

**MINUTES OF THE SELECT BOARD MEETING
OCTOBER 18, 2023**

PRESENT: Daniel Trabucco (Chair), Steven Ciciotti (Vice Chair), Tracy Marino, (Clerk), John G. Brown, Jr., (Selectman), Richard Flynn (Selectman), William Chenard (Town Manager), Sabrina Chilcott (Assistant TM), Lee-Ann Meehl (ACCO), Kate Melanson (EPA), Steve Dodge (Moderator), Justin Jerome (Trinity Solar), Thomas Sforza, Jennie Riley, Cara Reading, Lynn Reading, Kaitlyn Jenkins, Brian Logan, and others.

At 7:00 pm Mr. Trabucco opened the meeting with the Chairman's statement. Mr. Trabucco asked for a moment of silence for the events in Gaza that had occurred the previous weekend and were ongoing.

EPA PRESENTATION RE: HANOVER FIREWORKS SITE

Chau Vu from the EPA presented a PowerPoint regarding the former National Fireworks site that encompasses Hanover, Hanson, and Pembroke. Ms. Vu provided historical information regarding the site as well as response action progress and status. The predicted cost for environmental remediation was greater than \$200 million. There was a funding shortfall, so Mass DEP reached out to the EPA to designate the area as a Superfund site to help fill the gap for the cleanup. She discussed how the site could be added to the NPL (National Priorities List), which included multiple meetings and a public forum. Discussion ensued between the board and Ms. Vu regarding the site. Mr. Trabucco stated that he was in support of the site becoming a Superfund site; Mr. Ciciotti agreed. Mr. Flynn asked about Hanover's opinion on the site, Ms. Vu stated that the town was not opposed to the site being listed as a Superfund site but noted that there would be public outreach forthcoming. Mr. Chenard stated that Hanover, Hanson, and Pembroke had discussed doing a joint public outreach meeting, which Mr. Chenard strongly recommended that Pembroke be apart of.

7:30PM DOG HEARING: ACCO LEE-ANN MEEHL REQUEST FOR TWO DOG CLASSIFICATIONS MGL c. 140 § 157 OWNER/ KEEPER THOMAS SFORZA, JENNIE RILEY (10 CRESCENT ST): NUISANCE DOG, MALE BOXER "BOWZER" AND DANGEROUS DOG, MALE BEAGLE "ELVIS"

Mr. Trabucco opened the public hearing at 7:30pm. ACCO Lee-Ann Meehl spoke to the board regarding her request for boxer "Bowzer" to be designated as a nuisance dog. She stated the timeline of complaints from residents as well as action she had taken with the reported owners of the dog. Residents were invited to address the board regarding their experiences with the offender dog. Ms. Cara Reading stated that she had witnessed the dogs loose on multiple occasions. Ms. Lynn Reading stated that she had a negative encounter with "Bowzer" while walking her daughter's dog and was saved by a good Samaritan who stopped and was able to shoo the dog away from her. Ms. Meehl presented recommendations for the board and asked that the dog be designated as a nuisance. The dog's owner, Mr. Sforza acknowledged that the dog being loose had been an issue and he stated that the ACCO's recommendations were fair. Discussion ensued between the board, ACCO, and Mr. Sforza on what conditions were to be met and the deadline for having met them. Ms. Marino moved to order the owner of male Boxer "Bowzer", Thomas Sforza, to immediately restrain "Bowzer" to the property, to ensure vaccination and register him with the Town Clerk within five (5) business days, have an evaluation performed for daycare within fourteen (14) days, and ensure a secure property fence be installed within thirty (30) days; the Animal Control Officer is hereby authorized to collect "Bowzer" if he is loose in violation of Town Bylaws and is authorized to accept the surrender of "Bowzer" if offered by Mr. Sforza, with all conditions as recommended by the ACO stated here but not included in the motion be incorporated by reference. Mr. Brown seconded the motion. The vote was unanimously in favor.

Mr. Trabucco opened the second public hearing. ACCO Lee-Ann Meehl spoke to the board regarding her request for beagle "Elvis" to be designated as dangerous dog. She stated the timeline of complaints as well as actions she had attempted to take with Mr. Sforza, the owner of the dog. Residents were invited to address the board regarding their experiences with the offender dog. Ms. Kaitlyn Jenkins stated that "Elvis" has approached her, and her dog and she was able to keep him at bay with a stick. She stated that she believed the dog's behavior was a result of the owner's actions. Ms. Meehl presented her recommendations to the board and asked that the dog be designated as dangerous. There was discussion among the board about what

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a dangerous designation means under the law. Ms. Jennie Riley, Elvis' former owner, addressed the board and asked them not to designate Elvis as a dangerous dog because he was her kids' family dog. She stated that he was a good dog and just needed better supervision and containment on the property. Mr. Brian Logan spoke to the board and suggested that "Elvis" and "Bowzer" be evaluated by a veterinarian and suggested that the town put a lien on the property until the unpaid fines are resolved. Discussion ensued between the board, Mr. Sforza, and Ms. Meehl regarding a stricter timeline and conditions to be met for Elvis. Mr. Ciciotti moved to designate "Elvis" a Nuisance Dog. Ms. Marino seconded the motion. The vote was 4/1 with Mr. Flynn opposed. Mr. Flynn stated he would like to see a locked pen be installed before Halloween and the muzzle requirement for outdoor activity be a requirement within 48 hours. Mr. Flynn moved to order that all recommendations for "Elvis" be required as read by the Animal Control Officer and further that within 48 hours "Elvis", when outside of the house, wear a muzzle; and it be stipulated that an outside secure pen be installed and inspected by the Animal Control Officer by October 30, 2023. Ms. Marino seconded the motion. The vote was unanimously in favor.

