

At 7:00 pm Mr. Boulter opened the meeting and announced that Chief Wall has confirmed with National Grid that there are 1939 homes without power in Pembroke as of 4pm. National Grid crews are out working in Pembroke and have opened most roads; they are still in the assessment and tree clearing stage of what may turn out to be a multi-day operation and additional crews have been brought in from neighboring states to be deployed throughout the hardest hit areas. Residents can expect the restoration of power to begin sometime tomorrow.

Mr. Boulter advised that this meeting is being made available to the public through a live video and audio broadcast on Comcast Government Access channel 15 and is being recorded for broadcast at future dates. Comments made in open session will be recorded.

Mr. Jerome was present before the Board on the 99 Restaurants of Boston, LLC d/b/a 99 Restaurant and Pub's application for a change of manager at the 166 Church Street from Christopher Peltier to Mr. Jerome. He stated that he has been with the company for five years and did his training in Pembroke. The corporate office has submitted all required paperwork for this application. Mr. Boyle moved to grant the request of the 99 Restaurants of Boston, LLC d/b/a 99 Restaurant & Pub for a change of manager for Common Victualer All Alcohol License# 00051-RS-0960 exercised at the 166 Church Street, Pembroke location from Christopher Peltier to Nathan Jerome; Mr. Stone seconded the motion. The vote was unanimously in favor.

Mr. Thorne advised that the Conservation Commission has recommended that the town accept a 46.7 acre parcel E10-71A "Open Space Lot" Off Brisan Way and Brisan Way Extension. Discussion ensued. Mr. Boyle moved to accept the land donation by Washington ARL of a 46.7 Open Space Parcel, Assessor's Parcel# E10-71A at the request of the Conservation Commission. Mr. Stone seconded the motion. The vote was unanimously in favor.

Police Chief Wall has recommended that the Board vote to declare a decommissioned vehicle surplus property, a 2015 Ford Explorer Utility Vehicle VIN# 1FM5K8AR7FGA88570. Mr. Stone moved to declare the 2015 Ford Explorer Utility Vehicle surplus property at the Police Chief's recommendation; Mr. Boyle seconded the motion. The vote was unanimously in favor.

Mr. Trabucco moved to appoint Andrew Sullivan of 2 Washington Street to the Town Government Study Committee; Mr. Boyle seconded the motion. The vote was unanimously in favor.

Mr. Trabucco stated that the Pembroke Public Safety Building Committee presented results of the Police and Fire Department space and needs study conducted by Kaestle Boos and the DPW Commissioners presented results of the DPW facilities space and needs study conducted by Weston and Sampson at Special Town Meeting; additionally, there is the need for future consideration of the future of the Community Center building. Mr. Trabucco proposed that the Board discuss the creation of a committee to study funding options for these capital building projects. Mr. Trabucco moved to form a committee to research capital building funding options; Mr. Stone seconded the motion. The vote was unanimously in favor. Further discussion of the committee's mission statement, membership number will be scheduled for the next meeting.

Mr. Thorne requested that the Board vote to extend Sunday hours at the recycling Center for the first three Sundays in November as is past practice. Mr. Boyle moved to offer extended Saturday hours this week from 9:00 am to 5:00 pm and to open on Sundays on November 5, November 12 and November 19. Mr. Stone seconded the motion. The vote was unanimously in favor.

Mr. Stone moved to accept the minutes of October 16, 2017 as written; Mr. Boyle seconded the motion. The vote was unanimously in favor. Mr. Stone moved to accept the minutes of October 24, 2017 as written; Mr. Boyle seconded the motion. The vote was unanimously in favor.

Mr. Furlong updated the Board on the progress made to date with the private-public property maintenance initiative. Mr. Furlong advised that Town Administrator's office met with the DPW Director and identified parcels of opportunity for a private-public partnership, and we are working on a one page document that will list expectations and duration of a proposed agreement for maintenance of the identified property. Mr. Furlong stated that the next step will be to approach the Chamber of Commerce with the proposal. Mr. Trabucco updated the Board on the OCPC Technical Assistance Grant obtained by the Planning Board, and the results of that assistance. Mr. Trabucco stated that the report assists businesses who want to open in the town with permitting and zoning requirements. Also included is a list of commercial and industrial properties available. Mr. Thorne advised that he will share this report at the Friday meeting of the PCC Board of Directors meeting.

MINUTES OF THE SELECTMEN'S MEETING

TOWN ADMINISTRATOR'S REPORT (CONTINUED)

Mr. Thorne confirmed that he is hosting two Strategic Planning Retreats; there will be one for department heads on Wednesday, November 15th and one for boards, committees and commissions on Saturday, November 18th. The retreat will be held in the Veteran's Hall from 9:00 am to 12:00 pm.

