

AGENDA ITEM #5 FEBRUARY 26, 2024

PUBLIC HEARING REGARDING A COMPLAINT OF VICIOUS DOG OWNED BY ALISHA TETREULT – 40 CLARK ROAD

David Frates, in his capacity as Animal Control Officer, has filed a formal complaint against Xena, a dog owned by Alisha Tetreault, due to the most recent dog bite incident.

History

This is the second reported dog bite for Xena. The first incident happened in May of 2021. According to the dog bite report, the dog got loose and ran out to the road, attacking a woman walking in the road.

The latest incident happened on February 10, 2024. According to the dog bite report, a 14 year old girl was walking in the road and the dog got loose and bit the girl in the arm.

According to the Town Clerk's office, the dog's rabies vaccination is valid until March 19, 2024. It has not been licensed for 2024 yet.

Attachments:

Dog hearing form;
Hearing notification letters to the dog owner and injured party's parent;
Police report;
Dog bite report (2024);
Animal Inspector quarantine report;
Dog bite report (2021)

Procedure for the hearing is as follows:

Read letter sent to the dog owners, then open the hearing;

Summarize MGL 140, Section 157 (next page – I have also attached the law in its entirety);

Swear in witnesses; ask that anyone speaking identify themselves by name and address for the record;

Explain procedure of the hearing (i.e. speaker needs to be recognized by Chair before speaking; all comments are to be addressed to the Chair)

Read the complaint and discuss any other complaint letters (next page)

Ask for person who filed complaint (if present) to explain what is happening;

Ask the dog owners to speak; Board members ask questions; ask for any other witnesses;

CLOSE THE HEARING

SELECTMEN TO HOLD DISCUSSION

ISSUE THE DECISION

The General Laws of Massachusetts Chapter 140: Section 157

Summarized:

If any person shall make complaint in writing to the Selectmen, concerning any barking or vicious dog, we are charged with the responsibility of handling such complaints at a public hearing.

After investigation of such complaints, including an examination under oath of the complainant we may make an order concerning said dog.

The keeper of any such dog may, within 10 days after the hearing, petition the district court for review.

Any person failing to comply with an order issued here tonight could be punished by a fine or by imprisonment.

Part I	ADMINISTRATION OF THE GOVERNMENT
Title XX	PUBLIC SAFETY AND GOOD ORDER
Chapter 140	LICENSES
Section 157	NUISANCE OR DANGEROUS DOGS; ORDERS FOR REMEDIAL ACTION; APPEAL; VIOLATION OF ORDER

Section 157. (a) Any person may file a complaint in writing to the hearing authority that a dog owned or kept in the city or town is a nuisance dog or a dangerous dog; provided, however, that no dog shall be deemed dangerous: (i) solely based upon growling or barking or solely growling and barking; (ii) based upon the breed of the dog; or (iii) if the dog was reacting to another animal or to a person and the dog's reaction was not grossly disproportionate to any of the following circumstances:

- (1) the dog was protecting or defending itself, its offspring, another domestic animal or a person from attack or assault;
- (2) the person who was attacked or threatened by the dog was committing a crime upon the person or property of the owner or keeper of the dog;
- (3) the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog; or
- (4) at the time of the attack or threat, the person or animal that was attacked or threatened by the dog had breached an enclosure or structure in which the dog was kept apart from the public and such person or animal was not authorized by the owner of the premises to be within such enclosure including, but not limited to, a gated, fenced-in area if the gate was closed, whether locked or unlocked; provided, however, that if a person is under the age of 7, it shall be a rebuttable presumption that such person was not committing a crime, provoking the dog or trespassing.

The hearing authority 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 a dangerous dog. Based on credible evidence and testimony presented at the public hearing, the hearing authority shall: (i) if the dog is complained of as a nuisance dog, either dismiss the complaint or deem the dog a nuisance dog; or (ii) if the dog is complained of as a dangerous dog: (A) dismiss the complaint; (B) deem the dog a nuisance dog; or (C) deem the dog a dangerous dog.

(b) If the hearing authority deems a dog a nuisance dog, the hearing authority may further order that the owner or keeper of the dog take remedial action to ameliorate the cause of the nuisance behavior.

(c) If the hearing authority deems a dog a dangerous dog, the hearing authority shall order 1 or more of the following:

- (i) that the dog be humanely restrained; provided, however, that no order shall provide that a dog deemed dangerous be chained, tethered or otherwise tied to an inanimate object including, but not limited to, a tree, post or building;
- (ii) that the dog be confined to the premises of the keeper of the dog; provided, however, that "confined" shall mean securely confined indoors or confined outdoors in a securely enclosed and locked pen or dog run area upon the premises of the owner or keeper; provided further, that such pen or dog run shall have a secure roof and, if such enclosure has no floor secured to the sides thereof, the sides shall be embedded into the ground for not less than 2 feet; and provided further, that within the confines of such pen or dog run, a dog house or proper shelter from the elements shall be provided to protect the dog;
- (iii) that when removed from the premises of the owner or the premises of the person keeping the dog, the dog shall be securely and humanely muzzled and restrained with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length;
- (iv) that the owner or keeper of the dog provide proof of insurance in an amount not less than \$100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dog or proof that reasonable efforts were made to obtain such insurance if a policy has not been

issued; provided, however, that if a policy of insurance has been issued, the owner or keeper shall produce such policy upon request of the hearing authority or a justice of the district court; and provided further, that if a policy has not been issued the owner or keeper shall produce proof of efforts to obtain such insurance;

(v) that the owner or keeper of the dog provide to the licensing authority or animal control officer or other entity identified in the order, information by which a dog may be identified, throughout its lifetime including, but not limited to, photographs, videos, veterinary examination, tattooing or microchip implantations or a combination of any such methods of identification;

(vi) that unless an owner or keeper of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner or keeper of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact; or

(vii) that the dog be humanely euthanized.

No order shall be issued directing that a dog deemed dangerous shall be removed from the town or city in which the owner of the dog resides. No city or town shall regulate dogs in a manner that is specific to breed.

(d) Within 10 days after an order issued under subsections (a) to (c), inclusive, the owner or keeper of a dog may bring a petition in the district court within the judicial district in which the order relative to the dog was issued or where the dog is owned or kept, addressed to the justice of the court, praying that the order be reviewed by the court or a magistrate of the court. After notice to all parties, the magistrate shall, under section 62C of chapter 221, review the order of the hearing authority, hear the witnesses and affirm the order unless it shall appear that it was made without proper cause or in bad faith, in which case the order shall be reversed. A party shall have the right to request a de novo hearing on the complaint before a justice of the court.

(e)(1) Pending an appeal by an owner or keeper under subsection (d), a hearing authority may file a petition in the district court to request an order of impoundment at a facility the municipality uses to shelter animals for a dog complained of as being a dangerous dog. A municipality shall not incur liability for failure to request impoundment of a dog under this subsection.