At 9:25 pm, Mr. Brown moved to close the hearing; Mr. Ciciotti seconded the motion. The vote was unanimously in favor.

Mr. Trabucco declared that the board would take a five-minute recess.

JOINT MEETING MODERATOR, ADVISORY COMMITTEE: FALL SPECIAL TOWN MEETING PROCESS

Moderator Steve Dodge was present to discuss the process of the upcoming Special Town Meeting. He briefly discussed the articles on the warrant. Mr. Dodge asked if Mr. Chenard would update the town at the beginning of the meeting regarding ongoing projects, Mr. Chenard stated that he had no issue with issuing the updates. Mr. Dodge noted that 150 registered voters needed to attend to begin the meeting. Discussion ensued regarding the process if a quorum could not be reached.

VOTE TO SET DATE(S) FOR JOINT SELECT BOARD/TOWN MANAGER/DEPARTMENT HEAD ROUND TABLE UPDATE

Mr. Trabucco discussed the idea of a round table discussion with department heads and the Town Manager. Mr. Chenard stated that the only challenge could be the attendance of all department heads because of schedules. Mr. Ciciotti stated that if the department head were unavailable, they would send an assistant or have a report prepared for their absence. Mr. Trabucco asked the Town Manager's office to coordinate a day that could accommodate most people's schedules but stressed that he would like the meeting to be scheduled sooner than later. Mr. Trabucco made a motion to reach out for dates from the department heads, Town Manager and Select Board to have a joint round table update meeting, seconded by Ms. Marino, the vote was unanimously in favor.

VOTE TO NOMINATE SELECT BOARD MEMBER AS SIGNATORY MEMBER CANDIDATE FOR OLD COLONY MPO

Mr. Trabucco explained the purpose of a signatory member and opened it up to the board for discussion. Many members stated that they were interested but were at capacity. Mr. Trabucco suggested that the issue be tabled. Ms. Chilcott explained that this was just a nomination to a group, and from that group, a candidate would be chosen. Mr. Trabucco stated that the issue would be tabled until the next meeting.

VOTE TO RENEW JUSTIN JEROME OF TRINITY SOLAR'S DOOR-TO-DOOR SOLICITATION PERMIT TO JANUARY 18, 2024

Mr. Jerome asked the board to renew his door-to-door permit that was set to expire, he stated he was knocking and discussing solar panel installation with residents. Mr. Ciciotti asked if there had been any complaints; Ms. Chilcott stated that there was one, but it was not against this applicant. Ms. Marino made a motion to approve the application of Justin Jerome on behalf of Trinity Solar to renew his door-to-door solicitation permit authorizing sales from 10:00am to 8:00pm, Monday – Sunday for ninety days, permit to expire January 18, 2024, seconded by Mr. Ciciotti. Mr. Brown asked the motion to be amended from 8pm to

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dusk, Ms. Marino amended the motion to reflect the end time to be dusk, seconded by Mr. Ciciotti, the motion passed unanimously.

VOTE TO/NOT TO EXERCISE RIGHT OF FIRST REFUSAL: 37 REDWOOD CIRCLE (40B), \$334,200

Mr. Chenard stated this is item of business was not a house being up for sale, the homeowner was applying for a home equity loan. Mr. Ciciotti made a motion to waive the Right of First Refusal of 37 Redwood Circle, Pembroke and allow the property owner to refinance the property and maintain the deed restriction within the 40B program, seconded by Ms. Marino, the motion passed unanimously.

VOTE TO ACCEPT THE MINUTES OF SEPTEMBER 27, 2023

Ms. Marino made a motion to approve the minutes of September 27, 2023, seconded by Mr. Brown, the motion passed unanimously.

TOWN MANAGER'S REPORT

Mr. Chenard stated that the Congress St culvert castings had arrived and the work to install them would begin next week with work wrapping up on the project in mid-November. He updated the board on the Community Center, noting that preliminary paving had begun with final paving commencing in the Spring. Mr. Chenard stated that the Recycling Center work was completed and would be open the coming Saturday.

LIASION UPDATE

Mr. Ciciotti updated the board on the Master Plan Committee's recent meeting. He stated that they are in the process of reviewing the draft chapters. Discussion ensued regarding the Master Plan.

Mr. Brown updated the board on the most recent month of happenings at the Council on Aging. He stated that the Council on Aging would be having a Veterans event on November 17, 2023. Mr. Brown stated that the Public Safety Building committee was still meeting and working on next phases of the project.

OLD/NEW BUSINESS

Mr. Brown stated he had been receiving calls asking the Board to petition the Commonwealth for more liquor licenses for package stores. He stated he would like to discuss this further at the next meeting. Mr. Chenard stated that adding licenses would require a vote at Town Meeting.

Mr. Ciciotti asked for an update on the action tracker and Trello board. Mr. Chenard stated that there should be a discussion on choosing one or the other as they tend to function the same. Mr. Ciciotti discussed the intent behind using the action tracker.

COMMUNITY COMMENT

Alex Newcomb of Woodbine Ave addressed the board regarding the conflicts in other parts of the world at that time.

Mr. Trabucco read the upcoming issues. At 10:00pm, Mr. Brown moved to adjourn, Mr. Flynn seconded, the motion passed unanimously.

MATERIALS & EXHIBITS

Town Meeting Warrant (TM Office)

Dog Hearing Materials (TM Office)

Hanover Fireworks Presentation (TM Office)

Trinity Solar Door-to-Door Renewal (TM Office)

Right of First Refusal – 37 Redwood Circle (TM Office)

Minutes (TM Office)