

[NORTHFIELD SELECTBOARD MEETING MINUTES]

December 15, 2020

Northfield Town Hall
69 Main St

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

Also Present: Andrea Llamas, Town Administrator; Sandra L. Wood, Town Secretary; Tyler Bourbeau, BNCTV

Others Present: Denis Brenner, VFW; Gary Clark; Mark Clark; Steve Stoia; Jon MacDougall; Keri Ewell

Remote Attendance: ACO Kyle Dragon; Frank Froment, CoA Chair, Virginia Hastings and Howard Hastings

- **Call to Order**

- 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. Limited in-person attendance of members of the public may be permitted. 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

- **Review and Approval of Warrants**

- Motion by Meisner, seconded by Cummings the board voted to approve the 12/7/20 Vendor warrant of \$19,422.80
- Motion by Meisner, seconded by Jacque the board voted to approve the 12/15/20 Payroll warrant of \$60,286.14
- Motion by Meisner, seconded by Cummings the board voted to approve the 12/15/20 Vendor warrant of \$217,863.73 (Tech School Assess.; CPA/Historical preservation)

- **Review and Approval of Minutes**

- Motion by Meisner, seconded by Jacque the board voted to approve the 11/04/20 Executive Session as written.
- Motion by Meisner, seconded by Jacque the board voted to approve the 11/23/20 Tax Classification Hearing minutes as written.
- Motion by Meisner, seconded by Cummings the board voted to approve the 12/1/20 minutes as amended

- **Meetings/Events attended by Selectboard members**

- Jacque: Highway department visit; 350th Anniversary Committee; Senator Jo Comerford “Town Hall”; Open Space Committee on solar
- Meisner: 350th Anniversary Committee
- Cummings: Public Safety Building Committee

- **Scheduled Appointments**

- 6:15pm-Change of Manager; Nfld VFW Club Permit All Alcohol Liquor License Hearing-Brennan
 - Read for the record: The Selectboard hereby gives notice to hold a Public Hearing, Tuesday, December 15, 2020, 6:15pm at the Northfield Town Hall, 69 Main St., Northfield, to consider the application of Denis Brennan, d/b/a Northfield VFW Post 9874, 545 Mount Hermon Station Rd, Northfield, for approval of Change of Manager for Veterans Club Pouring Permit All Alcohol License under M.G. L. 138 § 12 to be drunk on the premises. All interested parties will be given an opportunity to be heard.
 - Motion by Meisner, seconded by Cummings the board entered into the hearing for Change of Manager, All Alcohol Liquor License.
 - Current manager Robert Henry turning over the duties to VFW Commander Denis Brennan.
 - Motion by Meisner, seconded by Cummings the board voted to transfer and consider and grant the application of Denis Brennan for Liquor License Manager for Northfield VFW Post 9874
 - Application to be forwarded to the ABCC for final approval.
 - Hearing closed at 6:16pm
- 6:30pm-Dangerous Dog Hearing; Ewell
 - Hearing opened. Oath given to Keri Ewell

