MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: July 21, 2020
Date of Transcription: February 22, 2021
Transcribed by: Cassandra Slaney

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Peter W. Teitelbaum, Esq., Chairman

Judith Whiteside, Clerk

Alan H. Slavin

Patrick G. Tropeano James M. Munise

Also Present: Dorene Allen-England, Asst. Town Administrator

Richard P. Bowen, Town Counsel

Not Present: Derek Sullivan, Town Administrator

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

The Gleason Family YMCA is open. If working out without a mask, the separation required is fourteen feet.

Selectman Tropeano urged residents to apply bug spray or avoid being outside early in the morning or early evening. There have been cases of EEE in the area and everyone needs to take the necessary precautions.

5. CITIZEN'S COMMENTS

Present before the Board: Pat Lester

Mr. Lester talked about the basketball championship event that took place which led to the decision made by the Town to remove all basketball hoops. He stated that he understands the reasoning behind it, but wanted to suggest leaving one hoop open and using signage consisting of the rules and Governor's guidelines. Ms. Allen-England stated that there was a meeting held with the organizers of the basketball event and it was determined that in order to comply with public safety, the only solution was to take down the nets. This is strictly a public health issue and the Board of Health does not have the means to continuously check to make sure guidelines are being followed. She also stated that she reached out to the State and verified that the Town has the authority and obligation to take the nets down.

Present before the Board: Sandy Slavin

Ms. Slavin asked for a time frame to submit articles for the Fall Town Meeting. Chairman Teitelbaum stated the dates will be established at the next meeting. She also asked that liaisons attend at least one meeting to thank the volunteers of the boards and committees.

Present Before the Board: Joseph Cardoza

Mr. Cardoza lodged a complaint on the park and ride near Maple Springs Road and the noise involved. He stated it has been going on for years as early as 5:00 a.m. and he would like something done about it. Selectman Slavin told him he would meet with the state to see what can be done.

6. **BOARD'S COMMENTS**

Selectman Slavin will be attending a SRPEDD meeting to discuss the Cannabis Control Commission updates on policies and procedures.

He also wanted to thank Planning Director, Ken Buckland for successfully obtaining a \$40,000.00 grant from the Streetscape program offered through Mass DOT.

7. <u>APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS</u>

- a. Charter Review Group
 - i. Judith Whiteside

MOTION: Selectman Tropeano moved to appoint Judith Whiteside to the Charter Review Group to a term to expire later than the completion of the 202 Annual Fall Town Meeting. Selectman Whiteside seconded.

VOTE: 3-1-1 (Selectman Slavin opposed and Selectman Munise present)

8. LICENSES AND PERMITS

- a. Second Hand Dealer's License
 - i. Game Stop, Inc.

MOTION: Selectman Whiteside moved to approve the Second Hand Dealer's License for Game Stop, Inc. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

ii. Gold World, Inc.

MOTION: Selectman Whiteside moved to approve the Second Hand Dealer's License for Gold World, Inc. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

iii. Cranberry Flea Market

MOTION: Selectman Whiteside moved to approve the Second Hand Dealer's License for Omega Reign, Inc. d/b/a Cranberry Flea Market. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

iv. South Coast Sport & Consignment

MOTION: Selectman Whiteside moved to approve the Second Hand Dealer's License for South Coast Sport & Consignment. Selectman Munise seconded.

VOTE: 5-0-0 (Unanimous)

b. Application from Gourmet Garden of Wareham, Inc. d/b/a Ginger, 2421 Cranberry Hwy, Wareham for a Temporary Outdoor Seating All Alcoholic License.

MOTION: Selectman Whiteside moved to approve the application from Gourmet Garden of Wareham, Inc. d/b/a Ginger, 2421 Cranberry Hwy, Wareham for a Temporary Outdoor Seating All Alcoholic License pending receipt of approval from the Board of Health and a letter from the property owner authorizing outdoor service. Selectman Tropeano seconded.

VOTE: 5-0-0 (Unanimous)

9. **DOG HEARING 7:30 P.M.**

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

VOTE: 5-0-0 (Unanimous)

Selectman Teitelbaum swore everyone in who is testifying.

Selectman Teitelbaum explained that this is continuation hearing from April 22, 2020. Selectman Slavin and Selectman Munise were present remotely, but due to audio issues, they were not able to hear any testimony and therefore could not vote.

