

BOARD OF SELECTMEN'S MEETING

April 10, 2023

A meeting of the Board of Selectmen was called to order by Chairman Collins at 6:30 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. **Board Members Present:** Ampagoomian, Begin, Collins, Melia and Paulhus. **Also Present:** Town Manager Adam D. Gaudette.

The Pledge of Allegiance was recited by those present.

APPROVAL OF MINUTES: **1) January 9, 2023.** A motion/Mr. Ampagoomian, seconded/Mr. Begin to approve the January 9, 2023 meeting minutes as presented with the readings omitted. Vote yes/Unanimous. **2) January 23, 2023.** A motion/Mr. Ampagoomian, seconded/Mr. Begin to approve the January 23, 2023 meeting minutes as presented with the readings omitted. Vote yes/Unanimous. **3) February 13, 2023.** A motion/Mr. Ampagoomian, seconded/Mr. Melia to approve the February 13, 2023 meeting minutes as presented with the readings omitted. Vote yes/Unanimous. **4) February 27, 2023.** A motion/Mr. Ampagoomian, seconded/Mr. Melia to approve the February 27, 2023 meeting minutes as presented with the readings omitted. Vote yes/Unanimous.

Since it was too early to begin the 7:05p.m. public hearing, Selectman Collins took up the following agenda items.

APPOINTMENTS/By the Town Manager (Vote to Affirm): Thomas Parente, DPW Secretary/Present: Jamie Luchini, DPW Director. Mr. Luchini introduced Mr. Parente and recommended he be appointed as the DPW Secretary. He added that Mr. Parente previously worked for the Town in the Sewer Division. He also mentioned that he has worked with Mr. Parente at different times over the last 25 years in many different capacities and knows he is a valuable asset to any department. Mr. Parente stated that he is thankful to have this opportunity and to come back to a great town and he looks forward to his time here. A motion/Mr. Ampagoomian, seconded/Mr. Melia to affirm the Town Manager's appointment of Thomas Parente as the DPW Secretary. Vote yes/Unanimous.

Annual Reappointment (Vote to reappoint): Daniel Chauvin, Animal Control Officer. A motion/Mr. Ampagoomian, seconded/Mr. Melia to reappoint Daniel Chauvin as the Animal Control Officer. Vote yes/Unanimous.

Pine Grove Cemetery/Vote to approve the sale of lots to: 1) Russell H. and Geraldine Vanderbaan [Lot No. 62, Fir Ave., (South)]. A motion/Mr. Begin, seconded/Mr. Melia to approve the sale of lot No. 62, Fir Ave., (South) to Russell H. and Geraldine Vanderbaan. Vote yes/Unanimous. **Gerald and Katherine Gonynor [Lot No. 61, Fir Ave., (South)].** A motion/Mr. Begin, seconded/Mr. Melia to approve the sale of lot No. 61, Fir Ave., (South) to Gerald and Katherine Gonynor. Vote yes/Unanimous.

Soorp Asdvadzadzin Armenian Apostolic Church / Request to hang a banner across Church Street from Sunday, August 6, 2023 until Sunday, August 20, 2023 to advertise the annual Church Picnic to be held Sunday, August 20, 2023 from 12 Noon to 5 PM. A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve the request to hang a banner across Church Street from Sunday, August 6, 2023 until Sunday, August 20, 2023 to advertise the annual Church Picnic to be held Sunday, August 20, 2023 from 12 Noon to 5 PM. Vote yes/Unanimous.

The time of 7:05 p.m. having arrived, the Board began the scheduled Public Hearing.