(2) A justice of a district court, upon probable cause to believe that a dog is a dangerous dog or that a dog is being kept in violation of this section or in violation of an order issued under this section by a hearing authority or a court, may issue an order: (i) of restraint; (ii) of confinement of the dog as considered necessary for the safety of other animals and the public; provided, however, that if an order of confinement is issued, the person to whom the order is issued shall confine the dog in accordance with clause (ii) of subsection (c); or (iii) of impoundment in a humane place of detention that the municipality uses to shelter animals; or (iv) any other action as the court deems necessary to protect other animals and the public from the dog.

(f) A justice of the district court shall hear, de novo, an appeal filed under subsection (d). Based upon credible evidence and testimony presented at trial, the court shall, whether the dog was initially complained of as a nuisance dog or as a dangerous dog: (i) dismiss the complaint; (ii) deem the dog a nuisance dog; or (iii) deem the dog a dangerous dog. The decision of the court shall be final and conclusive upon the parties.

(g) If a court affirms an order of euthanasia, the owner or keeper of the dog shall reimburse the city or town for all reasonable costs incurred for the housing and care of such dog during its impoundment and throughout the appeals process, if any. Unpaid costs shall be recovered by the municipality in which the owner or keeper of the dog resides on behalf of the hearing authority by any of the following methods: (i) a lien on any property owned by the owner or keeper of the dog; (ii) an additional, earmarked charge to appear on the vehicle excise of the owner or keeper of the dog; or (iii) a direct bill sent to the owner or keeper of the dog.

All funds recovered by a municipality under this subsection shall be transferred to the organization or entity charged with the responsibility of handling dog complaints and impoundment. If the organization or entity falls under the management or direction of the municipality, costs recovered shall be distributed at the discretion of the municipality.

If the court overturns an order of euthanasia, the city or town shall pay all reasonable costs incurred for the housing and care of the dog during any period of impoundment.

(h) If an owner or keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer. If the keeper of the dog is in violation, all reasonable effort shall be made by the seizing authority to notify the owner of the dog of such seizure. Upon receipt of such notice, the owner may file a petition with the hearing authority, within 7 days, for the return of the dog to the owner. The owner or keeper shall be ordered to immediately surrender to the licensing authority the license and tags in the person's possession, if any, and the owner or keeper shall

be prohibited from licensing a dog within the commonwealth for 5 years. A hearing authority that determines that a dog is dangerous or a nuisance or that a dog owner or keeper has violated an order issued under this section shall report such violations to the issuing licensing authority within 30 days.

(i) Orders issued by a hearing authority shall be valid throughout the commonwealth unless overturned under subsection (d) or (f).

Commonwealth of Massachusetts

Complaint of Vicious or Barking Dogs

Section 157, Chapter 140, General Laws

To SELECTMEN
CHIEF OF POLICE
COUNTY COMMISSIONERS

City or Town of Lakeville Date 2/12/24

I hereby make complaint hereon, that a dog or dogs owned or harbored by
Alisha Tetreault 40 Clark Road Lakeville MA
Name Address
residing in my vicinity on or near _____
Street or Locality

is a nuisance by reason of:—

1. Vicious disposition.

State facts here The dog, Xena, ran out of the yard
and bit a person who was walking in the
street. The injured party was treated at an
urgent care facility. The dog bit another person

2. Excessive barking. in May of 2021, that person required
State facts here hospitalization, was brought to the hospital

3. Other disturbance.


State facts here _____

4. Source of annoyance to a sick person residing in the vicinity.

State facts here _____

This complaint is made under the penalties of perjury.

Complainant's signature and address


101 Precinct Street Lakeville MA



TOWN OF LAKEVILLE

SELECT BOARD OFFICE

346 Bedford Street
Lakeville, Massachusetts 02347
Telephone 508-946-8803

February 14, 2024

Alisha Tetreault
40 Clark Road
Lakeville, MA 02347

Dear Ms. Tetreault:

On February 12, 2024, a complaint of a “vicious, barking, or nuisance dog” was filed with the Select Board by Animal Control Officer David Frates against a dog (s) allegedly owned or harbored by you. A copy of the complaint is enclosed.

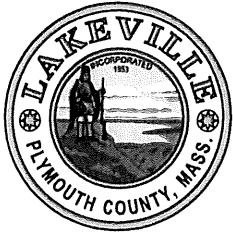
Therefore, pursuant to Chapter 140, Section 157 of the General Laws, the Board will conduct a public hearing on the complaint at the Lakeville Police Station Community Room at 323 Bedford Street, Lakeville, Massachusetts at **6:00 PM on Monday, February 26, 2024**. You should be present for this hearing, where you will be given the opportunity to address the Board and to present other witnesses on your behalf.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Tracie Craig-McGee
Executive Assistant to the Select
Board and Town Administrator

CC: Animal Control Officer



TOWN OF LAKEVILLE

SELECT BOARD OFFICE

346 Bedford Street

Lakeville, Massachusetts 02347

Telephone 508-946-8803

February 14, 2024

Kerry Mathison
17 Central Avenue
Lakeville, MA 02347

Dear Ms. Mathison:

Pursuant to Chapter 140, Section 157 of the General Laws, the Select Board will conduct a public hearing at the Lakeville Police Station Community Room at 323 Bedford Street, Lakeville, Massachusetts at **6:00 PM on Monday, February 26, 2024** on the complaint filed by the Animal Control Officer regarding a dog bite suffered by your daughter, Emma, from a dog owned by Alisha Tetreault.

At the hearing you will be given the opportunity to address the Board and to present other witnesses on your behalf.

Sincerely,

Tracie Craig-McGee
Executive Assistant to the Select
Board & Town Administrator

Lakeville Police Department
323 Bedford St.
Lakeville, Ma 02347
508-947-4422
Incident Report



Incident Number: 202400001579
File No: N/A
Dispatch Incident Number: 202400001579
Print Date: February 14, 2024
Printed By: kloika

Incident Information											
Occurred On/From	Day of Week	Date	Time	Occurred To	Day of Week	Date	Time	Reported On	Date	Time	
	Sat	02/10/2024	4:44:16PM		Sat	02/10/2024	4:44:16PM	→	2/10/2024	4:44:16PM	
Reported As Dog Bite			Incident Type - Primary Dog bite				Arresting Officer				
Incident Address 40 CLARK RD, LAKEVILLE, MA 02347						Reporting Officer Patrolman Andrew Sederquist (seder)					
Sector SOUTH		Stat. Area		Sub Stat. Area		Census Tract		Landmark			
Business Name N/A				Incident Types - Other				Action Taken Investigation			

Associated Persons Summary							
Type	Name (Last, First, MI)	Date of Birth	Sex	Home Phone #	Cell Phone #	Work Phone #	
Caller	MATHISON, ANDREW GARY	8/15/1983	M	(617) 418-9654	(617) 418-9654	N/A	
Address: 17 CENTRAL AVE, LAKEVILLE, MA 02347							
Involved J	MATHISON, EMMA	5/1/2009	F	N/A	N/A	N/A	
Address: 17 CENTRAL AVE, LAKEVILLE, MA 02347							
Involved	TETREULT, ALISHA M	1/14/1988	F	(774) 766-8725	(774) 766-8725	N/A	
Address: 40 CLARK RD, LAKEVILLE, MA 02347							

