

Animal Control Commission

Meeting Minutes

July 11, 2016

I. Call to order

Maribeth Eugene called to order the regular meeting of the Animal Control Commission at 6:05 PM on July 11, 2016 at Lancaster Community Center, Public Meeting Room.

II. Members/Attendees Present

The following members were present: Phil Eugene, Maribeth Eugene, Phyllis Tower, Dianne Reardon, Jan Johnson, Joyce Moody, Kelly Quill, Ted Manning, Ryan Beckner, Officer Andrew Shaw, and Milton Marquez.

III. Approval of minutes from last meeting

The minutes were approved as presented.

IV. Elect new Chair of the Animal Control Commission

Kelly Quill nominated Jan Johnson for Chairperson for tonight's meeting. Joyce Moody seconded and the nomination was passed.

V. Public Hearing – Complaint of Vicious Dog, Beckner

The hearing was opened at 6:15 pm by Jan Johnson. Ryan Beckner and Milton Marquez were sworn in by Dianne Reardon, Assistant Town Clerk. Everyone introduced themselves.

Phyllis Tower spoke on the history between the Animal Control Commission and Ryan Beckner. His dogs have been "at large" and nuisance dogs, but never to the point of a dog fight. She reported that Mr. Beckner had been fined in previous issues, and has caught up with all of his fines.

On February 11, 2016, Mr. Beckner's dogs got off of his property, proceeded down the street, and got into a scuffle with a new dog. This issue was handled between Phyllis Tower and Mr. Beckner.

On April 27, 2016, there was a call to dispatch regarding two pit bulls attacking a dog at the intersection of Main Street and Sterling Road. Phyllis came into the area, looking for the injured dog, but had no luck locating it. Phyllis became aware that the

workers at the Sunoco station had secured the pit bulls. In the meanwhile, Mr. Beckner had come home to find that his dogs were missing. He then went looking for his dogs.

Mr. Beckner spoke about his incidents in 2006 and 2008. He spoke of several personal issues. He spoke of a faulty gate that has been fixed at his house. He assured the commission that his dog is good with people, but has problem with other dogs. Mr. Beckner apologized to Mr. Marquez and he offered his assistance to make things better.

Milton Marquez spoke about how no one, except the passerby that called dispatch, witnessed the attack. His daughter came home from school and saw Chloe lying in front of the house. She called her mother and they took the dog to Westford Animal Hospital, as it has an emergency department. Chloe had several lacerations, a cracked skull, and several broken ribs. She stayed in the hospital for several nights before she went home. She seemed to be getting better the first night, but by the next day she was not trying to walk any more. She was brought back to the hospital and they found fluid in her lungs. The determination was to put her to sleep at this time, which the Marquez family did. Mr. Marquez works at the SDA Conference in South Lancaster, and the woman who witnessed the attack happened into his office one day, speaking about what she had seen. He then realized this was the attack that caused fatal injury to Chloe.

Phyllis Tower, upon reading from the police report, stated that the caller said there were two dogs attacking one.

Mr. Beckner said that maybe two dogs were present, but he doesn't believe the brown dog (Daisy) would attack. She would travel with the black dog (Z), but Z has a history of aggression against other dogs.

Phil Eugene clarified that the black dog had a history of aggression.

Mr. Beckner said that he does, but only against other dogs.

Jan Johnson asked if there was a written statement from the witness.

Phyllis Tower answered "no"

Mr. Beckner mentioned that there are three sets of brown and black dogs in his neighborhood that have a history of escaping.

The Commission decided that they need to see a statement from the witness that called in the attack in order to make a decision.

Jan Johnson asked Mr. Marquez if he wants anything else done.

Mr. Marquez said he is glad to see the Commission taking this issue seriously. He spoke of the financial burden of trying to save his dog, along with the emotions of losing a dog. Mr. Marquez said that he is not sure if he wants Mr. Beckner to be responsible for all the bills that were incurred.

Mr. Beckner added that he paid monetary compensation to the owner of the dog was involved in a previous issue with another one of his dogs.

Phyllis Tower and Jan Johnson said that next month there will be a decision. The Town Clerk will send a letter with the decision.

Phyllis reiterated that she wants the dogs kept secure.

Jan Johnson said that the Commission will take this under advisement and let all parties know the outcome.

A motion was made by Phil Eugene, seconded by Kelly Quill, to close the hearing at 6:46 pm.

VI. Department of Public Works Superintendent, Kevin Bartlett and Town Administrator, Ryan McNutt, regarding correct division of animal removal responsibilities

Mr. Bartlett addressed the commission and spoke of the union contract's omission of the clause requiring the DPW personnel to remove dead animals. He informed the commission that, in 2010, the dead animal removal was bargaining leverage, but, over time, the clause has been dropped. Tonight he is hoping to figure out who's responsibility it is to pick up road kill.

Jan Johnson asked if the DPW is willing to do it during work hours.

Mr. Bartlett replied that he would rather not do it at all and he would like to look into alternatives.

There was discussion of an Assistant Animal Control Officer.

Phyllis Tower spoke of how this clause was taken out of the ACO job description once the DPW was responsible for it. She spoke of knowing an individual that will pick up deer for free, but if he is out of town, there needs to be another options, for larger animals especially. She added that she was told there was no additional funding for an Assistant Animal Control Officer.

Mr. Bartlett explained the expense involved with the union contract to have one or two people come out to remove dead animals.

Mr. McNutt spoke on how infrequently this happens and also spoke about a revolving fund.

Discussion ensued on the health risks of the dead animal pit and what neighboring towns did to remove their dead animals.

Maribeth Eugene is going to speak to the Board of Health regarding the dead animal pit.

Various options of funding an assistant to the ACO was discussed, along with the make up of that position.

Mr. Bartlett will check with his staff to see if there is anyone interested in a stipend position for the assistant job.

There will be an update on this subject at the next meeting.

VII. Frequency of Animal Control Meetings

Jan Johnson wants the records to stay the way they are. She likes the detail with which Phyllis reports and she would like it to stay that way.

Phil Eugene stated that he likes to go over Phyllis' activity every month.

Phyllis Tower spoke about Sue Thompson possibly joining the ACC. She also mentioned Fred Hatstat (police officer) as a potential member, as there is a chance Erin will be leaving the Commission.

Next meeting is August 1, 2016 at 6:00 pm in the Community Center Lunch Room.

A motion was made by Kelly Quill, seconded by Phil Eugene, to table the updates from Phyllis Tower until the next meeting. The motion was passed.

A motion was made by Phil Eugene, seconded by Kelly Quill, to adjourn the meeting at 7:50 pm. The motion was passed.