PUBLIC HEARING: 7:05 PM - Dog Hearing / Present: Samantha Egan (Complainant) vs. Heather Holt (Dog Owner). A motion/Mr. Ampagoomian, seconded/Mr. Paulhus to open the public hearing. Vote

yes/Unanimous. Chairman Collins asked that those testifying at the hearing tonight stand to take the following oath: "Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?" Chairman Collins then called the Complainant forward to testify. Samantha Egan, 24 D Street, Whitinsville, stated that she has a video of the dog attack against her dog as well as screen shots printed out of conversations between her and Ms. Holt. She explained that she was taking her dog for a walk down the street and out of nowhere a dog came running out from the left side of her vision and pinned her dog to the ground. She further explained that there were no lacerations to her dog, but the event was extremely traumatizing. She stated that there have been multiple other complaints about the dog that attacked hers, and she fears for the safety of the children that live in the neighborhood. Ms. Egan stated she does not take her dog for a walk anymore because she does not feel comfortable doing so. Selectman Begin asked if there were any other incidents prior to this one. Ms. Egan replied that this is the first one. Next, Selectman Begin asked what the extent of the injuries were to her dog. Ms. Egan replied that his hip was injured, and she is working with Ms. Holt to assist with the expenses of the vet visit but she did not want to burden her with an extra payment with how hard times are financially for many people right now. Ms. Egan added she has not been able to take him to the vet but her dog has started limping badly and falls down going up the stairs. Selectman Melia asked what kind of dog she has. Ms. Egan stated he is a black, long-haired dog that was a rescue dog from Mississippi. Selectman Melia followed up asking what is the breed of the dog that attacked hers. She stated she believes it is some sort of terrier mix. Selectman Melia asked Ms. Egan if her dog was on a leash. She replied yes. Selectman Ampagoomian asked how many times she has walked past this residence with her dog. She replied that she used to walk by nightly or daily with her dog, but since the incident she only lets the dog outside of her house. Selectman Ampagoomian asked if in the times he has walked past the house if there had been any altercations. Ms. Egan replied that she has only heard dogs barking when she would walk by, other than that she had only heard stories throughout the neighborhood about the dog. Selectman Melia asked Ms. Egan how long she has lived at 24 D Street. She replied since about October of 2022. Chairman Collins asked for her to provide the Board of Selectmen with the screenshots of the conversations between herself and Ms. Holt. Selectman Begin asked how the interactions have been between herself and Ms. Holt. She stated that she has remained as civil as possible. Selectman Begin followed up asking if there has been a resolution between the two of them, to which she replied no. Chairman Collins asked for Ms. Holt to come forward and identify herself. Ms. Holt, 8D Street, Whitinsville, stated that she also has the video of the altercation and copies of the text messages between the two of them. Ms. Holt explained that she has been living there almost 10 years with her husband and child and on the night of the incident she had asked her daughter to let the animals out. She explained that they have a tether that is secured to their residence and have let their dogs out multiple times with no incidents. When the complainant was walking past her residence, it happened to be the exact same time that her daughter opened the door. In doing so, the female dog pushed passed her daughter and the male dog followed. Ms. Holt explained that in the video you can see that the dog excitedly sees the complainant's dog and it looked like another friendly dog that they play with, but turned out not to be the case. She informed the Board that after that both her and her daughter ran towards the dogs and gained control. Ms. Holt advised that during the transgression of everything that happened that evening the complainant was very adamant and speaking loudly throughout the neighborhood telling them that she was going to have her dogs removed, put down and taken. Ms. Holt reasoned that she was calm with the exception of one moment when a neighbor had come during the middle of the incident took one of her dogs and put him in her residence as she asked. She explained that her daughter was upset and yelled and Ms. Holt yelled to her to get into their residence. Ms. Holt stated that she then waited for the complainant to pick up her items that had fallen to the ground and the complainant went back to her residence, which is when she walked her other animal into her residence. Selectman Paulhus asked if anything like that has ever happened before maybe with kids running by or other animals. Ms. Holt replied that the female dog had done it once before in her back yard area when she first got her. Since then she has gone to training and they are both collar trained, house trained, manner trained and leash trained. Selectman Ampagoomian asked what the breed of the dogs are. Ms. Holt replied that the female is an American Stafford Terrier and her male is a Boxer Terrier. Selectman Ampagoomian asked what time this happened at. Ms. Holt stated