Present before the Board: Cheryl Gorveatt-Dill, Animal Control Officer, Agapi Stratakias, Rallitsa Koulouris, Joeyna Barber

Ms. Gorveatt-Dill read into record the incident report from Officer Joshua Kimball of the Wareham Department of Natural Resources. (attached) Ms. Gorveatt-Dill also stated that there had been past incidents involving the two dogs reported in this incident.

Ms. Stratakias spoke on behalf of her mother, Rallitsa Kouloris. She stated that the dog's name was Dexter and was a small dog similar to a Chihuahua. He was a rescue dog saved from a shelter and was considered a very loving member of the home. She requested euthanization of the dogs that attacked Dexter in order to keep the community safe. Mrs. Kouloris stated that as the attack on her dog was happening, a man stopped to help her. He tried separating the dogs from her dog, but was unsuccessful. Selectman Tropeano asked Mrs. Kouloris if the man that helped her brought her to his car and if the dogs were jumping on her. Her response to both questions was yes. Selectman Teitelbaum asked if there was any attempt from the owner of the two dogs to help with the veterinary bills. Ms. Koulouris responded no. Selectman Whiteside questioned the length of time the dogs were loose and Ms. Gorveatt-Dill confirmed that the dogs were loose for approximately fifty minutes. Ms. Barber stated she was not home at the time of the incident and explained that she

has never had any issues with her dogs and they are people friendly. The dogs reported in the past were her prior dogs she no longer owns. She also stated that her dogs had not been licensed until recently and their rabies shots are up to date. Selectman Munise asked what steps she has taken since the temporary order was placed. She stated she has adhered to the temporary order given and nothing else. Selectman Whiteside asked how many times prior to this report have the dogs attacked. Ms. Gorveatt-Dill stated the other reports involved her previously owned dogs.

Ms. Gorveatt-Dill explained that she has been working with Ms. Barber since 2014 to prevent further incidents. Ms. Barber has been cooperative with all of the requests. However, the problem is she is not always home and with constant traffic in and out of the house, the dogs have more of a chance of escaping the property. Ms. Gorveatt-Dill stated that she cannot trust setting forth safety measures for these dogs that will be enforced and cannot take the risk of someone getting hurt. Therefore, she is recommending humane euthanasia for both dogs.

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

VOTE:

5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to order both dogs to be humanely euthanized. Selectman Whiteside seconded. Roll Call: Selectman Slavin-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes, Selectman Teitelbaum-yes.

VOTE:

5-0-0 (Unanimous)

9. TOWN BUSINESS

a. COVID-19 Update.

None.

b. Refuse Update.

Selectman Munise stated that a written draft has been sent to the Town Administrator. There has been discussion on curbside collection as well as a transfer station or convenience center. He also stated that there is discussion on a recycling center as well.

c. Discussion and vote to authorize Town Administrator to apply to Community Preservation Committee for funding for improvements to Hammond playground.

This was approved by the Board prior to Executive Session.

d. Discussion and vote to raise fine for parking at Town-owned beach lots without a beach sticker from \$30.00 to \$100.00.

This item will be discussed at a later meeting.

e. Accept donation to the Wareham Free Library for \$50.00 form Shirley Jones d/b/a the Wareham Busy Bee Quilters Guild.

MOTION: Selectman Whiteside moved to accept the donation to the Wareham Free Library in amount of \$50.00 from Shirley Jones d/b/a the Wareham Busy Bee Quilters Guild. Selectman Tropeano seconded.

VOTE:

5-0-0 (Unanimous)

f. Accept donation to the Wareham Free Library for \$500.00 from the Friends of the Wareham Free Library.

MOTION: Selectman Whiteside moved to accept the donation to the Wareham Free Library for \$500.00 from the Friends of the Wareham Free Library. Selectman Tropeano seconded.

VOTE:

5-0-0 (Unanimous)

g. Accept donation to the Wareham Free Library for \$6,000.00 from the Friends of the Wareham Free Library.

MOTION: Selectman Whiteside moved to accept the donation to the Wareham Free Library for \$6,000.00 from the Friends of the Wareham Free Library. Selectman Tropeano seconded.

VOTE:

5-0-0 (Unanimous)

h. Re-assignment of Liaisons.

The committees re-assigned are as follows:

Community Preservation Committee - Selectman Whiteside

Conservation Commission - Selectman Whiteside

Council on Aging – Selectman Slavin

Finance Committee - Selectman Slavin and Selectman Teitelbaum

Board of Health - Selectman Whiteside

Open Space Committee - Selectman Whiteside

Wareham Cultural Council – Selectman Whiteside

Selectman Munise stated he would like to see the Marine Resources Commission reestablished.

g. Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting.