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- Complainant Mark Rowe did not attend.
- Officer Dragon gave his report: Incident on 10/31/20 in which Mr. Rowe claimed to be attacked by Ewell's dog Mello. There was a previous incident on September 4, 2020 in which the same canine got into an altercation with Mr. Rowe's dog resulting in a minor injury to Mr. Rowe's dog. Rowe did not wish to pursue a hearing at that time. Notice of restraint was issued to Ewell.
- Ewell testimony: Dog was outside in area on property where Rowe's dog also comes into. Ewell heard a noise and noticed Mello looked startled. Mello went through the bushes, came back and was retrieved by Ewell and put inside. Ewell did not see what happened from where she was. She believed what Mr. Rowe reported did happen. Supplied written statements in support of Mello. In response Ewell has set up a fence on the Ewell/Rowe property lines stopping dogs from both parties from entering each other's property. Also installed a wireless dog fence. All dogs in the household have shock collars but were not in use at the time of this incident. Mello has never gone after anyone before. Usually friendly. Has not been aggressive previously. Fencing purchased Nov. 3. Receipts provided with photos of the 4' fence.
- Written supporting witness testimony from Steven Shearer, Kathryn Richard, Charles Dodge, Megan Sorensen who have had close interaction with Mello and have had no issues.
- Selectboard reviewed via internet the location of the property.
- Ewell considers herself a responsible dog owner. Mello neutered and licensed. Mello is 10 years old
- ACO Dragon September report: Ewell took full responsibility for incident and has spoken to Rowe.
- Wireless fence is in a circle about 70' from controlling device inside the house
- Ewell has owned Mello 9.5 years. Incident was out of the ordinary.
- Mello is either on leash or in a pen, shock collar when off leash.
- Ewell was outside when incident occurred. Mello about 15' from Ewell.
- Jacque concerned about 4' fence if it snows 2' dog getting over. Ewell did not feel it would be an issue
- Ewell accepted responsibility for training of the shock collars and wireless fence
- Wireless fence in operation on the property does not prevent dog from coming back once out of boundary
- Mello has gone to basic training. Mello goes on hikes with other people and dogs with no incidents. Ewell uses vocal and physical discipline
- The Selectboard was concerned by the multiple incidents. Dog has escalated. Restraint order violated. Selectboard was not comfortable not hearing from complainant Rowe.
- Ewell has not talked to Rowe since making changes after November incident
- Dragon did not see Mello in November.
- Ewell added Mello was a good dog and was not sure what changed, if it was related to being home more due to COVID or stress but in general not a nuisance or dangerous dog
- Dogs are not on insurance, Ewell rents property. Dragon not sure if insurance available for renters
- Mello last vet visit for yearly physical or leg injury. Mello is a mixed breed not a German shepherd as in the report. Jacque recommended checking Mello's thyroid and eyesight given his age for changes which may contribute to behavior
- Testimony concluded. Motion by Meisner, seconded by Jacque to close the dog hearing at 6:59 pm
- Deliberation:
 - Cummings: Lack of complainant testimony. Steps taken to secure were a good reflection of the situation. Significant measures taken.
 - Meisner: Muzzle not necessary. Taken immediate precautions. When home make sure leashed and utilize fencing. Not dangerous dog. Prepare order to leash, fence and formal written warning
 - Jacque: like to know if actions taken are acceptable to neighbor. Uncomfortable with September incident if restrained this would not have happened. Dog is traversing boundary. Agree with restraint. Concern for future, how much weight does written warning have.

- Dragon: If not declaring dangerous declare nuisance. Give orders to alleviate issue. Follow process if not followed.
 - Meisner: doesn't see dog as nuisance. Wake up call for Ewell to take precautions.
 - Jacque: fence is not an enclosure. Dog has left yard twice. Neighbor concerned about 4yrolld grandson. Documentation shows escalation.
 - Meisner: asked if there can be an evaluation prepared by professional.
 - Dragon: recommends since there is no testimony from the complainant, the option since the dog has twice caused a disturbance, declare the dog a nuisance and order to restrain
 - Jacque: we are on record we don't want to see any more violations. Agrees with Dragon not to declare dangerous without complainant testimony. Agreed with issuing determination with restraint and on leash continues according to law that exists. Recognized steps have been taken to enhance the restraint to keep the dog in the yard. Add supervision when dog outside.
 - Dragon: if there is a violation, process follows the same as the process for a dangerous dog.
 - Summary: Leash, fence, direct supervision, declare nuisance
 - Motion by Meisner, seconded by Cummings the board voted to declare Carmello, Northfield tag number 2020-158 who resides at 759 Pine Meadow Rd to be declared a nuisance animal with orders of leashing at all times, fencing and to have direct ownership supervision while outside.
- **Business**
 - Certificate of Appreciation Award-Barbara Brassor
 - Brassor was recognized for her service to the town, starting as Town Clerk in 1982, then transitioned serving diligently and professionally as Tax Collector/Treasurer over 30 years. The Selectboard presented a framed certificate of appreciation and congratulated Ms. Brassor on her retirement. Her service was not about just doing the job, it was about community. The Selectboard wished her the best in her future endeavors.
 - Yearly Liquor License Renewals
 - Motion by Meisner, seconded by Cummings the board voted to approve the renewal for Vasilios Parios; Northfield Pizza House;198 Main St. Annual Restaurant; Wines and Malt; expires 12/31/21
 - Motion by Meisner, seconded by Jacque the board voted to approve the renewal for Cameron's Winery LLC; 1046 Millers Falls Rd. Annual Farmer Series Pouring Permit; Wines only; expires 12/31/21
 - Motion by Meisner, seconded by Cummings the board voted to approve the renewal for Shelby Hasanbasic; Northfield Golf Club Inc.; 31 Holton St. Annual General On-Premises; All Alcoholic Beverages; expires 12/31/21
 - Motion by Meisner, seconded by Cummings the board voted to approve the renewal for Robert Henry; Northfield VFW Post 9874, Inc.; 545 Mt. Hermon Station Rd. Annual Veterans Club; All Alcoholic Beverages; expires 12/31/21. And to waive the fee.
 - Motion by Meisner, seconded by Jacque the board voted to approve the renewal for Condor80 Corp; Northfield Food Mart; 74 Main St.; Annual Package Store; all Alcoholic Beverages; expires 12/31/21
 - Motion by Meisner, seconded by Cummings the board voted to approve the renewal for Madrigal Inc.; Mims Market; 60 Main St; Annual Package Store; Wines and Malts; expires 12/31/21
 - Motion by Meisner, seconded by Jacque the board voted to approve the renewal for Christopher Sellers; The Brewery at Four Star Farm Inc.; Annual Farmer Series Pouring Permit-19H Wines & Malts; expires 12/31/21
 - Yearly Class II & III License Renewals
 - Motion by Meisner, seconded by Cummings the board voted to approve the renewal for Homer Browning III; DBA Homer Browning III; 6 Homer Rd. Class II license expires 01/01/22
 - Motion by Meisner, seconded by Jacque the board voted to approve the renewal for Homer Browning III DBA Homer Browning III; 6 Homer Rd. Class III license expires 01/01/22

