

MINUTES OF MEETING OF THE BOARD OF SELECTMEN

Date of Meeting: November 30, 2021
Date of Transcription: December 13, 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
Alan H. Slavin
Peter W. Teitelbaum, Esq.

Not Present: Rich Bowen, Town Counsel
Derek Sullivan, Town Administrator

3. PLEDGE OF ALLEGIANCE

4. ANNOUNCEMENTS

There will be a Wareham Carver Marion Regional Refuse District meeting Wednesday, December 1st at 5:00 p.m. The restated amendment agreement will be reviewed.

The Christmas parade is being held on Saturday, December 4th at 2:00 p.m..

Gatra is having a public meeting on Thursday, December 2nd at 3:00 p.m. The meeting will be taking place at the auditorium of the Town Hall. A virtual meeting will be taking place as well at 6:30 p.m. The link for the virtual meeting can be found on the GATRA website. The topic will be the route changes in Wareham.

Selectman Slavin thanked Municipal Maintenance and Administration for a job well done with the Christmas trees at Besse Park.

Selectman Whiteside thanked the Wareham High School students and for a job well done for collecting more than 3000 units of food for Damien's Pantry. She also thanked the Decas Elementary School for collecting sixty-three boxes of non-perishable food donated to the Good Shepherds Community food pantry.

There has been some confusion regarding the designated Christmas trees. Sponsors are reminded that the tree numbers can be found at the base of the trees. There is also a request not to use ornaments that can shatter.

The Solar Review Committee will be holding a public meeting on Wednesday, December 8th at 3:00 p.m. The meeting is taking place at the Multi-Service Center, Room 320, 48 Marion Road. It is a public comments meeting. Residents are encouraged to attend.

SELECTMEN MEETING MINUTES-11/30/2021 (CONT'D)

Mary Hull passed away on November 6th. She was a respected long time Vice President of the Wareham Historical Society and an active volunteer for the Wareham Council on Aging with their Meals on Wheels program. In addition, she was also a long time volunteer at the Helping Paws Humane Society.

The VFW is holding a Christmas event on Saturday, December 18th from 2pm – 5pm.

5. CITIZEN'S COMMENTS

Present before the Board: Barry Cosgrove

Mr. Cosgrove was before the Board seeking clarification of the financial responsibility for the Parker Mills Dam.

Present before the Board: Sandy Slavin

Ms. Slavin announced that the Wareham Garden Club will be hosting a fair on Saturday, December 4th at St. Patrick's Church Hall from 9-1.

6. BOARD'S COMMENTS

There is a School Committee meeting with the Board of Selectman and Finance Committee regarding the school budget on Thursday, December 2nd at the Wareham Middle School auditorium.

7. 7:15 P.M. – DOG HEARING

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

VOTE: 5-0-0 (Unanimous)

Present before the Board: Garry Buckminster, Director of the Department of Natural Resources; Eva Golden, Animal Control Officer; Cynthia Hines, Attorney, David Stahl, Ernest Trox and Mrs. Trox.

Adam Bruneau, owner of the dog was not present at the meeting. The Board of Selectmen determined that the meeting would proceed.

Selectman Teitelbaum swore in all participants stating their testimony.

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

Mr. Buckminster read the Incident Report into record. *(See attachment)*

Selectman Teitelbaum read the Police Incident Report into record. *(See attachment)*

Mrs. Trox read her statement into record. *(See attachment)*

In addition to Mrs. Trox's written testimony, she stated that Mr. Bruneau was very distraught and very helpful to Mr. Trox. Mr. Trox stated that he has limited memory of the incident due to the result of a brain bleed. He has had two surgeries and will never regain full use of his arm. Mr. Stahl stated that he is concerned about the safety of his eleven year old son and other children in the neighborhood.

Mr. Buckminster stated that due to the extent of the circumstances his recommendation is euthanasia.

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

SELECTMEN MEETING MINUTES-11/30/2021 (CONT'D)

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

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Tropeano moved to recommend euthanasia. Selectman Whiteside seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

8. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS

- a. Cable Advisory Committee-term to expire upon the completion of contract signing

- i. Dan Butler

- ii. Matthew Underhill – reconfirm appointment

MOTION: Selectman Tropeano moved appoint Dan Butler and re-confirm the appointment of Matthew Underhill to the Cable Advisory Committee to a term to expire upon completion of contract signing. Selectman Whiteside seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

9. LICENSES AND PERMITS

10. TOWN BUSINESS

- a. Community Youth Empowerment-Jowaun Gamble.

Mr. Gamble could not be present for the meeting.

- b. Accept donation from the Stop and Shop Community Bag Program in the amount of \$69.00 to the Wareham Free Library Gift Fund.