10. TOWN ADMINISTRATOR'S REPORT

None.

11. LIAISON REPORTS/INITIATIVE REPORTS

Massachusetts Selectmen's Association is officially the Massachusetts Selectboard Association. There is a webinar on the website that provides updated rules and regulation changes.

Research is still in process on finding a way to get Wareham in the New Bedford housing market.

12. CONSENT AGENDA

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

ADJOURNMENT 13.

Selectman Slavin moved to adjourn at 9:22 pm. Selectman Whiteside **MOTION:** seconded.

VOTE:

5-0-0 (Unanimous)

14. **SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

Respectfully submitted Cassandra Slaney Department Assistant

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

Attest:

Judith Whiteside, Clerk

Date Signed: 3 - 3 - 2/

Date sent to the Town Clerk: 3 - 9 - 21

Town of Wareham

54 Marion Road Wareham, MA 02571

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SELECTMEN'S OFFICE Phone: 508.291.3100 Fax: 508.291.3116

E-mail: selectmen@wareham.ma.us

Patrick G. Tropeano, Chairman Mary Bruce, Clerk Alan H. Slavin Peter W. Teitelbaum James M. Munise

April 8, 2020

CERTIFIED MAIL: 7018-1830-0000-9897-1716

Joeyna Barber 173 Swifts Beach Road Wareham, MA. 02571

Re: Hearing

Dear Ms. Barber:

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, April 21, 2020** 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 Town Hall Auditorium, 54 Marion Road, Wareham, MA.

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

Please be advised that due to COVID-19, you will be required to wait in your vehicle until someone lets you into the building. Entry doors, microphones, and surrounding areas will be disinfected for your protection.

Sincerely,

Patrick G. Tropeano

Chairman

cc: Board of Selectmen

Animal Control Officer Joshua Kimball Acting Police Chief John Walcek

Town Counsel

- Restricted delivery service, which provides of elivery service, which delivery to the addresses specified by name, or to the addresses service, which requires the Addresses authorite which requires the signer to be at least 21 years of age (not sughtle at retail).

Important Reminders: a You may purchase Certilled Mail service of First-Class Mail®, First-Class Package Service®,

A record of delivery (including the recipies" signature) that is retained by the Postal Service" signature) that is retained by the Postal Service" to a specified period.

54 Marion Road Wareham, MA 02571

BOARD OF SELECTMEN
Patrick G. Tropeano, Chairman
Mary Bruce, Clerk
Alan H. Slavin
Peter W. Teitelbaum, Esq.
James M. Munise

April 23, 2020

CERTIFIED MAIL NO. 7018 1830 0000 9897 1778

Joeyna Barber 173 Swifts Beach Road Wareham, MA 02571

RE: Notice of Decision

Dear Ms. Barber:

On April 21, 2020, a public hearing was held before the Board of Selectmen Pursuant to M.G.L. Chapter 140 Section 157 concerning complaints involving two dogs owned or harbored by you.

After the close of the evidentiary hearing, based on the testimony heard and exhibits presented, the Board determined your dogs as dangerous and have placed a temporary order of the following conditions until the continuation of hearing reconvenes.

The Board voted the following motion:

- 1. The dogs are to be confined outdoors in a securely enclosed 6 foot stockade fence;
- 2. The dogs may only leave the owner's property and handled individually accompanied by a controlling person over the age of 18, on a leash not more than four (4) feet in length having a minimum tensile strength of three hundred (300) pounds.
- 3. Dogs must be muzzled at all times when outdoors for any reason.

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,

Patrick G. Tropeano

Chairman

cc: Board of Selectmen

Animal Control Officer Joshua Kimball



SELECTMEN'S OFFICE Phone: 508.291.3100 Fax: 508.291.3116

E-mail: selectmen@wareham.ma.us

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

July 9, 2020

CERTIFIED MAIL: 7018-1830-0000-9897-1792

Joeyna Barber 173 Swifts Beach Road Wareham, MA. 02571

Re:

Hearing

Dear Ms. Barber:

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**, **July 21**, **2020** at 7:30 p.m. regarding a dog owned or kept by you. This is the continuation of the hearing you attended on April 21, 2020. 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 you must follow the COVID-19 guidelines in place which include social distancing and wearing a mask.

Sincerely,

Peter W. Teitelbaum, Esq.

