

August 10, 2020

Northfield Town Hall
69 Main St

Selectboard Present: Alexander Meisner, Chair; Heath Cummings; Barbara “Bee” Jacque

Also Present: Andrea Llamas, Town Administrator; Kayla Drumgool, BNCTV

Others Present: Eric Cominoli; Michele Steiner, ACO Kyle Dragon

Others Remote: Police Chief Leighton; EMT Chief Fortier; Sandra L. Wood, Town Secretary

- **Meeting called to order at 6:00 pm**

Read for the record: Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the town of Northfield Selectboard will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of Northfield’s website, at northfieldma.gov. For this meeting, members of the public who wish to watch the meeting may do so in the following manner: The meeting will be filmed and broadcast in live time by BNCTV, Channel 17 and a link will be posted on the Town’s website at northfieldma.gov. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event we are unable to do so, despite best efforts, we will post on the Town’s website an audio or video recording, or other comprehensive record of proceedings as soon as possible after the meeting

- **Dog Hearing**

- Dog Hearing opened at 6:02pm with the oath to participants to solemnly swear to testify the truth. Participants agreed.
- Testimony of the Animal Control Officer, Kyle Dragon
 - On February 25, 2020, dog owned by Michele Steiner was attacked by unrestrained dog in the care of Eric Cominoli. Steiner’s dog was subsequently euthanized due to the injuries it received.
- Testimony of Complainant Michele Steiner, 60 Old Turnpike Rd
 - Steiner was walking her dog on Old Turnpike Rd. Steiner was knocked down by unrestrained dog residing at 48 Old Turnpike Rd. and her restrained dog was attacked by unrestrained dog. Cominoli came out to try to restrain dog. Steiner reported to her knowledge there are three pit bulls at the residence of 48 Old Turnpike Rd. No supporting witnesses attended the hearing. Steiner clarified this was the first time her dog had been attacked.
- Testimony of Dog’s Caretaker Eric Cominoli, 48 Old Turnpike Rd
 - Came home from work and was unloading equipment from truck to bring inside home. Dog (Bluey) was in locked bedroom and pushed the window out of the wall, exited the residence and attacked Steiner’s dog. Responded immediately to restrain Bluey. No supporting witnesses attended. Cominoli stated he was already outside when the attack occurred. He felt competent to care for the dogs.
 - Stated Bluey is not his dog and is not registered. Clarified he is taking care of the dog. He has 2 additional dogs at the residence; one is Cominoli’s dog. No dogs in the household are registered.
 - Bluey belongs to ex-girlfriend.
 - Specific location of breached window noted as third window to left of front door. Window boarded off after the attack. ACO Dragon could not corroborate the window had been damaged from his first visit on February 26 or on an inspection on March 14, 2020.
 - ACO Dragon attempted to contact Cominoli 8-10 times with messages, calls & voicemail. No responses from Cominoli.
 - Cominoli described all the dogs as strong dogs. He said Bluey was about 3-4 years old and had been to the veterinarian but was not sure how long ago. Cominoli stated the owner did not have restricted access to the dog. When he is at work the dogs are in a kennel, a fenced in back yard with chicken wire to prevent dogs from digging under fence. ACO Dragon clarified it was a lightweight aluminum frame fence.
 - Cominoli stated the dogs are exercised but have had no professional training.
 - ACO Dragon verified regardless who the owner is the animal is the responsibility of the keeper.
 - Meisner stated Cominoli attempted through social media to contact him between June 22, 2020 and July 11, 2020. ACO Dragon confirmed he tried to contact Cominoli before June 22, 2020.

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- Cominoli felt he could take care of the dogs and this was an isolated incident. All three dogs get along and have harness style leashes for walking.
- ACO Dragon was not able to comment if the other dogs on the property were dangerous.
- Cominoli said there were not problems in five years with this dog in residence 4-5 years. Cominoli stated Bluey had been taken to the vet multiple times and cited Dr. Funk in Greenfield.
- Cominoli stated Bluey had been registered when living at a different residence. He was not aware he had to register yearly. He has been working with the dogs to stop the barking and keeping them away from the windows.
- Cominoli said he paid the vet bills for Steiner's dog. He will update Bluey's shots when the vet opens and register the dog with the town.
- ACO Dragon informed the Selectboard three citations had been issued at his inspection of March 14, 2020: licensing, vaccinations, and restraining.
- ACO Dragon's Recommendations:
 - Find Bluey a dangerous dog
 - Bluey must be restrained and muzzled when outside
 - Bluey must be confined in a secure enclosure with a roof, four walls and subterranean fence when outside.
 - Cominoli must provide proof of vet shots and neuter verification, secure an insurance policy, and be re-inspected annually.
- The Selectboard concluded the testimony portion of the hearing.
- On a motion by Meisner, seconded by Cummings the board voted to close the hearing of August 10, 2020 at 6:40 pm.
- Deliberations
 - The Selectboard discussed time frame and conditions.
 - On a motion by Meisner, seconded by Jacque the board voted per M.G.L. Chapter 140 §157c i, ii, iii, iv, v and vi with inspections annually for compliance, restrained and muzzled when outside, with outside enclosure, dog neutered and an insurance policy of \$100,000 for all dogs within 30 days.
 - Discussion: Cummings declined to agree to any of the conditions.
 - Motion by Jacque, seconded by Meisner to amend conditions to be met within 2 weeks
 - Discussion: ACO Dragon reported no further incidents have occurred since February 25, 2020. Cummings suggested temporarily surrendering Bluey to the ACO until conditions are met. ACO Dragon suggested if conditions were not met Bluey would be subject to seizure.
 - Meisner reviewed the motion: per M.G.L. Chapter 140 §157c (i) that "Bluey" (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