MOTION: Selectman Tropeano moved to accept the donation from the Stop and Shop Community Bag Program in the amount of \$69.00 to the Wareham Free Library Gift Fund. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

- c. Discussion and possible vote to renew the animal shelter agreement with Town of Lakeville.

MOTION: Selectman Tropeano moved to accept the renewal of the Town of Lakeville animal shelter agreement. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

VOTE: 5-0-0 (Unanimous)

11. TOWN ADMINISTRATOR'S REPORT

None.

12. LIAISON/INITIATIVE REPORTS

12. CONSENT AGENDA

13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

- a. Authorization to sign bills and documents, etc.

SELECTMEN MEETING MINUTES-11/30/2021 (CONT'D)

b. Approval of meeting minutes:

14. EXECUTIVE SESSION

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

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.

No executive session.

15. ADJOURNMENT

MOTION: Selectman Slavin moved to adjourn at 8:11 p.m. Selectman Teitelbaum seconded.

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

VOTE: 5-0-0 (Unanimous)

Respectfully submitted

Cassandra Slaney

Department Assistant

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

Attest: _____

Patrick G. Tropeano, Clerk

Date Signed: _____

1-27-22

Documents reviewed and/or used in meeting.

1. Dog Hearing documentation.
2. Appointment for Dan Butler.
3. Donation to the Wareham Free Library.
4. Lakeville Animal Shelter agreement.

Date sent to Town Clerk: _____

1-27-22

Commonwealth of Massachusetts

Complaint of Vicious or Barking Dogs Section 157, Chapter 140, General Laws

November 9, 2021

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

Adam Bruneau
18 Naushon Rd
Wareham, MA 02571

Is dangerous by reason of aggression:

1. The dog, described as a 10 year old, male, American Bulldog, named Flash, had broken through the backyard fence and attacked the neighbor, Ernest Trox, inflicting serious injury.

On October 15, 2021 I was dispatched to 18 Naushon Rd for a reported dog attack. The victim, Ernst Trox, was in his own yard at 20 Naushon Rd when the dog owned by Adam Bruneau "pushed through" his backyard fence and attacked the neighbor unprovoked. The dog knocked the victim to the ground and then latched onto his left arm. It was not until the dog's owner pulled the dog off of the victim that the attack ended.

The injured arm has needed multiple surgeries and skin grafts to repair the damage.

This complaint is made under the penalties of perjury.

Cheryl Gorveatt-Dill
Wareham Animal Control Officer

Complainant's signature:

Cheryl Gorveatt-Dill

Cheryl Gorveatt-Dill
Wareham Animal Control Officer



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.

November 15, 2021

Certified Mail: 7020 3160 0002 0585 7138

Adam Bruneau
18 Naushon Road
Wareham, MA. 02571

Re: Hearing

Dear Mr. Bruneau:

In accordance with the provisions of Chapter 140, Section 157 of the Massachusetts General Laws, you are hereby notified that a virtual public hearing will be held before the Board of Selectmen on **Tuesday, November 30, 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 link to join the meeting is as follows:

To join meeting:
<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
Chairman

cc: Board of Selectmen
Animal Control Officer Cheryl Gorgeatt-Dill
Director of Natural Resources/Harbormaster
Police Chief Walter Correia
Town Counsel



Wareham Police Department
Incident Report

Page: 1
10/25/2021

Incident #: 21-1569-OF
Call #: 21-36278

Date/Time Reported: 10/15/2021 0754
Report Date/Time: 10/15/2021 0901
Occurred Between: 10/15/2021 0750-10/15/2021 0754
Status: No Crime Involved

Reporting Officer: Patrol Officer Jennifer Braley
Approving Officer: Sergeant Herbert Noble

Signature: _____

Signature: _____

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	BRUNEAU, ADAM D 18 NAUSHON RD WAREHAM MA 02571	M	W	37		

Military Active Duty: N
HEIGHT: 600 WEIGHT: 160 HAIR: BLACK EYES: BLUE
BODY: SLIM COMPLEXION: LIGHT
DOB: 09/26/1984 PLACE OF BIRTH: PLYMOUTH, MA.
LICENSE NUMBER: ETHNICITY: NOT HISPANIC
PCF #: 280516U

[CAUTIONS]

Caution Type	Start Date	End Date
Caution (Other/Unspecified)	10/19/2020	

[CONTACT INFORMATION]

Home Phone	(Primary)	508-441-1105
Home Phone		508-295-6468

[APPEARANCE]

GLASSES WORN: NO
SCARS: SC L ANKL(SCAR INSIDE LEFT ANKLE)
FATHER'S NAME: BRUNEAU, DENIS
MOTHER'S NAME: O'NEIL, MARY

EVENTS(S)

LOCATION TYPE: Highway/Road/Alley/Street Zone: WAREHAM NORTH PATROL
20 NAUSHON RD
WAREHAM MA 02571

