

# Weekly Wrap-up

A Report from Town Administrator Lisa Wong

## Judd Brook Project completion



The project is finally nearing completion after years involved with design, funding approvals, bidding and construction. This will help alleviate soil erosion and protect the banks.

### Public Health

The Town recently voted to use opioid settlement funds to fund a position at the Middle School that will work with youth and prevention.

The Town will be receiving more than \$1 million in funding.

Please provide input by filling out the Hampshire Hope survey:

[www.hampshirehope.org/opioid-settlement](http://www.hampshirehope.org/opioid-settlement)

### Selectboard

The Selectboard's next regular hybrid meeting will be on Tuesday, August 6 at the Senior Center. Details will be posted on the website's agenda center.

### Food Pantry

Drop off canned fruit (peach, pear, pineapple, mixed fruit, applesauce) at the Senior Center lobby anytime in July.

### Reminder

Real Estate & Personal Property bills are due August 1, 2024. Pay online, in person or drop off in the exterior dropbox by rear of the Police station.



## Dangerous and Nuisance Animals

The Town has received a number of complaints and inquiries about dogs. Under G.L. c. 140, §157, the Selectboard, following receipt of a complaint, “shall investigate or cause the investigation of the complaint, including an examination under oath of the complainant at a public hearing in the municipality to determine whether the dog is a nuisance dog or dangerous dog.”

During the hearing, either the ACO, the victim, or preferably both, will testify as witnesses, followed by any witnesses speaking in support of the victim. The dog owner or their attorney will have the opportunity to question those witnesses.

Prior to those witnesses testifying, the Chair should read a list of the records in the Board’s possession that it will rely upon in deliberation. This can be done simply by saying “the following records are being admitted into the record” followed by a brief description of each.

The dog owner or their attorney thereafter may call his/her own witnesses and submit records into the record. Once the testimony is taken, the records received into the record, and the hearing is concluded, the Board should take two separate votes: to determine (1) whether the dogs are dangerous or nuisance dogs and (2) what remedies to order.

### **a. Definition of a Dangerous Dog**

A “dangerous dog” is defined by G.L. 140, §136A as a dog that either: “(i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified threat of physical injury or death a person or to a domestic or owned animal.”

### **b. Definition of a Nuisance Dog**

A “nuisance dog” is defined by G.L. c. 140, §136A as a “dog that: (i) by excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity; or (ii) by excessive barking, causing damage or other interference, a reasonable person would find such behavior disruptive to one's quiet and peaceful enjoyment; or (iii) has threatened or attacked livestock, a domestic animal or a person, but such threat or attack was not a grossly disproportionate reaction under all the circumstances.”