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\$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 with these actions to be complied within 14 days subject to seizure under M.G.L. C140 §157c.

- Request to fulfill vet conditions to three weeks by unknown member present with Cominoli due to difficulty getting appointment with vet.
- Motion by Meisner, seconded by Jacque for second amendment for additional week (3) for rabies and licensure if necessary. Vote: Meisner and Jacque yes, Cummings no. Passed.

- **Business**

- EMT Appointment: Jeremy O'Connell
 - O'Connell has been an EMT for 11 years and a fire fighter.
 - Attending paramedic school
 - On a motion by Meisner, seconded by Cummings the board voted to appoint Jeremy O'Connell as an EMT for the Northfield EMS; term expires 12/31/20
- Use of Force Police Policy Update
 - Chief Leighton asked the Selectboard to approve changes to the Use of Force Policy, Excessive Force definition and how Use of Force is reported.
 - Cummings gave definition of excessive force. Chief Leighton said it was extremely uncommon and officer's use good judgement. The policy was recommended by the MASS Chiefs of Police Association and attorney. The change was viewed by an attorney.
 - Officers are trained in a 40-hour Inservice on Use of Force and any changes to the policy.
 - On a motion by Meisner, seconded by Cummings the board voted to adopt Use of Force 2.1 from policy and procedure.
- Town Signs – Crosswalks
 - Town signs positioned on Main Street crosswalks were removed by MassDOT.
 - Letter from MassDOT to then Chief Len Crossman approving signs at 5 locations read.
 - MassDOT employee responsible for removing signs has been informed.
 - Cummings request to notify Representative Paul Mark to issue a reprimand. Llamas to write to Paul Mark and add if anything is taken from Main Street MassDOT will notify the town.
- Sign State Election Warrant
 - On a motion by Meisner, seconded by Cummings the board voted to accept the State Primary Election Warrant for September 1, 2020.
 - Warrant signed.

- **Town Administrator's update**

[NORTHFIELD SELECTBOARD MEETING MINUTES]

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- MassWorks grant application for Warwick Rd
 - Working with Senator Comerford
 - ADA 504 Transition Plan funding, matching Town funds approved at Town Meeting
 - UMASS consultant collaboration for Community Compact
 - Signage posted at playground & basketball court
- **Appointments:**
 - Election Officers
 - Motion by Meisner, seconded by Jacque to appoint Julia Blyth, Deb Potee, Susan Secco as election officers; term expires 8/15/21
 - Re-appoint Election Officers
 - Motion by Meisner, seconded by Cummings to re-appoint Barbara Lemoine, Gail Stone, David Stone, Christine Harris, Dianne Fuller, Jessie Wiggin, Pamela Eldridge, Barbara Jacque, Jerry Scott, Bethany Walker, Deborah Campbell, Nina Sibley, Al Stone, Patricia Stone, Kathleen Wright, Pam Veith, Sandra Campbell, Patricia Shearer, Bruce Kahn as Election Officers; term expires 8/15/21
 - Re-appoint Registrar
 - Motion by Meisner, seconded by Jacque to re-appoint Dan Campbell as Registrar; term expires 8/15/2023
 - 350th Anniversary Committee
 - Motion by Meisner, seconded by Jacque to appoint Susan Ross to the 350th Anniversary Committee; term expires 12/31/23
- **Announcements-** Reminder to complete Census 2020
- **Proposed Agenda Items**
 - Town Hall parking lot cameras; Traffic Issues

On a motion Meisner, seconded by Cummings the board voted to adjourn at 8:11 pm

Recorded by Sandra L. Wood, Secretary

Selectboard Clerk

08/24/20
Date Approved