Associated Businesses Summary			
Type	Name	Primary Phone #	Secondary Phone #
Involved	Lakeville Animal Control	(508) 947-3891	N/A
Address: 8 MONTGOMERY, LAKEVILLE, MA 02347			

Involved Officers			
Officer Title	Officer Name	Officer Type	Division
Patrolman	Harold H Marshall	Responding Officer	Police Officer
Patrolman	Andrew C Sederquist	Reporting Officer	Police Officer
Patrolman	Andrew C Sederquist	Responding Officer	Police Officer

IBR/UCR Offenses				
Offense Number	IBR Type	Chapter	Section	Statute ID / IBR Type Description
No Incident Offenses Recorded for Incident #: 202400001579				

Complaint Charges				
Seq #	Chapter	Section	Name (Last, First, MI)	Description of Offense
No Complaint Offenses Recorded for Incident #: 202400001579				

Vehicle Info					
Reg Plate - State (Year)	Vehicle Year, Make, Model	VIN	Primary Color	Second Color	Insurance Co.
No Vehicle Info Recorded for Incident #: 202400001579					

Property
No Property Info reported for Incident #: 202400001579

Citations						
Citation No	Code	Date	Status	Statute	Description	
No Citations reported for Incident #: 202400001579						

Lakeville Police Department
323 Bedford St.
Lakeville, Ma 02347
508-947-4422
Incident Report



Incident Number: 2024000001579
File No: N/A
Dispatch Incident Number: 2024000001579
Print Date: February 14, 2024
Printed By: kloika

Permits					
Permit No	Type	Issue Date	Expire Date	Status	Issued To/Notes
No Permits recorded for Incident #: 2024000001579					

Narratives for Incident Number 2024000001579 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: Patrolman Andrew Sederquist (seder) Division: Police Officer

<u>Date & Time</u>	<u>Narrative Description</u>	<u>Entered by</u>	<u>Status</u>	<u>Reviewed by</u>	<u>Last Edit Date</u>
02/10/2024 21:20		Patrolman Andrew Sederquist (seder)	Closed	Captain Sean Joyce	02/14/2024

On 02/10/2024 I, Officer Andrew Sederquist, was dispatched to 40 Clark Rd for a reported dog bite. I was advised that there was a sole female who was bite by a dog.

Upon my arrival I spoke with the homeowner of 40 Clark Road, later identified as Alysha Tetreault (DOB: 01/14/1988). Alysha stated that her dog was on a 'run' in their fenced in yard before escaping under their fence and biting a female walking by. The dog was described as a 12 year old pitbull mix named Zena. Zena was secured in the home. I advised Alysha that Animal Control was responding for a bite report.

I then made contact with the female who was bit, later identified as Emma Mathison (DOB: 05/01/2009). Emma showed me her left arm which showed clear signs of a bite. Emma had bruising consistent with that of a dog bite along with a scrape from the dogs k9s. I advised Emma and her mother, who responded to the area after Emma was bit, that a bite report would be filed by Animal control as long as a incident report.

Lakeville Fire arrived on scene and evaluated Emma. Treatment was ultimately declined on scene. Animal Control David Frates arrived on scene and spoke with both parties. A bite report was taken. Nothing further to report.

Signature - Reporting Officer

Signature - Reviewing Officer

Incident Dispatcher Remarks:

Create User ID: system

Date & Time

02/10/2024 17:22:03

ANDREW MATHISON CALLED THE STATION REPORTING HIS DAUGHTER EMMA MATHISON GOT BIT BY A DOG AND WAS BLEEDING, 164 OFFICER SEDERQUIST AND 162 OFFICER MARSHALL WAS DISPATCHED, ACO RONNIE FRATES WAS NOTIFIED AS WELL AS LAKEVILLE FIRE, PT REFUSAL WAS OBTAINED, OWNER OF THE DOG WAS ALISHA TETREULT.

ACO ON SCENE 1707 ACO FRATES TOOK THE REPORT



THE COMMONWEALTH OF MASSACHUSETTS

ANIMAL CONTROL OFFICER ANIMAL BITE REPORT

City or Town of: Lakeville

1. Person reporting animal bite:

Name: Serry Mathison Address: 17 Central Ave Phone: 5083758120

2. Bite victim's information:

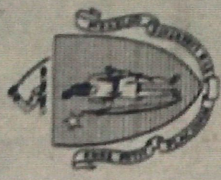
Name: Emma Mathison Address: 7 Central Ave City: Lakeville State: MA
 Victim's phone number: 5083758120 Victim's age: 14 Victims DOB: 5/1/09

3. Bite information:

Date of bite: 2/10/24 Time of bite: 4:19 PM
 Address where bite occurred: 40 Clark RD
 Describe how bite occurred: Broke out of fence Bite arm
 Location of bite on victim: Left Arm / Elbow Treatment information: First Aid

4. Animal information:

Type of animal: Dog Cat Other: _____
 Was animal captured? Yes No If yes, where? _____
 Animals name: Xena Breed: Mixed Color: grey Sex: F
 License #: 2444 issued in the city or town of: Lakeville or unlicensed
 Current rabies vaccine: Yes No Date vaccinated: May 23 1 yr 3 yr
 Animal owner: Nisha Tetreault Owner Address: 40 Clark RD Phone: 774 766 8725
 Animal euthanized by: _____ (Veterinarian) on _____ (Date)
 Sample submitted for rabies testing: Yes No Results: Positive Negative Unsatisfactory
 ACO signature: _____ Date: _____



Commonwealth of Massachusetts
 DEPARTMENT OF AGRICULTURAL RESOURCES
 DIVISION OF ANIMAL HEALTH
ORDER OF QUARANTINE
 Massachusetts General Laws, Chapter 129 §§ 2, 21, 22

DUPLICATE
 To be sent to
 Animal Health

Town or City of Lakeville Date 2/12/24
 To Aliska Tehavalt owner/person having an interest in/or person in charge.

Upon premises of Owner Address 40 Clark Rd
 The following is quarantined, by virtue of the power and authority vested in me by law

Female
 (Number, Sex, Species, Breed, Age, Color, Name)

Reason for quarantine importation violation, animal bite (name of person bitten / address / date of bite)
bite
EMMA MATHISON
40 CLARK RD 2/10/24

Further conditions of quarantine:
 You and all other persons whom it may concern are hereby forbidden to remove anything under quarantine from the premises for any purpose whatsoever, except by permission of the Director of Animal Health or his authorized agent. VIOLATION OF THIS ORDER CAN RESULT IN A FINE OF UP TO FIVE HUNDRED DOLLARS OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BOTH.