that it was after dark as she had to turn her porch light on. Town Manager Gaudette asked if she could expand on her dogs being excitable, and if the dogs are wagging their tails in a manner to play or was it more an aggressive manner. Ms. Holt noted that they were excited and looking to play. Chairman Collins asked that in the time it took for her and her daughter to respond was it difficult to get her dog off of the complainant's dog. Ms. Holt stated that her dog was not on the other dog it was just difficult for her to grab his collar. Selectman Melia noted that according to the complaint there was an attack and asked if there was any biting. Ms. Holt stated that according to the vet statement there was no break in skin and no damage, and she further added that she paid Ms. Egan's vet bill. Ms. Holt then followed up stating that the report provided that the dog had a minor limp, which they provided an NSAID and Gabapentin, which is a nerve blocker. Selectman Begin asked if her back yard is fenced in. Ms. Holt replied that there is a fence along the side, then a trail that she believes would feed up to Border Street, but aside from the front entrance there is no way for the dogs to get out of the back yard. Selectman Begin asked if the dogs go into the back yard off leash. Ms. Holt stated that they do and they are collared, which she uses for the backyard, and when they go out the front they have the tether and/or the leash. Selectman Begin clarified that when she says collar that it is an E-collar, where she has a controller and they are supervised. She confirmed. Town Manager Gaudette asked the complainant to come forward and if she could identify if the dog that attacked hers was excited in a playful manner or aggressive towards her dog. Ms. Egan stated that it was all kind of a blur, but she thought maybe it came off as playful at the start but as her dog saw that it wasn't the dog he knew, things escalated from there. Ms. Egan added that if you look closely Ms. Holt's dog tried to go after her dog again. Town Manager Gaudette asked if there was growling, showing of the teeth or aggressive barks. Ms. Egan replied yes, she felt it was aggressive. Selectman Begin after reading through the screenshots of their conversation asked about Ms. Egan's dog not getting along with other dogs and if that was true. Ms. Egan further explained that her dog loves other dogs and just doesn't like coming face to face quickly, he likes to take his time to get to know other dogs and especially when it comes to off leash. Ms. Egan further explained that he is not aggressive at all towards any dogs. She added that the night of the incident, her dog who would normally play with her niece's small Pitbull mix, tucked his tail and went upstairs. Chairman Collins called Dog Officer Daniel Chauvin and Police Officer O'Donnell and Chief Labrie forward. Officer O'Donnell stated that their stories both lined up after speaking with both of them. Officer O'Donnell asked Ms. Egan if he could look the dog over to determine the extent of the attack, to which she stated he was too traumatized to be seen. Officer O'Donnell reviewed options, she was provided with the Animal Control Officer's number and was advised that personal items that may have been damaged could be pursued in court. Selectman Paulhus asked if there have been any other complaints or responses for either the defendant or the complainant. Officer O'Donnell replied that this incident was the first time he had ever met either of them for any type of call. Chief Labrie added that he had done a search of the logs and did not find any other calls to either address. Chief Labrie noted that Officer Chauvin did respond and cited the owner of the dogs, for failure to restrain \$25 for each dog and \$25 for one dog for attacking, for a total of \$75. Chief Labrie noted that it did go to court and the Clerk Magistrate found she was guilty of failure to restrain but dismissed the \$25 attacking fine. There were no further questions for Officer O'Donnell, Chief Labrie or ACO Daniel Chauvin. Chairman Collins asked if Ms. Egan could come forward and asked her what she was looking to get for an outcome from this. Ms. Egan replied that she wants peace of mind so that the children in the neighborhood don't have to live in fear every time they go outside, and she would like to be able to walk her neighborhood without having to watch over her shoulder. A motion/Mr. Melia, seconded/Mr. Ampagoomian to close the public hearing. Vote yes/Unanimous. Selectman Melia expressed that he did not feel the Board had to take any further action since the Clerk Magistrate had already heard and decided on the fines of this case. He added that we have not had any problems in the past, which is a good thing for Ms. Holt, but if it comes in front of the Board again, they might not be as favorable. Selectman Melia explained that there are several things that they can do to take action, but they don't like doing that on the first offense. The Board of Selectmen agreed to take no action at this time.