- Motion by Meisner, seconded by Cummings the board voted to approve the renewal for Jeffrey Matosky DBA Boyd's Auto Body; 952 Millers Falls Rd; Class III license expires 01/01/22.
 - Gary Clark, along with his siblings own the property across the street from the Matosky property, have concerns about the number of vehicles and claimed Matosky is in violation of state code of 600' of any state highway. Concerned about brown water.
 - License granted in 1976 does not indicate mandatory testing.
 - Clark would like to see limitation of number of cars. Jon MacDougal requested looking into ecological restraints. Request to investigate alterations of the lot if 100 vehicles were on the site.
 - Meisner to contact Matosky, have him come in and do an investigation.
 - Motion by Cummings, seconded by Jacque the board voted to withdraw the vote on the license at this time.
 - Summary: Review of the original permit; EPA groundwater testing; stipulation the site is too close to the highway; the amount of vehicles permitted by the square footage of the lot; insuring the fencing regulation as been upheld and check for grandfathering clause due to the age of the permit.
- Motion by Meisner, seconded by Cummings the board voted to approve the renewal for H. Brian Wood; DBA Northfield Auto Body LLC; 99 Main St.; Class II license expires 01/01/22
- Time off request-Motion by Meisner, seconded by Cummings the board voted to approve the time off request
- Parking, on street
 - Research showed specific regulations and others were more general
 - Options to change: Zoning By-laws or Selectboard policy. Policy is easier to change. Both would have enforcement with fines.
 - MGL Chap. 40 §22 gives the Selectboard the authority to regulate town streets
 - The Selectboard to review list of possible regulations and get back to Llamas. Llamas to confer with Highway, Police and Fire departments for possible conflicts. Resident input requested.
 - Selectboard taking under advisement
- **Town Administrator's update**
 - Gill Engineering proposal for MassWorks engineering.
 - Motion by Meisner, seconded by Cummings the board voted to approve the phase II professional engineering services of Northfield-Warwick Rd resurfacing and related work. Contract signed.
 - Northfield Area Tourist and Business Association- request for letter of support for a medium- and short-term recovery grant. Grant would supply a planning consultant.
 - Motion by Jacque, seconded by Meisner the board voted to write and sign a letter of support for the Local Rapid Recovery Planning grant.
- **Topics not reasonably anticipated by the chair 48 hours in advance of the meeting**
 - Bob MacEwen spoke with Cummings about transfer station users not wearing masks. Masks are required. Action will be taken if masks are not worn.
- **Citizens' concerns**
 - Jacque to forward resident email to Llamas regarding sign removal from property
 - Access to Zoom meeting. Links to be provided on the website when available
- **Committee/Board Appointments**
 - Howard and Virginia Hastings interested in doing something positive for the town. Saralynn Allen has worked as a nurse.
 - Motion by Meisner, seconded by Jacque the board voted to appoint Howard Hastings to the Council on Aging; term expires 12/31/21, Virginia Hastings to the Council on Aging; term expires 12/31/21 and SaraLynn Allen to the Council on Aging; term expires 12/31/22
- **Announcements**

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- The Transfer Station will open at noon on Friday, Dec. 18 following clean up from the storm
- **Recognition for Service:** to the Highway Dept. for quickly addressing the concerns on So. Mountain Rd. Cemetery of downed trees & brush. Small group helped in the cleanup.
- Motion by Meisner, seconded by Cummings the board voted to adjourn at 8:00 pm

Recorded by Sandra L. Wood, Secretary

Selectboard Clerk

12/29/20
Date Approved