05/09 56250M Form 38
Emma Mathison Inspector of Animals

Lakeville Police Department
323 Bedford St.
Lakeville, Ma 02347
508-947-4422
Incident Report



Incident Number: 202100005448
File No: N/A
Dispatch Incident Number: 202100005449
Print Date: February 15, 2024
Printed By: kloika

Incident Information										
Occurred On/From	Day of Week	Date	Time	Occurred To	Day of Week	Date	Time	Reported On	Date	Time
	Sat	05/15/2021	11:18:42AM		Sat	05/15/2021	11:18:42AM	→	5/15/2021	11:18:42AM
Reported As Dog Bite			Incident Type - Primary Dog bite				Arresting Officer			
Incident Address CLARK RD, LAKEVILLE, MA 02347						Reporting Officer Patrolman Robert Schiffer (schi)				
Sector		Stat. Area		Sub Stat. Area		Census Tract		Landmark		
Business Name N/A			Incident Types - Other					Action Taken Transport		

Associated Persons Summary							
Type	Name (Last, First, MI)	Date of Birth	Sex	Home Phone #	Cell Phone #	Work Phone #	
Homeowner	TETREULT, JOSHUA S	12/5/1977	M	(508) 525-3056	(508) 525-3056	N/A	
Address: 40 CLARK RD, LAKEVILLE, MA 02347							
Victim	CHIOFAR, LINDA JOYCE	4/7/1961	F	N/A	N/A	N/A	
Address: 34 MADISON ST, WRENTHAM, MA 02093-1641							
Witness	TROILO, ROBERT A	1/20/1964	M	N/A	N/A	N/A	
Address: 46 CRANE ST, AVON, MA 02322-1717							

Associated Businesses Summary			
Type	Name	Primary Phone #	Secondary Phone #
No Associated Businesses reported for Incident #: 202100005448			

Involved Officers			
Officer Title	Officer Name	Officer Type	Division
Patrolman	Emiliann Melo	Responding Officer	Police Officer
Patrolman	Robert Schiffer	Reporting Officer	Police Officer
Patrolman	Robert Schiffer	Responding Officer	Police Officer

IBR/UCR Offenses				
Offense Number	IBR Type	Chapter	Section	Statute ID / IBR Type Description
No Incident Offenses Recorded for Incident #: 202100005448				

Complaint Charges				
Seq #	Chapter	Section	Name (Last, First, MI)	Description of Offense
No Complaint Offenses Recorded for Incident #: 202100005448				

Victims						
Victim Type	Victim Name	Sex	Race	Ethnic Origin	Hospital Destination	Transport Description
N/A	CHIOFAR, LINDA JOYCE	Female	N/A	N/A	N/A	N/A

Vehicle Info					
Reg Plate - State (Year)	Vehicle Year, Make, Model	VIN	Primary Color	Second Color	Insurance Co.
No Vehicle Info Recorded for Incident #: 202100005448					

Property
No Property Info reported for Incident #: 202100005448

Lakeville Police Department
323 Bedford St.
Lakeville, Ma 02347
508-947-4422
Incident Report



Incident Number: 2021000005448
File No: N/A
Dispatch Incident Number: 2021000005449
Print Date: February 15, 2024
Printed By: kloika

Citations					
Citation No	Code	Date	Status	Statute	Description
No Citations reported for Incident #: 2021000005448					

Permits					
Permit No	Type	Issue Date	Expire Date	Status	Issued To/Notes
No Permits recorded for Incident #: 2021000005448					

Narratives for Incident Number 2021000005448 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: Patrolman Robert Schiffer (schi) Division: Police Officer

Date & Time	Narrative Description	Entered by	Status	Reviewed by	Last Edit Date
05/15/2021 12:07		Patrolman Robert Schiffer (schi)	Closed	Captain Sean Joyce	05/20/2021

On Saturday, May 15, 2021, at approximately 11:18 AM, I, Officer Schiffer (167) was dispatched to Clark Road by Central Ave for a report of a dog bite. Dispatch advised me that the dog was still loose and the female victim had a bite on her leg.

Upon arrival, I was flagged down by a witness, Robert Troilo, who stated the dog was secure and the victim was located within his car. I made contact with the victim, later identified as Linda Chiofar. Chiofar had a bite wound to her right leg which was wrapped in a t-shirt to control the bleeding. Chiofar stated she was running down Clark Road and the dog came out from the yard located at 40 Clark Road. She stated that the dog bit her in the leg unprovoked.

Troilo stated that he witnessed the attack and explained the same set of circumstances. I then spoke to the homeowners of 40 Clark Road, Joshua Teterault and Alisha Teterault. They stated that their dog, "Xaez", was chained up in the back yard of the residence. They stated that the dog has never been aggressive before. They stated that they had no idea how the dog would have gotten off of the chain.

ACO David Frates arrived and took possession of dog for a ten day quarantine. Chiofar was transported to Good Samaritan Hospital.

Officer Robert Schiffer
 Lakeville Police Department

Signature - Reporting Officer

Signature - Reviewing Officer

Incident Dispatcher Remarks:

Create User ID: system

Date & Time

05/15/2021 12:07:14

911 CALLS FOR A PIT BULL BITING A LADY THAT WAS RUNNING, IN THE AREA OF 40-42 CLARK RUN, OFFICERS AND LAKEVILLE FIRE, ACO FRATES DISPATCHED A-2 S-4 ON AIR 1118 S-4 ARRIVED 1122 A-2 1123 S-4 CLEARED 1135 A-2 TRANSPORTING HER TO GOOD SAM'S AT 11.6 1140



THE COMMONWEALTH OF MASSACHUSETTS

ANIMAL CONTROL OFFICER ANIMAL BITE REPORT

City or Town of: <u>LAKEVILLE</u>	
Person reporting animal bite	
Name: <u>Lakeville PD</u>	Address: <u>PO Box 5</u> Phone: <u>508-942-4422</u>
Bite victim's information	
Name: <u>Linda Chase</u>	Address: <u>34 Major St</u> City: <u>Wentham MA</u> State: <u>MA</u>
Victim's phone number: <u>781-361-5200</u>	Victim's age: _____ Victims DOB: <u>4-7-61</u>
Bite information	
Date of bite: <u>May 15-21</u>	Time of bite: <u>11:30 AM</u>
Address where bite occurred: <u>Uxwary 40 Chate Rd</u>	
Describe how bite occurred: <u>Dog got loose and ran out to road</u>	
Location of bite on victim: _____ Treatment information: <u>Transported by Ambulance</u>	
Animal information	
Type of animal: Dog <input checked="" type="checkbox"/>	Cat <input type="checkbox"/> Other: _____
Was animal captured? Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> If yes, where? <u>Uxwary 40 Chate Rd</u>
Animals name: <u>Xena</u>	Breed: <u>Arabian</u> Color: <u>gray</u> Sex: <u>♀</u>
License #: _____ issued in the city or town of: <u>unlicensed</u>	or unlicensed <input checked="" type="checkbox"/>
Current rabies vaccine: Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> Date vaccinated: <u>OCT 15 2019</u> ^{LYR} <input checked="" type="checkbox"/> 3 yr <input type="checkbox"/>
Animal owner: <u>Alisha Ferris</u>	Owner Address: <u>40 Chate Rd</u> Phone: <u>774-966-8725</u>
Animal euthanized by: _____	on _____ (Date)
Sample submitted for rabies testing: Yes <input type="checkbox"/>	No <input type="checkbox"/> Results: Positive <input type="checkbox"/> Negative <input type="checkbox"/>
ACO signature: <u>[Signature]</u>	Date: _____
White copy - Animal control / Yellow Copy - Animal Owner / Pink Copy - Board of Health	
ALL COPIES WILL BE WHITE!	

