehicle, or secure and locked enclosure.
2. The dog may only leave owner's property accompanied by a controlling person on a leash of not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle.
3. Behavior training for the dog from a trainer approved by the Animal Control Officer.
4. Spaying or neutering of the dog unless the owner of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact.

You are hereby ordered to comply with the above conditions within thirty (30) days of receipt of this notice and have the right to file an appeal in the Wareham District Court within ten (10) days of receipt of this notice.

Very truly yours,

Judith Whiteside
Wareham Board of Selectmen, Chair

cc: Board of Selectmen
Animal Control Officer Cheryl Gorveatt-Dill
Natural Resource Officer Eva Golden

NATIONAL SUICIDE PREVENTION MONTH

SEPTEMBER 2021 PROCLAMATION FOR THE TOWN OF WAREHAM

WHEREAS, suicide is the 10th leading cause of all deaths in the United States and the 2nd leading cause of death among individuals between the ages of 15 to 24;

WHEREAS, in the United States, one person completes suicide every 14 minutes;

WHEREAS, it is estimated that 5 million people in the United States are survivors of suicide loss;

WHEREAS, an increase in the overall suicide rate in our country was seen in 2019, representing a change in the recent pattern of stability or slight declines,

WHEREAS, suicide is a community problem and thus there must be a community response through various initiatives to reduce suicidal behaviors;

WHEREAS, The Plymouth Suicide Prevention Coalition, which is dedicated to reducing the frequency of suicide attempts and deaths through education, awareness and action, urge that we as a community:

1. Recognize suicide as a national, state and Wareham public health problem and declare suicide prevention to be a Plymouth County priority;
2. Acknowledge that no single suicide prevention program or effort will be appropriate for all populations or communities;
3. Encourage local initiatives based on the goals contained in the *National Strategy for Suicide Prevention* that will
 - a. Develop and implement strategies to reduce the stigma associated with being a consumer of mental health, substance abuse, and suicide prevention services.
 - b. Develop and implement community-based suicide prevention programs and suicide bereavement support services.
 - c. Implement training for the recognition of at-risk behavior and for the delivery of the effective treatment.
 - d. Increase access to, and community linkages with, mental health and substance abuse in the entertainment and news media.

WHEREAS, a great many suicides are preventable; THEREFORE, IT BE RESOLVED that, we, the Wareham Board of Selectmen do hereby designate September 10th, 2021, which overlaps World Suicide Prevention Day on September 10th, as “National Suicide Prevention Month” in the Town of Wareham, Massachusetts.

Chair, Board of Selectmen