

**BOARD OF
SELECTMEN
MEETING
MINUTES**

February 18, 2020

Town Hall

Chairman Stephen A. Matellian; Selectman Brett A. Simas; Selectman Maureen Dwinnell, Town Manager, Derek S. Brindisi; Executive Assistant, Sandra Hakala

CALL MEETING TO ORDER

MINUTES

Regular & Executive Session Meeting – January 21, February 4

Motion #1: Motion made by Selectman Simas to accept the Regular & Executive Session Meeting – January 21, February 4.

Second: Selectman Dwinnell, Unanimous, Chairman Matellian

INVITED GUESTS

Dog Hearing

Public Hearing – Dog Hearing – Dwinnell

Maureen Dwinnell recused herself from the hearing.

The Selectmen voted to hold a nuisance/dangerous dog hearing after the Animal Control Officer Mike Moran responded twice in recent months to this address regarding a dog that bit two persons. The dog is owned by the Jennifer Dwinnell of 154 West River Street.

The Chair opened the hearing; reviewed the formal notice of the hearing sent to Ms. Dwinnell, outlined the public hearing process provided by Town Counsel, the original complaint, Town Counsel's outline of the State law on this matter, a rabies certificate for the dog, and the animal control officer's reports regarding this incident.

Mike Moran, Animal Control Officer and Mr. Khalil, a professional trainer was present to testified on this matter. On September 22, 2019 and January 20, 2020, the dog was not under the owner's control bit two persons and an order of quarantine was issued in both instances.

Ms. Dwinnell has hired a professional trainer to access the behavior of Maverick the dog, and to coach the owners. The trainer stated the dog was not aggressive but in the two incidents the victims may have been acting aggressively toward Maverick. The family will work with dog behaviorist to develop a plan to curb any biting tendencies.

Motion #2: Motion made by Mr. Simas to close the evidentiary portion of the hearing.

Poll taken: Stephen Matellian, aye, Brett Simas, aye.

40 **Motion #3:** Motion made by Selectman Simas based on the facts adduced at this public hearing,
41 including but not limited to and based on the credible evidence and sworn testimony provided
42 at said hearing the Board of Selectmen find the dog complained of is a nuisance dog by reason
43 that the dog has threatened or attacked a person, but such threat or attack was not a grossly
44 disproportionate reaction under the circumstance .

45
46 Poll taken: Stephen Matellian, aye, Brett Simas, aye.
47

48 **Motion #4:** Motion made by Selectman Simas to order the following remedies to ameliorate
49 said nuisance condition:

50
51 1. That the dog be on leash except when training and handled
52
53 2. At the meeting testimony included efforts to work with dog behaviorists to develop a
54 plan to curb any biting tendencies. The the Animal Control Officer will deem training
55 complete and make periodic visits to your property to ensure compliance with this
56 order.

57
58 Poll taken: Stephen Matellian, aye, Brett Simas, aye.
59

60 **DISCUSSION ITEMS**

61 **Appointments**

62 **Motion #5:** Motion made by Selectman Simas to accept the resignations of Steve Rakitin from
63 the Cable Advisory Committee and Jay Ferris from the Cemetery Commission.

64 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

65
66 **Motion #6:** Motion made by Selectman Simas to declare a vacancy on the Cemetery
67 Commission.

68 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

69 **Discussion on No Electioneering Policy During Early and Absentee Voting Policy**

70 Mr. Simas and Ms. Dwinnell repeatedly asked Mr. Matellian to recuse himself from the
71 discussion as he is a property owner within the 150-foot buffer for electioneering siting that he
72 holds a personal interest and self-harm.

73
74 Mr. Matellian recused himself from further discussion.

75 **Motion #7:** Motion made by Selectman Dwinnell to approve the No Electioneering Policy
76 During Early and Absentee Voting Policy

77
78 Second: Selectman Simas, Majority Action of the Board.

84 Discussion on Funding Request from Disability Commission

85
86 As this is on the ATM warrant, the BoS agreed to have it voted then and asked for an historical
87 report on all trust fund expenditure for the past 5 years.

88
89 Review Application for One Day Liquor License from BVT

90
91 **Motion #8:** Motion made by Selectman Dwinnell to Issue a one-day liquor license to BVT on
92 March 19, 2020.

93
94 Second: Selectman Simas, Unanimous, Chairman Matellian

95
96 Authorize Expenditure in Excess of Original Appropriation – Snow and Ice

97
98 **Motion #9:** Motion made by Selectman Simas to authorize expenditure in excess of original
99 appropriation – snow and ice.

100
101 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

102
103 Authorize the Town Manager to Execute A Contract with Baltazar Contractors, Inc. in the
104 Amount Of \$846,115.00

105
106 **Motion #10:** Motion made by Selectman Simas to authorize the town manager to execute a
107 contract with Baltazar Contractors, Inc. in the amount of \$846,115.00.

108
109 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

110
111 Budget Review (DPW, COA, Code, Town Clerk)

112
113 **Motion #11:** Motion made by Selectman Dwinnell to approve the FY 21 budget as submitted
114 for DPW, COA, Code, Town Clerk

115
116 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

117
118 **TOWN MANAGER REPORT**

119
120
121 • Cyber Security Awareness Training Grant
122 • 25K grant for demolition of 6 Main

123
124 The BoS will attend the Finance Committee on March 11 and February 26 and the MURSD
125 budget hearing on March 9.

126
127 **EXECUTIVE SESSION**

128 Executive Session under MGL. Chapter 30A, Section #21, Exception #6 - To consider the
129 purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may
130 have a detrimental effect on the negotiating position of the body

131
132 MGL c.214, S. 1B and MGL c. 4, S. 7, Clause 220 26c to discuss financial assistance to a resident
133 in need.

134
DISCUSSION ITEMS

135
Authorize the Purchase, Exchange, Lease or Value of Real Property

139 **Motion #12:** Motion made by Selectman Simas the option to purchase 1 Milford Street for
140 \$400K.

141
142 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

144 **Motion #13:** Motion made by Selectman Simas the option to purchase 0 Grove Street for
145 \$100K.

146
147 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

149 **Motion #12:** Motion made by Selectman Dwinnell execute the P&S transferable for both 0
150 Grove Street and 1 Milford Street with a \$500 deposit for each.

151
152 Second: Selectman Simas, Unanimous, Chairman Matellian

153
Discuss Financial Assistance to A Resident in Need.

155
156 **Motion #13:** Motion made by Selectman Simas to authorize an expenditure from the William
157 Knowlton Trust Fund of \$515.79 for the resident in need utility bill.

158
159 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

160
ADJOURN MEETING

161
162 **Motion #14:** At 11:20 pm Selectman Simas made motion to adjourn.

163
164 Second: Selectman Dwinnell, Unanimous: Chairman Matellian

165
166 Respectfully submitted,

167
168 Sandra Hakala, Executive Assistant