RECEIVED

MAY 17 2021

BOARD OF HEALTH



(508) 947-3891

Town of Lakeville

Lakeville Animal Shelter
8 Montgomery Street
Lakeville, MA 02347

RECEIVED

MAY 17 2021

BOARD OF HEALTH

CALL RESPONSE LOG

Date of Call:

May 15, 21

Person Filing Complaint:

Linda Charof

Address:

39 Mason St Westboro Mass.

Complaint Against:

Alisha Terrant

Address:

40 Clark Rd

Type of Complaint:

Dog Bite

Outcome:

Linda Charof of 39 Mason St Westboro Mass
was walking in the vicinity of 40 Clark Rd
when a gray female Pit Bull came charging out
of 40 Clark Rd and attacked Linda Charof. Police
and Animal Control responded along with the Lakeville Ambulance.
Mrs Charof was transported to the hospital and the
dog was brought back to the LASS for a

Responding ACO:

Denise Frost
Ten day quarantine - dog was up to date
on rabies vaccine

**AGENDA ITEM #6
FEBRUARY 26, 2024**

**MEET WITH KEVIN PAICOS OF NATIONAL FINANCIAL
PARTNERS TO DISCUSS HEALTH INSURANCE RATE
INCREASES**

Mr. Paicos will be forwarding a presentation to the Board prior to the meeting.

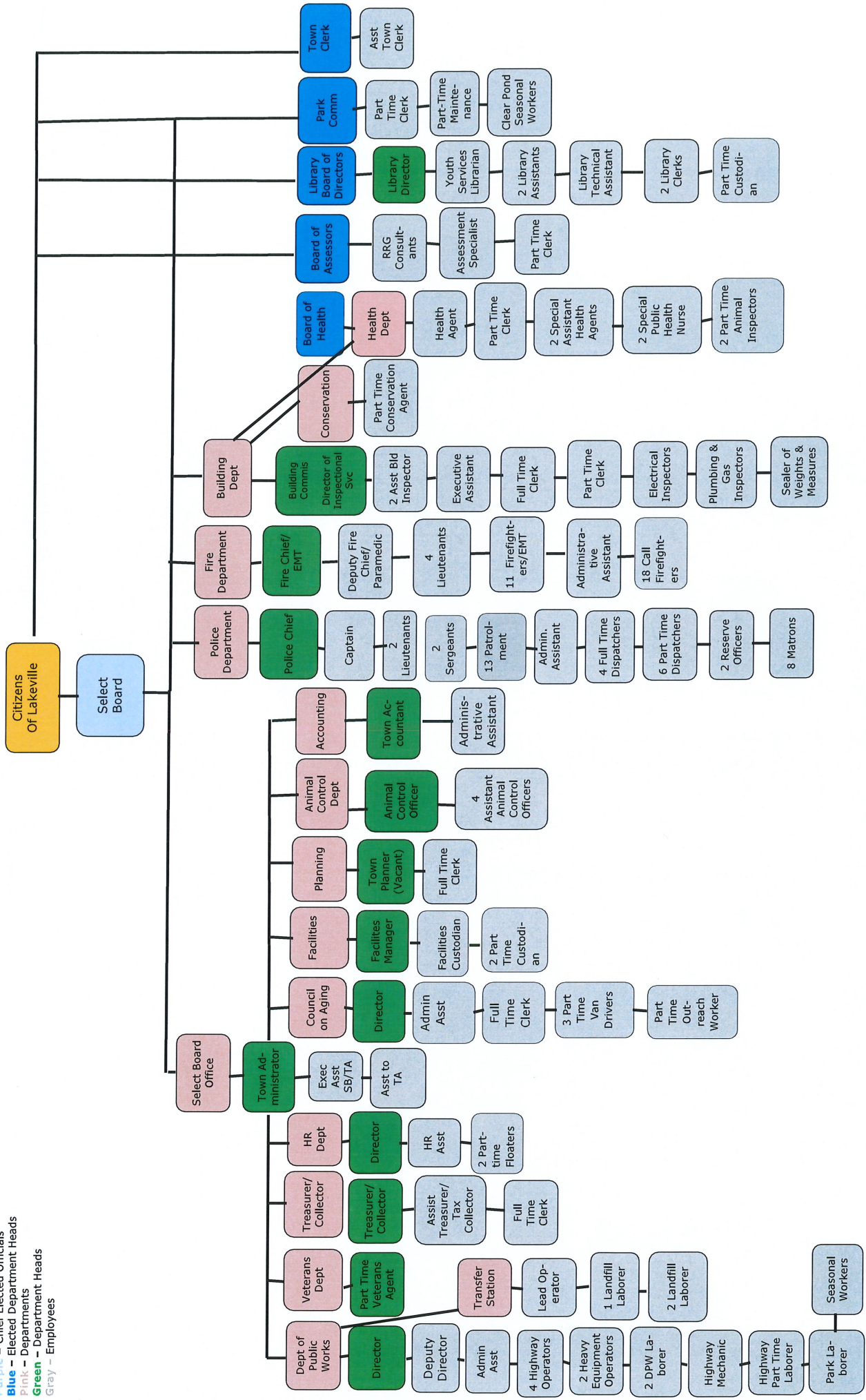
**AGENDA ITEM #7
FEBRUARY 26, 2024**

**DISCUSSION/CONTEMPLATION ON ORGANIZATIONAL
RESTRUCTURING FOR SOME TOWN DEPARTMENTS**

Chairman Day will be speaking on this. Departments he would like to discuss are: Planning, Animal Control and Facilities.

UPDATED: 2/20/24

Purple – Chief Elected Officials
 Blue – Elected Department Heads
 Pink – Departments
 Green – Department Heads
 Gray – Employees



**AGENDA ITEM #8
FEBRUARY 26, 2024**

**DISCUSSION ON POTENTIAL ORIENTATION SEMINAR FOR
NEWLY ELECTED TOWN OFFICIALS**

Chairman Day placed this item on the agenda for discussion.

**AGENDA ITEM #9
FEBRUARY 26, 2024**

**DISCUSSION ON EXPECTED DECORUM/BEHAVIOR OF
LAKEVILLE BOARDS, COMMITTEES AND COMMISSIONS**

Chairman Day placed this on the agenda for discussion.