Chairman

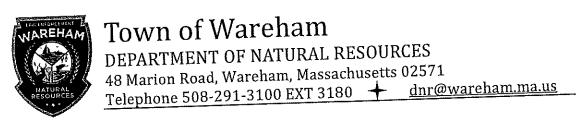
cc:

Board of Selectmen

Animal Control Officer Joshua Kimball

Police Chief John Walcek

Town Counsel



Complaint of Dangerous or Nuisance Dogs

Chapter 140 Section 157 of the Massachusetts General Laws

April 1st 2020

I hereby make complaint hereon, that the dog(s) owned and kept by:

Joeyna Barber

173 Swifts Beach Road

Wareham, MA 02571

Are dangerous by reason of:

- On March 31st 2020 the 2 dogs were loose on Swifts Beach and attacked a small Chihuahua type dog, unprovoked. The attack inflicted severe and traumatic injury to the dog resulting in the humane euthanasia of the animal. See Call # 20-11283
- A complaint received on 04/01/20 from a party reporting that the dogs had attacked her 2 dogs on February 28th. The incident went unreported until 04/01/20

This complaint is made under the pains and penalties of perjury.

Electronic Signature Affirmed – JPK

Officer Joshua Kimball, ID# 54

Wareham Department of Natural Resources

PERSONNEL NARRATIVE FOR DNR OFFICER JOSHUA KIMBALL

Ref: 20-450-OF

On March 31st 2020 at approximately 10:50am I Officer Joshua Kimball of the Wareham Department of Natural Resources was called to Swifts Beach for a reported dog attack in progress. While responding to the location, Officer Braley had arrived on scene and stated that one of the dogs were deceased. Upon arrival, Officer McGuire was on scene and with the help of Officer Braley was able to secure 2 loose pitbulls that ultimately killed another dog. The owner of the now deceased dog was identified as Konstantinos Koulouras DOB 07/02/1955 and Rallitsa Koulouras DOB 06/08/1956. Joeyna Barber DOB 01/26/1971 was later identified as the owner of the 2 pitbulls.

R. KOULOURAS was walking with her small black and tan Chihuahua on Swifts Beach when 2 large unleashed pit bulls came running after her. R. KOULOURAS stated to Officer McGuire that she picked her dog up as the 2 pitbulls came after her and the 2 dogs were jumping up at her. She dropped her dog, and the dogs did not attack her, instead they killed her Chihuahua (see attached photos). There was no owners in sight of these 2 pitbulls.

I put the 2 pitbulls (one black and white female and the other gray and white male) in the back of the Animal Control van for transport to the Lakeville Animal Shelter. BARBER had contacted Officer McGuire in the area of Swifts Beach and claimed the 2 dogs as hers. I made phone contact with BARBER and she claimed the 2 dogs as hers. I asked how the dogs got out and she stated that one of her kids friends left the door open sometime around 10am this morning and the dogs have been out since. BARBER further stated that normally the dogs go out to a pen in the back yard. I asked BARBER if the dogs were up to date on rabies shots and she stated that they were. I asked her to provide proof of that, which she did. However the rabies vaccines were expired in 2019 and both dogs have not been licensed since 2016. I advised BARBER that she would be receiving a citation in the mail for 2 unleashed dogs, 2 unlicensed dogs and 2 loose dogs. I provided BARBER with instructions on how to retrieve her dogs from the animal shelter, placed the dogs in verbal quarantine over the phone and also advised her of safety restrictions of muzzle and leash when outside of the property, to follow for her animals until the dog hearing.

At approximately 2:30pm, I made contact with K. KOULOURAS to provide him with the owner of the pitbulls information. He stated the me that his dog was in fact not deceased, and he brought it to the veterinarian and they wanted over \$10,000 and he elected to have the dog humanely euthanized. He stated that his wife was in absolute shock and sad over the loss of the dog. I provided the owner information to K. KOULOURAS and also told him that a copy of this report would be available to him at the Police Station in a few days. I also advised him that we will be holding a dangerous dog hearing against BARBER.

Respectfully Submitted,

Ofc. Joshua Kimball #54 Wareham Department of Natural Resources

Incident Report

Incident #: 20-450-OF Call #: 20-11283

EVENTS (S)

LOCATION TYPE: Field/Woods

SWIFTS BEACH RD WAREHAM MA 02571 Zone: WAREHAM SOUTH PATROL

DOG ATTACK - SEVERE INJURY/DEATH (DOG)

PHONE RACE AGE SSN SEX VICTIM(S) ******* W 64 M KOULOURIS, KONSTANTINOS 3 MEADE ST WAREHAM MA 02571 DOB: **************** ETHNICITY: Unknown RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