1 DOG BITE

Wareham Police Department
Incident Report

Page: 2
10/25/2021

Incident #: 21-1569-OF
Call #: 21-36278

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	TROX, ERNEST L 20 NAUSHON RD WEST WAREHAM MA 02576 DOB: ***** EMPLOYER: COURIER, INC . ***** INJURIES: Severe Laceration, Possible Internal Injuries ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident TAKEN TO: St. Lukes Hospital Newbedford TAKEN BY: 742 Wareham EMS VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO: BRUNEAU ADAM	M	W	74	*****	*****

Neighbor

Wareham Police Department

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NARRATIVE FOR PATROL OFFICER JENNIFER BRALEY

Ref: 21-1569-OF

On 10/15/2021 at 0754 hrs. I was dispatched to 20 Naushon Rd. for the report of a dog bite. Dispatch advised the victim was bleeding profusely and that the dog had been secured. Upon arrival, I spoke with the victim, Ernest Trox (DOB: 11/18/46) and it appeared that the bleeding to his left arm was under control. Trox's arm was wrapped in several towels and elevated. Trox stated that he was walking his dog when the neighbor's dog came running at him from behind it's fence. Trox stated the dog knocked him down and then grabbed his left arm with it's mouth, tearing the skin through the muscle, down to the bone. Trox stated his neighbor, Adam Bruneau (DOB: 09/26/84) immediately ran to him and the dog from the backyard. Trox stated that Bruneau immediately brought the dog in the house and returned with towels to help stop the bleeding.

I then spoke with Bruneau who remained with Trox. Bruneau stated that his 9 year old, American Bulldog was in the backyard, started barking and ran out of the backyard towards the street. Bruneau stated the dog knocked Trox down to the ground and then grabbed his arm. Bruneau stated that he grabbed the dog and secured him in the house in his crate. Bruneau stated that he doesn't understand why the dog went after Trox. He stated the dog has been to obedience training and has never behaved this way before. Bruneau stated that the dog is up-to-date with its vaccinations and his vet is Dr. Fall at Animal Health Clinic.

Due to the severity of Trox's injuries, he was transported to St. Luke's Hospital by Wareham EMS. Wareham DNR was notified and Bruneau was advised to quarantine the dog until given further instructions by Wareham DNR.

Wareham Police Department

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NARRATIVE FOR DNR CHERYL GORVEATT-DILL

Ref: 21-1569-OF

On October 15, 2021 I, Wareham Animal Control Officer Gorveatt-Dill, responded to 18 Naushon Rd for a reported dog attack. I was met by a man who identified himself as the owner of the dog, described as a 10 year old, male, American Bull dog named flash, who had attacked his neighbor, 'Ernie'. The dog owner, Adam Bruneau, who was obviously distraught. He stated his dog pushed threw his fence in an attempt to go after his neighbors small dog and when the owner reached down to protect the small dog his dog latched onto the mans arm resulting in serious injury. The victim, Ernst Trox, was transported to Tobey Hospital prior to my arrival. I served the dog owner a 10 day quarantine for the dog in hand. The dog owner also agreed to muzzle the dog and keep same on a leash at all time.

10/15/21

Day of Dog attack

①

@ 8:30 AM

We usually walk the dog daily - going to the right at the end of the driveway to Weepocket then turn left when we get to Unadilla Rd and then turn left onto Nashweena then turn right onto Naushon Rd past #18 to our house @ #20 which is what we did on 10/15/21 - as we were walking by the driveway of #18 I saw a dog come ^{running} ~~running~~ toward us and I immediately grabbed my Cairn Terrier/Poodle Rascoe to get him to the house quickly because it was clear that dog intended him harm.

After that the dog started to charge and knock my husband Ernie down to the street and ~~he~~ ^{Ernie} landed very hard. The dog immediately started chewing and tearing my husband's left arm, exposing tendons and other parts that should be inside his arm and my husband was screaming in pain. I started immediately screaming help! help!

Adam came running and pulled his dog off Ernie and put him in the house I think.

Adam got towels out of his truck and was applying them to Ernie's arm to try to stop the bleeding - He got Ernie to sit on the tail gate of Ernie's truck - while I ran to call the ambulance. ^{after} The EMT's were ^{working} stabilizing Ernie for transport to Tobey hospital.

I now live in fear of another attack with the dog.

(2)

Quarantine was only 10 Days and they are almost up. Part of the quarantine was dependent on the fence in the front to be repaired using metal fence. was what Adam told me.

My husband's arm is going to require multiple surgeries and skin grafts.

My husband was also bitten in the stomach area by the dog and the layer of skin was chewed off there but not as serious the arm area.

My husband had a subdural hematoma from being knocked to the ground.

He had ^{emergency} surgery on his arm @ St Lukes to repair tendons