**AGENDA ITEM #10
FEBRUARY 26, 2024**

**REVIEW PROPOSED CHARGE AND POSSIBLE MEMBERS
FOR THE TOWN ADMINISTRATOR SEARCH COMMITTEE
WITH POSSIBLE VOTE TO APPOINT THE MEMBERS**

The HR Director has supplied a draft Search Committee Charge and a document from Town Counsel regarding Search Committee protocol.

**TOWN OF LAKEVILLE
SEARCH COMMITTEE CHARGE
Adopted**

Mission: To recruit, screen, and recommend the best candidate for the Town of Lakeville's Town Administrator position.

Membership: The Committee shall consist of **seven (7)** Members to be appointed by the Select Board. Members shall include a member from the Select Board, the Building Commissioner, the Town Accountant, Finance Committee Member, The Police Chief, The Fire Chief, (1) At-Large Members of the community, Town Clerk, and Human Resources Director (not to be considered for a quorum and without voting privileges).

Tasks:

1. Establish Parameters of the Search Process – Open Session (whether done by the appointing body or the search committee)

- Develop job criteria, minimum qualifications and application procedures.
- Develop advertisement/community profile
- Establish a procedure for issuance and receipt of applications and deadlines for submissions and decision making.
- Determine how many candidates will be recommended to the appointing body as finalists, so that it is clear when the search committee's work is done. (Must be more than one; at least one court has concluded that using the preliminary screening process to winnow applicants down to only one finalist, all in executive session, violates the OML).

2. Receive and Discuss Applications – Executive Session if OML Conditions are Met (Note - Step 2 and Step 3 may occur in reverse order or simultaneously)

- Pursuant to G.L. c. 30A, §21(a)(8), the search committee may meet in executive session to consider or interview applicants for employment **if the chair declares** that an open meeting will have a detrimental effect in obtaining qualified applicants.
- Generally, the search committee may enter executive session if one or more candidates have stated that they wish their candidacy to be considered confidentially at the initial stages of the search process.
- At this initial stage, if confidentiality is invoked, the search committee may discuss in executive session each of the applications received and determine which candidates, if any, will be invited for the first round of interviews.

3. Develop Interview Questions – Open Session

- Core questions should be developed by the search committee in open session prior to the interviews.
- If there is interest in asking candidates questions for which they are required to provide an instinctive answer, each member of the search committee could be asked to prepare

a single question for such purposes, and each candidate could be asked that question in executive session.

4. First Round of Interviews – Executive Session if OML Conditions are Met

- The search committee may interview each candidate in executive session if the requirements of Purpose 8 of the Open Meeting Law are met, as described above.
- The search committee may discuss in executive session the merits of each candidate, and decide whether the candidate will be invited for a second round of interviews or named as a finalist to be recommended to the appointing body.

5. Second Round of Interviews – If Applicable

- Additional candidates may be interviewed.
- Similarly, candidates previously interviewed may be called back for a second interview provided that number of eligible candidates has not dropped to the number of candidates the search committee has indicated will be recommended as finalists to the appointing body.

6. Notify Finalists and Make Recommendation to the Appointing Body

- Once the search committee has recommended finalists to the appointing body, Purpose 8 of the Open Meeting Law no longer applies and the remainder of the process must be carried out in open session.
- Prior to making a recommendation, each finalist should be notified of the search committee's decision and given an opportunity to withdraw their name from consideration.
- If the process was conducted in executive session, only the names of the finalists who agree to be considered by the appointing body should be released publicly.

7. Appointing Body Interviews Finalists – Open Session

- Once finalists have been recommended to the appointing body, such board or committee's consideration of such finalists must occur in open session, including interviews of the candidates identified as finalists.
 - There is no limit on the number of times a particular candidate may be interviewed in open session.
 - Executive session may only be used for strategy with respect to negotiations with non-union personnel, or to actually negotiate an employment contract; in our experience, the appointing body will often delegate this responsibility to a single member, and then have that person bring recommendations back to the entire board.
- If all interviews are unsuccessful, the search committee may be tasked to revisit the search process, starting as far back in the process as Step 1, or later in the process.

Town Administrator Position

In 2021 and outside company was hired for the lifecycle of recruitment and hiring of the Town Administrator position. The cost was \$8200 and consisted of advertisement, reviewing applications, essay review, interview questions, background check, job offer.

Below are proposed methods of advertisement:

Noncontracted: Because the advertisement is not considerably old, the town could post the opening to the Town Website, LinkedIn, Indeed and follow the steps taken by the former contracted company.

Pros: Lower cost associated for advertisement, all packets are seen by the Search Committee and are able to narrow down the applicants.

Cons: Time consumption, unsure if background check meets board criteria. HR can perform an extensive background check for \$538.60 to include:

- 1) Criminal court searches
- 2) Motor vehicle records
- 3) Social trace
- 4) Credit report
- 5) Education verification
- 6) Employment verification
- 7) Professional license
- 8) Worker's compensation
- 9) Drug screening
- 10) Evictions/landlord/tenant
- 11) Global watchlists and sanction
- 12) Global politically exposed
- 13) Global adverse media
- 14) Global security comprehensive
- 15) Multi-state sex offender
- 16) National crime and sex offender
- 17) Social media screening
- 18) FACIS – Level 3
- 19) Electronic Form I-9
- 20) Employment verification – EVP
- 21) DOT physical
- 22) Non-DOT physical
- 23) FMCSA PSP search
- 24) FMCSA clearinghouse
- 25) Drug/alcohol background
- 26) MedCLEAR
- 27) Adverse action notices
- 28) Landlord verification
- 29) National Wants and warrants
- 30) SSA Direct – SSN verification
- 31) Personal references.

Contracted: I have reached out to 3 separate companies requesting a proposal for their services:

GovHR-Called/Emailed on 20231214, received proposal for \$24,500

MRI- received a proposal for \$9,500 + \$1,200 for advertising

Community Paradigm- **Bernard Lynch emailed stating they were unable to assist 20231214.**

I am willing to request 2 additional proposals if needed. My understanding is we need 3 minimum.

