

**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 kept on the leash except when in training and being handled
- 52
- 53 2. Continue efforts to work with dog behaviorist to develop a plan to curb any biting
54 tendencies. The Animal Control Officer will report back to the Board after he has
55 deemed training satisfactory and complete and
- 56
- 57 3. The Animal Control may make periodic visits to your property to ensure compliance with
58 this order.

59

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

61

DISCUSSION ITEMS

62

Appointments

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

65

66 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

67

68 **Motion #6:** Motion made by Selectman Simas to declare a vacancy on the Cemetery
69 Commission.

70

71 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

72

Discussion on No Electioneering Policy During Early and Absentee Voting Policy

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

76

77 Mr. Matellian recused himself from further discussion.

78

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

84
85 Second: Selectman Simas, Majority Action of the Board.
86

87 *Discussion on Funding Request from Disability Commission*
88

89 As this request is on the ATM warrant, the BoS suggested that town meeting could address
90 funding. If funding was not approved the option to fund it through a trust fund or grants might
91 provide alternative options. Mr. Simas asked that an historical report on all trust fund
92 expenditures and interest earnings for the past 5 years be prepared to allow the Board to make
93 an informed decision.
94

95 *Review Application for One Day Liquor License from BVT*
96

97 **Motion #8:** Motion made by Selectman Dwinnell to Issue a one-day liquor license to BVT on
98 March 19, 2020.
99

100 Second: Selectman Simas, Unanimous, Chairman Matellian
101

102 *Authorize Expenditure in Excess of Original Appropriation – Snow and Ice*
103

104 **Motion #9:** Motion made by Selectman Simas to authorize expenditure in excess of original
105 appropriation – snow and ice.
106

107 Second: Selectman Dwinnell, Unanimous, Chairman Matellian
108

109 *Authorize the Town Manager to Execute A Contract with Baltazar Contractors, Inc. in the*
110 *Amount Of \$846,115.00*
111

112 **Motion #10:** Motion made by Selectman Simas to authorize the town manager to execute a
113 contract with Baltazar Contractors, Inc. in the amount of \$846,115.00.
114

115 Second: Selectman Dwinnell, Unanimous, Chairman Matellian
116

117 *Budget Review (DPW, COA, Code, Town Clerk)*
118

119 **Motion #11:** Motion made by Selectman Dwinnell to approve the FY 21 budget as submitted
120 for DPW, COA, Code, Town Clerk
121

122 Second: Selectman Dwinnell, Unanimous, Chairman Matellian
123

124 ***TOWN MANAGER REPORT***
125

126 • Cyber Security Awareness Training Grant
127 • 25K grant for demolition of 6 Main

128
129 The BoS will attend the Finance Committee on March 11 and February 26 and the MURSD
130 budget hearing on March 9.

131
132 **EXECUTIVE SESSION**

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

136
137 MGL c.214, S. 1B and MGL c. 4, S. 7, Clause 220 26c to discuss financial assistance to a resident
138 in need.

139
140 **DISCUSSION ITEMS**

141
142 **Authorize the Purchase, Exchange, Lease or Value of Real Property**

143
144 **Motion #12:** Motion made by Selectman Simas the option to purchase 1 Milford Street for
145 \$400K.

146
147 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

148
149 **Motion #13:** Motion made by Selectman Simas the option to purchase 0 Grove Street for
150 \$100K.

151
152 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

153
154 **Motion #14:** Motion made by Selectman Dwinnell execute the P&S transferable for both 0
155 Grove Street and 1 Milford Street with a \$500 deposit for each.

156
157 Second: Selectman Simas, Unanimous, Chairman Matellian

158
159 **Discuss Financial Assistance to A Resident in Need.**

160
161 **Motion #15:** Motion made by Selectman Simas to authorize an expenditure from the William
162 Knowlton Trust Fund of \$515.79 for the resident in need utility bill.

163
164 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

165
166 **ADJOURN MEETING**

167 **Motion #16:** At 11:20 pm Selectman Simas made motion to adjourn.

168
169 Second: Selectman Dwinnell, Unanimous: Chairman Matellian

170
171 Respectfully submitted, Sandra Hakala, Executive Assistant