

MEETING MINUTES
Town of Heath
BOARD OF SELECTMEN
Community Hall
February 26, 2013

Called to order at 7:45 p.m. by Sheila Litchfield, with Tom Lively and Brian DeVriese present. Also present: Kara Leistyna, Town Coordinator, Mark Reich, Town Counsel, Hilma Sumner, Town Clerk and Jeff Simmons.

Reviewed Agenda: Town Clerk Budget Hearing postponed until 3/26/13. Finance Committee not attending due to postponement of hearing. Added to Other Business: Appointments to Municipal Complex Building Committee and Town Facilities Committee and Dog Incident.

Dog Incident:

- Dog Owner unable to be present at tonight's meeting.
- Tom reported on hearing with Clerk Magistrate where warrant request was denied.
- There is a need to identify dogs responsible for attack via a description by victims' owner as she was the only one present.
- Discussed report of incident and statement of vet listing condition of dog to confirm attack.
- Magistrate advised that a listing of conditions needs to be sent to dog owner and compliance is ordered. If non-compliance, then animal control officer needs to seek court action.
- The Town did not follow through with a criminal complaint and did not realize this was a course of action to take.
- Discussed process in detail and prepared a draft of orders with Town Counsel present.
- Non-criminal disposition tickets can be issued and enforced in District Court.
- Discussed need for dangerous dog hearing. Witness testimony identifying attacking dogs is needed for hearing. Animal Control Officer and Inspector will gather facts to complete investigation of incident and matter as a whole. After Hilma's meeting with victim's dog owner, if specific dog named/identified, each receives a dangerous dog hearing. Town has a right to quarantine because of non-compliance with vaccinations and licensure.
- Read aloud letter submitted by Bill Lattrell regarding his concerns as a resident.
- Discussed on-going directives and new Chap. 140 law and stipulations and Town authority.
- Current zoning laws prohibit kennels in Heath Center and only by special permit in other areas. Magistrate advised having a dog hearing within two weeks.
- Discussed how to recover fines and costs of impoundment from dog owner.
- Town Counsel will email the changes in Massachusetts dog laws.
- Kara will finalize draft and email to Atty. Greg Corbo for finalization.
- Town Clerk notified Dept. of Children and Families and will follow up tomorrow morning and report that the dogs have not been removed from residence. She also volunteered to talk with victims' owner.
- ***On a motion by Brian DeVriese and seconded by Sheila Litchfield, the Select Board voted unanimously to authorize Tom Lively to execute final version of Order of Conditions letter to be sent to Ronnie Woodard. Tom abstained.***

8:45 p.m. Hilma Sumner, Margo Newton and Jeff Simmons left meeting.

Mail/ Email:

- Email from Dale Kowacki regarding mandatory retirement at age 65 for public safety employees
- Email from Bill Lattrell regarding Woodard's dogs
- 2014 Draft notice of FC Emergency Communications system budget for FY14
- Note from Josh Smith regarding floor project
- Meeting notice from AXIA/MassBroadband
- Email reminder that Municipal Safety complex Comm. needs to be appointed

On a motion by Brian DeVriese and seconded by Tom Lively, the Select Board voted unanimously to appoint the following people to the Municipal Complex Building Committee:

Bob Viarengo, Jeff Simmons, Bob Bourke, Ken Gilbert
Brian DeVriese and Mike Smith, Ex officio

On a motion by Brian DeVriese and seconded by Tom Lively, the Select Board voted unanimously to appoint the following people to the Town Facilities Study Committee:

Deb Porter, Karen Brooks, Sheila Litchfield and Margo Newton

- FCCIP Budget info.
- Open item list for auditors. Reviewed.
- Don Purington's annual review worksheet
- General Fund Revenue Report as of 2/20/13
- Copy of letter from Verizon regarding Heath Abatement Interest (also included with STM info.)
- Notice of D2R2 Bike ride Wed. August 24, 2013
- Response from Bob Gruen regarding Ipad grant. Kara will inquire for more details
- Email response from Doug Mason regarding compactor

Other Business: ATM Warrant

- Discussed articles that need to appear on this year's warrant. Kara will get some prices for new equipment for the MassBroadband transfer to fiber network including phones/installation/&c.
- Sheila will contact Mike to prepare for 3/12 salary classification/discussion meeting.
- Tom will contact Betty regarding software
- Need price for mower from Mike; Materials line item from Mike; an escrow revolving account warrant article; dog bylaws – Kara will inquire with Town Counsel on how to make these changes to incorporate changes to Ch. 140 State Law; paper compactor – Kara will get further information from Recycling Comm.

On a motion by Brian DeVriese and seconded by Tom Lively, the Board voted unanimously to adjourn at 9:40 p.m.

Next meeting scheduled for 3/5/13 at 7:00 p.m.

Respectfully submitted,

Kara Leistyna, Town Coordinator