Based on the wage and scale the average range of salary for the Town Administrator at the 50th percentile is between 140,671-187,561 with an average of 156,301

Town Administrator				
Comparable Community	Title & Position Comments	Minimum Rate:	Maximum Rate:	Actual Salary:
Acushnet	Contract			142,844
Carver	Contract			185,143
Dighton	Contract			125,000
Freetown				146,800
Hanson	Contract			148,570
Holbrook				
Hull				
Kingston				175,000
Millis				
Norfolk				
Plainville				
Raynham				156,060
Rehoboth				110,001
Whitman	Contract			148,569
Wrentham	Per contract			225,024
Lakeville				164,449
Range Data				
Average				156,301
50th Percentile				148,570
60th Percentile				151,566
65th Percentile				154,937
70th Percentile				161,742
75th Percentile				170,265
80th Percentile				177,029
Actual Data				
Average		140,671	187,561	
50th Percentile		133,713	178,283	
60th Percentile		136,409	181,879	
65th Percentile		139,443	185,924	
70th Percentile		145,568	194,090	
75th Percentile		153,239	204,318	
80th Percentile		159,326	212,434	



SEARCH COMMITTEE PROTOCOL

The following procedures may be used as a general guideline for conducting a search for a position to be filled by a committee:

General Guidance:

- All provisions of the Open Meeting Law (“OML”) apply to the search committee, including the requirements for posting detailed meeting notices, convening open sessions prior to going into executive session, making the statement required prior to convening executive session, taking a roll call vote for such purposes, and keeping detailed minutes of all open meetings and executive sessions.
- As a general rule, matters discussed in executive session may not be publicly discussed or disclosed except in accordance with a vote of the search committee, particularly where privacy rights of individuals may be implicated.
- Communications between or among members in person, or by telephone, e-mail or social media are strongly discouraged in consideration of the importance of the work of search committees and the privacy issues at stake, and communications initiated by members of the search committee must be limited to scheduling purposes only.
- All provisions of the Public Records Law (“PRL”) apply, subject to the exemptions contained therein, meaning that the materials created by or submitted to the search committee are subject to the law and are subject to disclosure unless falling within one of the limited exemptions to the law.
- Members of the search committee are Municipal Employees for purposes of the Conflict of Interest (“COI”) Law and should be aware of the restrictions and obligations of the law; unless designated as “special”, this fact can vastly limit the ability of members to appear on behalf of others in matters in which the Town has a direct and substantial interest.

Procedures:

The below suggested steps are meant as a guide; variations may be made to suit a particular hiring situation, provided that the applicable provisions of state law, and local charter or bylaws, are observed.

Step 1: Establish Parameters of the Search Process – Open Session (whether done by the appointing body or the search committee)

- Develop job criteria, minimum qualifications and application procedures.
- Establish a procedure for issuance and receipt of applications and deadlines for submissions and decision making.
- Determine how many candidates will be recommended to the appointing body as finalists, so that it is clear when the search committee's work is done. (Must be more than one; at least one court has concluded that using the preliminary screening process to winnow applicants down to only one finalist, all in executive session, violates the OML).

Step 2: Receive and Discuss Applications – Executive Session if OML Conditions are Met (Note - Step 2 and Step 3 may occur in reverse order or simultaneously)

- Pursuant to G.L. c. 30A, §21(a)(8), the search committee may meet in executive session to consider or interview applicants for employment **if the chair declares** that an open meeting will have a detrimental effect in obtaining qualified applicants.
- Generally, the search committee may enter executive session if one or more candidates have stated that they wish their candidacy to be considered confidentially at the initial stages of the search process.
- At this initial stage, if confidentiality is invoked, the search committee may discuss in executive session each of the applications received and determine which candidates, if any, will be invited for the first round of interviews.

Step 3: Develop Interview Questions – Open Session

- Core questions should be developed by the search committee in open session prior to the interviews.
- It is generally recommended that each candidate be asked the same core questions.
- If there is interest in asking candidates questions for which they are required to provide an instinctive answer, each member of the search committee could be asked to prepare a single question for such purposes, and each candidate could be asked that question in executive session.

Step 4: First Round of Interviews – Executive Session if OML Conditions are Met

- The search committee may interview each candidate in executive session if the requirements of Purpose 8 of the Open Meeting Law are met, as described above.

- The search committee may discuss in executive session the merits of each candidate, and decide whether the candidate will be invited for a second round of interviews or named as a finalist to be recommended to the appointing body.

Step 5: Second Round of Interviews – If Applicable

- Additional candidates may be interviewed.
- Similarly, candidates previously interviewed may be called back for a second interview provided that number of eligible candidates has not dropped to the number of candidates the search committee has indicated will be recommended as finalists to the appointing body.

Step 6: Notify Finalists and Make Recommendation to the Appointing Body

- Once the search committee has recommended finalists to the appointing body, Purpose 8 of the Open Meeting Law no longer applies and the remainder of the process must be carried out in open session.
- Prior to making a recommendation, each finalist should be notified of the search committee's decision and given an opportunity to withdraw their name from consideration.
- If the process was conducted in executive session, only the names of the finalists who agree to be considered by the appointing body should be released publicly.

Step 7: Appointing Body Interviews Finalists – Open Session

- Once finalists have been recommended to the appointing body, such board or committee's consideration of such finalists must occur in open session, including interviews of the candidates identified as finalists.
- There is no limit on the number of times a particular candidate may be interviewed in open session.
- Executive session may only be used for strategy with respect to negotiations with non-union personnel, or to actually negotiate an employment contract; in our experience, the appointing body will often delegate this responsibility to a single member, and then have that person bring recommendations back to the entire board.
- If all interviews are unsuccessful, the search committee may be tasked to revisit the search process, starting as far back in the process as Step 1, or later in the process.

Open Meeting Law, Public Records Law, and Conflict of Interest Law Implications

As noted above, the Open Meeting Law, Public Records Law, and Conflict of Interest Law apply to screening committees and their members.

Open Meeting Law (“OML”) –

1. Meeting Notice - Screening committee meetings must be posted in accordance with the OML, and all meetings must first convene in open session. The screening committee must provide 48 hours posted notice of any meeting, Saturdays, Sundays, and legal holidays excluded. The agenda must include notice of an executive session (if one is to be held), and the general topics to be discussed.

For instance:

- “G.L. c.30A, §21(a)(8) - To review resumes of candidates as part of the preliminary screening process.”
 - “G.L. c.30A, §21(a)(8) - To conduct interviews of candidates as part of the preliminary screening process.”
 - “G.L. c.30A, §21(a)(8) - To screen candidates as part of the preliminary screening process.”
 - “G.L. c.30A, §21(a)(8) - To develop a short-list of candidates for further screening or to recommend to the Board of Selectmen.”
2. Determination of Chair - Where executive session is appropriate, both the Agenda and the motion to convene in executive session should state that the chairman has determined that an open meeting will have a detrimental effect in obtaining qualified applicants.
 - The chairman may only make this declaration if one or more candidates have stated that he or she wishes that their candidacy be considered during the preliminary screening stages only in executive session.
 - Candidates should be asked this question prior to the screening process. It is advisable to include this question on the application form.
 3. Roll Call Votes - Where an executive session is held, the vote to go into executive session and any votes taken during executive session must be by roll call. The vote to exit the executive session should also be by roll call. The vote to convene in executive session must state whether the screening committee will return to open session after the executive session.
 4. Detailed Minutes - Of course, detailed minutes of both open and executive session meetings must be kept. We recommend that the executive session minutes be kept separate and apart from the minutes of any open session. The names of candidates screened must be included in the minutes. Do not discuss any matters in executive

session that do not relate directly to the screening of candidates or were not included in the agenda notice. The minutes must include detailed information sufficient to identify the questions asked and the answers provided.