RELATION TO: BARBER JOEYNA Stranger

PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
BARRETT, GLENN P 41 MILL ST Apt. #205 MARION MA 02738-1521 DOB: *******	WITNESS	M	W	58	*****	*****
EMPLOYER: ROBERTSONS .	*****					
KOULOURIS, RALLITSA 3 MEADE ST ARLINGTON MA 02474-8542 DOB: *********	PARTICIPANT	F	W	63	*****	*****

OTHER PROPERTIES PROPERTY # STATUS

PLACE/MAN CHIPUANIA (DECEASED) Evidence (Not Nibrs Reportable)

BLACK/TAN CHIHUAHUA (DECEASED) Evidence (No

QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL

DATE: 03/31/2020 OWNER: KOULOURIS, KONSTANTINOS

Evidence (Not Nibrs Reportable)

MALE TAN/WHITE PITBULL

QUANTITY: 1 VALUE:

SERIAL #: NOT AVAIL

DATE: 03/31/2020 OWNER: BARBER, JOEYNA MARI

OWNER. BANDER, GODING TALL

BLACK AND WHITE FEMALE PITBULL
OUR NEITHY 1 VALUE:

Evidence (Not Nibrs Reportable)

QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL

DATE: 03/31/2020

OWNER: BARBER, JOEYNA MARI

Incident Report



Incident #: 20-450-OF Call #: 20-11283

ate/Time Reported: 03/31/2020 1045 Report Date/Time: 03/31/2020 1229

Status: No Crime Involved

Reporting Officer: DNR Joshua Kimball Assisting Officer: DNR Michael McGuire

Signature: ____



INVOLVED	A Page North Control	SEX	RACE	AGE	SSN	PHONE
BARBER, JOEYNA MARI 173 SWIFTS BEACH RD WAREHAM MA 02571-2718		F	В	49	024-70-4104	774-627-6005

litary Active Duty: N

HEIGHT: 504

EYES: BROWN

BODY: NOT AVAIL. DOB: 01/26/1971

LICENSE NUMBER: MA S86850671 PCF #: 00001720454

WEIGHT: 130 HAIR: BLACK
COMPLEXION: NOT AVAIL. PLACE OF BIRTH: FALMOUTH, MA ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone

(Primary)

508-273-9982

Home Phone

508-291-0802

CallBack Number

(Primary)

774-627-6005

__[APPEARANCE]____

GLASSES WORN: NO

TATTOOS: TAT L THGH (CHINESE SYMBOL), TAT RF ARM (AQUARIUS SYMBOL)

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: MARRIED

SPOUSE'S NAME: THOMAS, JOHN FATHER'S NAME: BARBER, JOSEPH MOTHER'S NAME: GALVAO, MATILDA

EMPLOYER/SCHOOL: PRIVATE CARE

OCCUPATION: CNA

4.

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Incident Report

Incident #: 20-450-OF Call #: 20-11283

EVENTS(S)

LOCATION TYPE: Field/Woods

SWIFTS BEACH RD WAREHAM MA 02571

Zone: WAREHAM SOUTH PATROL

DOG ATTACK - SEVERE INJURY/DEATH (DOG)

3 MEADE ST

WAREHAM MA 02571

DOB: *****************

ETHNICITY: Unknown

RESIDENT STATUS: Resident

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

RELATION TO: BARBER JOEYNA Stranger

PHONE PERSON TYPE RACE SSN PERSON(S) SEX AGE ***** ***** W 58 WITNESS M BARRETT, GLENN P 41 MILL ST Apt. #205 MARION MA 02738-1521 DOB: ******* EMPLOYER: ROBERTSONS · ********* 63 ******* ******** KOULOURIS, RALLITSA PARTICIPANT

3 MEADE ST

ARLINGTON MA 02474-8542

DOB: *******

OTHER PROPERTIES PROPERTY # STATUS

Evidence (Not Nibrs Reportable)

BLACK/TAN CHIHUAHUA (DECEASED)
QUANTITY: 1 VALUE:

SERIAL #: NOT AVAIL

DATE: 03/31/2020

OWNER: KOULOURIS, KONSTANTINOS

MALE TAN/WHITE PITBULL Evidence (Not Nibrs Reportable)

VALUE:

QUANTITY: 1

SERIAL #: NOT AVAIL DATE: 03/31/2020

OWNER: BARBER, JOEYNA MARI

BLACK AND WHITE FEMALE PITBULL Evidence (Not Nibrs Reportable)

QUANTITY: 1 VALUE:

SERIAL #: NOT AVAIL DATE: 03/31/2020

OWNER: BARBER, JOEYNA MARI