CITIZENS' COMMENTS/INPUT/None

Bylaw Review Committee: Request to extend the term of the Committee for an additional 6 months/Present: Russell Collins and Richard Sasseville, BRC Members. Chairman Collins noted that there have had several setbacks so they are looking to extend the term of the Committee until the Fall Town Meeting. He explained that there are a lot of items to go through and Departments to meet with. Mr. Sasseville noted that he is the Vice Chairman of the Bylaw Review Committee. He added that part of the delay was due to the whole review process beginning in the middle of COVID. He also noted that the Town Clerk is a crucial part to their meeting and with the Election they were unable to meet before the Election. A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve the Bylaw Review Committee's request to extend the term of the Committee for an additional 6 months. Vote yes/Unanimous.

Northbridge Firefighters (IAFF Local 3338)/1) Request to hang a banner across Church Street from Sunday, May 7, 2023 to May 14, 2023 to advertise the Spaghetti Supper to be held on Saturday, May 13, 2023 from 4 PM to 8 PM 2) Application for a one-day weekday Entertainment License for the Fireworks event to be held from 6 PM to 10 PM on Saturday, July 15, 2023 at Lasell Field (Middle School) /Present: Dep. Chief Anthony Genga and Scott McKeown, Event Organizers. Selectman Melia reminded the Board that Town Manager staff notified them of a rain date of July 16, 2023. Dep. Chief Genga informed the Board that Firefighter McKeown and his wife are going to take over the events for the fireworks, but he was unable to be here tonight due to a call. Dep. Chief Genga added that there is nothing different from past events. Chairman Collins asked if they would have the food trucks again this year. Dep. Chief Genga reported that he hopes to and created a committee this year to handle a lot of the planning. Since coming into his new position he has been very busy so sharing some of the planning aspects was the best option. Dep. Chief Genga reiterated that the fireworks are 100% funded through donations and he felt it was important to make that known. They rely on town businesses, contributions from the gate and from vendors for the following year. Moving the date out a little does provide opportunity for more profit and allows the event to continue in the future. A motion/Mr. Ampagoomian, seconded/Mr. Melia to approve the request to hang a banner across Church Street from Sunday, May 7, 2023 to May 14, 2023 to advertise the Spaghetti Supper to be held on Saturday May 13, 2023 from 4 PM to 8 PM. Vote yes/Unanimous. A motion/Mr. Ampagoomian, seconded/Mr. Melia to approve the one-day weekday Entertainment License for the Fireworks event to be held from 6 PM to 10 PM on Saturday, July 15, 2023 [Rain date: July 16, 2023] at Lasell Field (Middle School). Vote yes/Unanimous.

TOWN MANAGER'S REPORT: 1) Key Meetings Attended: Monday, March 27, 2023 – Participated in the weekly Fire Station Design Team virtual meeting. Monday, March 27, 2023 – Participated in an MMA Webinar on Legislative Priorities. Monday, March 27, 2023 – Attended the Board of Selectmen Meeting. Thursday, March 30, 2023 – Attended a regional Health Insurance Virtual Meeting at HPI headquarters in Westborough. Monday, April 3, 2023 – Participated in the weekly Fire Station Design Team virtual meeting. Wednesday, April 5, 2023 – Conference Call with Attorney Rick Holland, KP Law, and Assessor Bob Fitzgerald regarding the McQuade's Lane Solar PILOT. Thursday, April 6, 2023 – Attended the weekly Fire Station Project site visit and construction meeting. Miscellaneous Calls/Visits with Residents, Staff, and Board Members. **2) Fire Station Project:** Weekly design team meetings continue to occur every Monday morning and weekly construction meetings every Thursday afternoon with the project team and the General Contractor, M. O'Connor. The steel frame is installed in the main building and light gauge metal framing for the interior walls of the administration area is underway. MEP above ceiling and in wall rough in continues in the apparatus bay and administration area. AVB application for the outbuilding and main building continues. CMU install for the hose tower continues. Next steps include roofing the main building and concrete work for the column infills and the training mezzanine. The BPCC will meet next week on 4/11/2023 to review Payment Requisition #11 for the GC as well as invoices for the OPM, Architect and Testing Services. **3) Northbridge Elementary School Reuse Study:** The architect team from Abacus and the BPCC/Town Manager held a public forum presentation on January 18, 2023, to get feedback from residents on proposed uses and layouts. An existing conditions survey is complete as well as an Environmental Phase 1 and Phase 2. The BPCC will meet next week on 4/11/2023 to discuss

