

***Animal Control
Commission Meeting
Minutes***

October 3, 2017

I. Call to order

Maribeth Eugene called to order the regular meeting of the Animal Control Commission at 7:00 PM on October 3, 2017 at Lancaster Community Center, Public Meeting Room.

II. Members/Attendees Present

The following members were present: Phil Eugene, Maribeth Eugene, Phyllis Tower, Mary de Alderete, Joyce Moody, Kelly Quill, Adrienne Gadoa, Robert Phoney joined the meeting shortly afterwards.

III. Public Hearing – Complaint of Vicious/Barking Dog, Briggs

The hearing was opened at 7:03 pm by Maribeth Eugene. Attendees to the meeting were sworn in by Mary de Alderete, Town Clerk. Attendees included:

Brian Napolitano, 51 Bigelow Road
Kara Turini, 57 Bigelow Road
Elizabeth Millett, 99 Whitcomb Drive
Jessica Callahan, 91 Whitcomb Drive
Jeff and Kelly Briggs, 88 Whitcomb Drive
Kate Farragher, 78 Whitcomb Drive
Dawn and Donald LaFountaine, 98 Whitcomb Drive
Alexandra Freel, 98 Whitcomb Drive
Joanne Mitchell, 81 Whitcomb Drive

Ms. Eugene first mentioned that in order to move in an expedited manner, reading of the full complaint would be dispensed.

Phyllis Tower gave a report on the history of the complaints concerning “Charlie”, who is owned by Mr. and Mrs. Briggs, including early and late night barking. She also stated that the dog had often been in the window, but was not barking when a Police Officer arrived. She mentioned that after hearing of the complaints, she had offered suggestions to Mr. and Mrs. Briggs as to how to keep the dog quiet, and since that time there had not been further calls regarding this – but there was an outstanding issue with a broken leash and the dog getting into a tangle with another small dog.

Ms. Farragher spoke to an incident that occurred 3 years ago regarding a broken front and back screen on her property, and that Charlie did not appear to have adequate

water. She stated that her family has had to adjust their lifestyle in order to avoid Charlie, and that the “tangle” had caused her to fall and she had health problems due to the incident. She also mentioned that she was concerned that many children were in the neighborhood and that Charlie presented a risk to them.

Mr. Napolitano mentioned that while there is still barking, it had lessened since the complaint had been filed.

Mr. Briggs stated that the incident with the screen had happened when Charlie was a puppy, and that he had fixed the screens afterwards. He noted that Charlie suffered from separation anxiety and that he is not vicious. He also said that many neighborhood children would come over and play with the dog and the dog did well with them. He has been keeping Charlie next to him as much as possible since he learned of the complaint.

Jessica Callahan confirmed that she has seen kids playing with the dog. Dawn LaFontaine stated that her dog played often with Charlie.

Betty Millet said that although she lives across the street from the Briggs, she has not had a problem with them. She has heard barking, but it does not bother her. Ms. Eugene asked whether Ms. Millet had any concerns walking in front of the house when Charlie was there. She stated that she often walks in front to call her grandchildren home and does not have concerns.

Mr. Eugene questioned whether Mr. Briggs felt that the dog mostly barked to stimuli, and Mr. Briggs confirmed that he did.

After further discussion, Ms. Eugene read the definition of Massachusetts General Law concerning nuisance dogs and stated that the Board would have to rule with this as a guideline.

Ms. Tower reiterated that dogs must not be allowed to run free, and that she had seen a brand new cable tie for Charlie, which would be appropriate to hold him.

Ms. Quill noted that the discussion seemed to point to a noticeably better situation concerning the barking, and while there were other issues that might be between the neighbors, they were not the purview of the Animal Control Commission.

Ms. Eugene made a motion (Quill seconded) to vote whether Charlie would be considered a dangerous dog. Unanimously voted that Charlie should not be considered a dangerous dog under MGL guidelines.

Ms. Quill (Eugene seconded) made a motion that as the situation seemed to be mitigated

at the present time, there should be a continuance with the finding, and that the Animal Control Commission would continue to monitor the situation and bring the matter back to the Board if required to do so. Unanimously voted to continue the finding.

A motion was made by Phil Eugene, seconded by Kelly Quill, to close the hearing at 7:10 pm.

IV. Approval of minutes from last meeting

The minutes from September 11, 2017 were approved.

V. Discussion regarding time of future meetings

After discussion, it was agreed upon to hold meetings on the second Monday of each month at 6:00 PM. Next meetings coming up will be November 13th and December 11th.

VI. Discussion regarding formal notice of verbal warnings in writing

Ms. Tower stated that she preferred to approach each situation on a case by case basis, and only send letters for potential issues. It was agreed that Ms. de Alderete would draft a letter and form to be distributed to the Board for their consideration.

VII. Dogs

Heritage Ln resident lost her dogs, letter sent
Found dog at Woods ambulance, returned to local residence
Assistance needed with a rodent on Bolton Rd, advice given
Small white dog found on Center Bridge, belonged several houses down, new resident
Lost dog from Cleverly Cove, dog was found
Officer picked up small white dog on Main St, returned to owner on 70
Found dog on Spec Pond
Lost dog from Spec Pond
Lost spaniel from Seven Bridge had dog one day, found on Main after 70, returned to owner, new to Town – gave suggestions.

Cats:

Grey Maine Coon cat lost from Maine St

Wildlife:

Possible rabid skunk chasing family and dog on Ivy, officer put down skunk

Livestock:

Chickens found at 70 rotary, no owner found, may be taken by person who helped catch them.

A motion Ms. Eugene, seconded by Joyce Moody, to adjourn the meeting at 7:47 pm. The motion was passed.