5. Provided that the preliminary screening process was appropriately conducted in executive session, the names and identifying details of candidates considered during the screening process who were not identified as finalists may be kept confidential even after the selection is made, which includes redacting such information from the executive session meeting minutes in response to a public records request for same. (Protection of privacy rights under G.L. c. 214, s.1B and Exemption (7) of the OML – to comply with the provisions of any general or special law).
6. General OML principles govern email communications between screening committee members, and even communications between committee members and applicants, board of selectmen, town employees or officials, and the like. As such, avoid the use of email except for scheduling purposes. (The chair of the screening committee or a staff member may send an email to committee members scheduling meetings and distributing information.) Screening committee members should never email each other or engage in any discussions by email. Avoid sharing ideas, beliefs, reflections, or opinions in email communications, and never use “reply to all”.

Public Records Law –

1. Emails of screening committee members that relate to the business of the committee, even if exchanged through private email addresses, are public records and must be retained and disclosed if requested and if no exemption from disclosure applies.
2. Of note, as the privacy interests held by applicants who do not reach the finalist stage are significant, it may be that the executive session minutes of the screening committee meetings may be withheld from disclosure under the Open Meeting Law as it operates through exemption (a) of the Public Records Law and under the first and second clauses of exemption (c) of the Public Records Law. . The application of these exemptions requires case-by-case analysis.
3. Application materials, including resumes, of candidates that are never considered in open session, may be withheld from disclosure in response to a public records request. Resumes of finalists (but not other application materials), discussed in open session, are public records.

Conflict of Interest (“COI”) Law –

1. Members of a screening committee are considered municipal “employees” for purposes of the COI Law. G.L. c. 268A, §23(C) provides, in relevant part:

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(c) No current or former officer or employee of a state, county or municipal agency shall knowingly, or with reason to know:

(1) accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority;

(2) improperly disclose materials or data within the exemptions to the definition of public records as defined by section seven of chapter four, and were acquired by him in the course of his official duties nor use such information to further his personal interest.

2. As a result, it is a violation of the COI Law to reveal executive session information until the reason for the executive session no longer applies and the full committee votes to release the minutes.
3. Furthermore, a screening committee member may not participate in any matter in which the member or an immediate family member has a financial interest. Other prohibitions apply. If you are in doubt, contact the State Ethics Commission or Town Counsel (through the Town Manager's office.) If a screening committee member learns that an immediate family member, neighbor, friend, or business associate has applied for the position, the committee member should not participate any further in the screening process until an opinion has been issued with respect to the COI question.

Helpful Links

Attorney General's Open Meeting Law Website:

<http://www.mass.gov/ago/government-resources/open-meeting-law/>

Secretary of the Commonwealth Public Records Law:

<http://www.sec.state.ma.us/pre/preidx.htm>

State Ethics Commission Website:

<http://www.mass.gov/ethics>

Contact Information

Kopelman and Paige, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110
(617) 556-0007
514190

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Reasons for Convening Executive Session (M.G.L. c.30A, Sec. 21(a) – Effective July 1, 2010)

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual. (*See Rights of Individuals – next page*)
2. To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel.
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.
4. To discuss the deployment of or strategy regarding security personnel or devices, e.g., a sting operation.
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints.
6. To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements.
8. To consider or interview applicants for employment by a preliminary screening committee, if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants. This shall not apply to any meeting regarding applicants who have passed a prior preliminary screening.
9. To meet with a mediator regarding any litigation or decision; provided that (i) any decision to participate in mediation shall be made in open session and the parties disclosed and (ii) no action shall be taken with respect to the issues involved without deliberation and approval of the action at an open session.
10. To discuss trade secrets or confidential or proprietary information regarding activities by a governmental body as energy supplier, municipal aggregator or energy cooperative, if an open session will adversely affect conducting business relative to other entities making, selling or distributing energy.

Procedures for Convening Executive Session

1. The meeting must be convened in an open posted session, with executive session listed on the agenda when reasonably anticipated by the chair.
2. The chair states the purpose for the executive session, stating all subjects that may be revealed without compromising the purpose of the executive session (and, under exemptions 3, 6, and 8, makes the required declaration).
3. A majority must vote in a recorded roll call to go into executive session.
4. The chair announces whether the meeting will reconvene in open session.
5. Accurate minutes and other records of the executive session must be maintained, with all votes recorded by roll call.

Rights of Individuals (Exemption 1)

1. When a governmental body wishes to discuss: (a) the reputation, character, physical or mental health of an individual; or (b) the discipline or dismissal of or complaints or charges brought against a public officer, employee, staff member or individual, it must notify that person in writing at least 48 hours in advance of the meeting, not including Saturdays, Sundays or holidays.
2. Written notice may be waived by the individual.
3. The individual may request that the meeting be held in open session.
4. If an executive session is held, the individual has the right to be present for deliberations and to speak, and to have counsel or a representative of choice present for the purpose of giving advice but not for active participation.
5. The individual may have an independent record of the executive session created by audio recording or transcription, at the individual's expense.

**AGENDA ITEM #11
FEBRUARY 26, 2024**

**DISCUSSION AND POSSIBLE VOTE ON THE HOUSING
PRODUCTION PLAN**

As of the time of agenda packet of copying and posting, this item had not been provided yet.

**AGENDA ITEM #12
FEBRUARY 26, 2024**

**DISCUSS AND POSSIBLE VOTE TO APPOINT SHAWN
ROBERT AS POLICE DEPARTMENT SERGEANT**

The Police Chief has requested the appointment of Shawn Robert as a Sergeant in the Lakeville Police Department.

If appointed, his probation period would be for one year with an appointment expiration date of February 26, 2025.



Matthew J. Perkins
Chief of Police

LAKEVILLE POLICE DEPARTMENT

323 Bedford St.
Lakeville, MA 02347



Phone: 508-947-4422
Fax: 508-946-4422

To: Select Board

From: Matthew J. Perkins
Chief of Police

Date: February 16, 2024

Subject: Promotion to Sergeant

RECEIVED
FEB 16 2024
SELECTMEN'S OFFICE

Honorable Board,

Total staffing at the police department is down by one officer. Of that staffing, two Sergeant positions are vacant. Over the past six months, a promotional process policy was implemented and the position of Sergeant was posted. Candidates studied for the written exam administered in November and took part in an Assessment Center in December. Based on the results of the process, Officer Shawn Robert has been selected to fill the first Sergeant vacancy. I respectfully request your consideration for his promotion at your February 26, 2024, Select Board meeting.

Respectfully,

A handwritten signature in black ink, appearing to read "M. J. Perkins".

Matthew J. Perkins
Chief of Police
Lakeville Police Department

**AGENDA ITEM #13
FEBRUARY 26, 2024**

BUILDING COMMITTEE UPDATES:

A. SENIOR CENTER ADDITION FEASIBILITY STUDY

Meet with Owner's Project Manager Jorge Figueirido and Council on Aging Director for update

B. FIRE STATION BUILDING COMMITTEE

C. OLD COLONY FEASIBILITY STUDY