finalizing the draft report to post on the Town's website ahead of the Town Meeting. The Selectmen have placed an article on the Annual Town Meeting Warrant to get voter authorization to dispose of the property.

4) Linwood Basketball Courts Project: The Town only received one bid (Quirk Construction) and unfortunately it came in over budget. Thus, the plan is to go to the Spring Town Meeting and seek additional funds such that the contractor can begin construction in June and finish at the end of August. **5) Cable Advisory Committee:** The Committee Chair, Harry Berkowitz, attended the Selectmen Meeting last week to provide an update. The current Charter/Spectrum Franchise Agreement expires at the end of this May 2023. The Cable Advisory Committee held a public hearing on January 24, 2023 at Town Hall to discuss the Franchise Agreement renewal with the public. The hearing was continued to a later date. The Cable Committee has met with Bill Hewig, Attorney from KP Law, and John Maher from Charter to discuss the Town's points of interests. Mr. Hewig will continue to negotiate with Mr. Maher on the suggested terms and the Committee is scheduled to meet again in April. **6) FY2024 Budget and Capital Plan Development:** The Warrant has been finalized in compliance with the Bylaw requirement. Staff has been preparing the FinCom Booklet for Town Meeting, the Board of Selectmen will vote their positions on all the articles at their meeting on April 24th. The Spring Annual Town Meeting is scheduled for May 2, 2023 at 7 pm at the Middle School Auditorium.

SELECTMEN'S CONCERNS: **Selectman Ampagoomian/1)** asked if the Whitinsville Water Company has provided us with a schedule as to what streets they will be repairing. Mr. Luchini replied that he is meeting with them on Friday to do walkthroughs on all the roads that they dug into. **2)** asked when the ornamental lights that are damaged would be repaired. Mr. Luchini replied that two of the three will be replaced on May 5, which he just received from the insurance agent at Bartlett. **3)** asked for an update on the Birch tree in Memorial Park. Mr. Luchini noted that if it passes at town meeting they can move forward with it. He noted that they would also incorporate the Christmas trees as well. **4)** asked for an update on the Sutton Street intersection. Mr. Luchini answered that we just received confirmation from our consultants that they have submitted the round about drawings that the State requested, and it is in their hands. Chairman Collins commented that he thought the plan was to install lights. Mr. Lucnini replied that we submitted several options for plans and the state requested more review and studies on a roundabout, so the consultants came back and reengineered the plan, and provided it to the State. **5)** asked if there was an update on Church Street Extension and the traffic control light. Mr. Luchini replied that there hasn't been anything right now as the focus is on the Sutton Street intersection and depending on how that goes they can explore other avenues like a TIP project. **6)** asked about the dead trees along the roadway and if there was a plan to remove them. Mr. Luchini explained that he just increased his budget this year for more tree work, which is pending approval at Town Meeting. He noted that most of the tree work that they do are call ins for hazard trees and they try to remove as many as possible. He outlined that he has a stack of them that get rated every year and the worst of them are removed.

ITEMS FOR FUTURE AGENDA/None
CORRESPONDENCE/None
EXECUTIVE SESSION/None

Reminded everyone watching that the Annual Spring Town Meeting is scheduled for Tuesday, May 2, 2023 at 7 PM in the Middle School Auditorium. A copy of the warrant is posted online and any questions can be directed to the Town Manager's Office.