7:40 DOG HEARING: 174 FURNACE LANE (SHEA) INCIDENT OCTOBER 5, 2017

Mr. Boulter declared the hearing regarding the dog incident at 174 Furnace Lane on October 5, 2017 open. Mr. Boulter stated that this dog hearing has been requested by Animal Control Officer William Hart for the purposes of reviewing the recent and previous Animal Control Officer and Police Reports from October 5, 2017 and April 4, 2017 and determining the dangerousness of the dog in question, a tan and white pit bull/greyhound mixed breed male named "King". Mr. Boulter advised that the dog remains under a 45 day quarantine at 174 Furnace Lane executed by the Animal Inspector on October 5, 2017 in response to the incident. Mr. Boulter provided a summary of the incidents; in both incidents, there was a dog attacked by Mr. Shea's dog, Mr. Shea's dog was unleashed or not under the immediate and effective control of a handler, Mr. Shea's dog was off his property located at 174 Furnace Lane, and in both incidents the victim died. In the April 4, 2017 incident, the victim was a 6 year old Pekinese with an underlying medical condition that contributed to its passing (hemophilia). The Pekinese did not survive. In the October 5, 2017 incident, the victim was a 2 year old Yorkshire Terrier named "Mari" who did not survive.

Mr. Boulter declared that all parties who plan to give testimony in this hearing must be sworn in at the opening of this Dog Hearing under the provisions of Chapter 140, Section 157 of the General Laws. The Animal Control Officer, complainant, dog owner and witnesses were sworn in under oath by Sabrina Chilcott, Notary Public. Present and sworn in for the hearing were Animal Control Officer Bill Hart, Laura Cavilla (complainant), Richard Cavilla (complainant), Cathy Cyr (owner of Yorkie.s Inc.), Brian Shea (dog owner), Amanda Monti (previous complainant), Carissa DeBord (witness to previous complaint), Thomas Lemaire (witness to a prior complaint), Sandra Simon (neighbor).

ACO Mr. Hart stated that his investigation included the quarantine report from the Animal Inspector and the Police Department's report of the incident. Mr. Hart advised that the dog owner's statements, the complainant's statements and the treating veterinarian's statements are all consistent. The summary of the event is that Mr. Shea's dog got loose and killed Laura Cavilla's dog. Mr. Hart stated that the purpose of this hearing is to find a determination of dangerousness, request that the Board order the dog be seized by the Animal Control Officer and held at the pound for ten (10) days to allow Mr. Shea to appeal this determination, and ultimately remove the dog from the town. Mr. Hart stated that the dog cannot be trusted to resist harming others and the owner cannot be trusted to control the dog. Mr. Hart stated that the October 5, 2017 incident is the second, and both were significant incidents. Mr. Stone asked if the ACO's recommendation is to deem the dog a dangerous dog. Mr. Hart stressed that public safety requires that this dog be brought in to the pound immediately and held while Mr. Shea exercises his right to an appeal of these matters through District Court.

Complainant Laura Cavilla stated that she was fostering a two year old Yorkshire Terrier through the Yorkie's Inc. organization, and she showed the Board a photograph of "Mari". She stated that she was at work on October 5th and returned home from lunch to find that "Mari's" personal effects were packed away and "Mari" did not come to greet her. Ms. Cavilla further stated that her husband, Richard Cavilla, was visibly upset and stated "Brian's dog ate little Mari", and then stated that "Mari" was at Pembroke Animal Hospital. Ms. Cavilla stated that she went to the veterinarian's office and made arrangements for "Mari". Ms. Cavilla stated that she wants "King" off the street and away from other animals, children and adults. Mr. Richard Cavilla stated that he was out in his yard and had "Mari" sitting outside on a cushion in the sun when the phone rang and he went in to answer the call. He stated that within 30 seconds he heard "Mari" yelp in distress. He went back outside to see Mr. Shea coming up his driveway stating "your dog has been bit, I think it's in shock". Mr. Cavilla stated that he followed Mr. Shea to find "Mari" lying in Mr. Shea's yard; he stated that he brought "Mari" into the house, tried to apply compression with a towel, grabbed his keys and drove to the vet. Mr. Cavilla stated that he arrived at the vet's office within approximately 10 minutes of the incident, but "Mari" went into cardiac arrest and could not be resuscitated. Discussion ensued on the shared driveway between these houses and what constituted common area. Mr. Boulter asked Mr.

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At 8:40 pm, Mr. Stone moved to enter executive session under M.G.L. c.30A, Sec. 21(7) to comply with, or act under the authority of M.G.L. c.41, s111F – Police Department. The vote by roll call: Boyle – yes, Furlong – yes, Stone – yes, Trabucco – yes, Boulter – yes.

MATERIALS & EXHIBITS

Letter, R. Wall RE: New Officers (BOS/TA Office)

Complete Application (ABCC) for Change of Manager, 99 Restaurant 166 Church St (BOS/TA Office)

Letters, Police Reports, Incident Reports RE: 174 Furnace Lane Dog Activity (BOS/TA Office)

Application for Special Liquor License, W. Allmendinger (BOS/TA Office)

Memo, R. Wall RE: Surplus Property 2015 Ford Explorer (Police/BOS/TA Office)

Application for Appointment, A. Sullivan RE Town Govt. Study Comm. (BOS/TA Office)

Email, R. Keller, Quitclaim Deed Off Brisan Way/Brisan Way Ext #E10-71A (ConCom/BOS/TA Office)

Draft Minutes of October 16 and October 24, 2017 (BOS/TA Office)