Meeting Adjourned: 7:47 PM

Respectfully submitted,

Brian Paulhus, Clerk

/mjc

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

April 10, 2023

PLEDGE OF ALLEGIANCE

- I. APPROVAL OF MINUTES: A. 1) January 9, 2023**
-Copy of January 9, 2023 minutes
- 2) January 23, 2023
-Copy of January 23, 2023 meeting minutes
- 3) February 13, 2023
-Copy of February 13, 2023 meeting minutes
- 4) February 27, 2023
-Copy of February 27, 2023 meeting minutes
- II. PUBLIC HEARING: B. 7:05 PM - Dog Hearing / Present: Samantha Egan (Complainant) vs. Heather Holt (Dog Owner)**
-Copy of outline on how to conduct a hearing
-Copy of copy of MGL Chapter 140 section 157 nuisance dog
-Copy of instructions on options
-Copy of complaint of a vicious or barking dog
-Copy of letters regarding the notice of hearing
-Copy of Police report
-Copy of letter to the Clerk Magistrate notifying of a violation issued
-Copy of non-criminal violation
-Copy of email from the Administrative Assistant of the Chief of Police regarding the outcome of a hearing appealing the violation
-Copy of letter to Clerk Magistrate notifying of a payment made
-Copy of town bylaw regarding dogs
-Copy of the Owners right to petition the court to review the dog order/decision
- III. APPOINTMENTS/ C. By the Town Manager (Vote to Affirm): 1) Thomas Parente, DPW Secretary/Present: Jamie Luchini, DPW Director;**
-Copy of resume of Thomas Parente
-Copy of application of Thomas Parente
- 2) Annual Reappointment (Vote to reappoint): Daniel Chauvin, Animal Control Officer/No documentation
- IV. CITIZENS' COMMENTS/INPUT/None**

IV. DECISIONS:

D. Bylaw Review Committee: Request to extend the term of the Committee for an additional 6 months/Present: Russell Collins or Richard Sasseville

-Copy of memo requesting an extension for the 2023 Fall Town Meeting

E. Northbridge Firefighters (IAFF Local 3338)/1) Request to hang a banner across Church Street from Sunday, May 7, 2023 to May 14, 2023 to advertise the Spaghetti Supper to be held on Saturday May 13, 2023 from 4 PM to 8 PM 2) Application for a one-day weekday Entertainment License for the Fireworks event to be held from 6 PM to 10 PM on Saturday, July 15, 2023 at Lasell Field (Middle School) /Present: Dep. Chief Anthony Genga and Scott McKeown, Event Organizers

-Copy of email requesting to hang a banner for the Spaghetti Supper

-Copy of Application for a one-day weekday entertainment license

-Copy of Revenue Enforcement and Protection Attestation

-Copy of Workers' Compensation Affidavit

F. Soorp Asdvadzadzin Armenian Apostolic Church / Request to hang a banner across Church Street from Sunday, August 6, 2023 until Sunday, August 20, 2023 to advertise the annual Church Picnic to be held Sunday, August 20, 2023 from 12 Noon to 5 PM.

-Copy of email requesting to hang a banner for the Annual Church Picnic

G. Pine Grove Cemetery/Vote to approve the sale of lots to: 1) Russell H. and Geraldine Vanderbaan [Lot No. 62, Fir Ave., (South)]

-Copy of cemetery deed for Lot No. 62, Fir Ave., (South)

2) Gerald and Katherine Gonynor [Lot No. 61, Fir Ave., (South)]

-Copy of cemetery deed for lot No. 61, Fir Ave., (South)

VI. DISCUSSIONS/None

VII. TOWN MANAGER'S REPORT: March 27, 2023 – April 7, 2023

VIII. SELECTMEN'S CONCERNS/No documentation

IX. ITEMS FOR FUTURE AGENDA/None

X. CORRESPONDENCE/None

XI. EXECUTIVE SESSION/None