

**Buckland Select Board  
Meeting Minutes  
January 12, 2021 5:30 p.m.  
Meeting Via Zoom**

**Listing of Topics**

**Appointments**

5:30 p.m. Kyle Dragon, Animal Control Officer - Dangerous Dog Hearing for Courtney Zarish, 150 Bray Road.

6:00 p.m. Jackie Walsh, COVID-Commemorative Event, January 19, 2021

**Agenda Items**

COVID-19 Concerns.

Hearing Fees - Planning and Zoning Boards.

Special Town Meeting.

Senior Center Update.

Proposed Borrowing, Town Projects.

**Documents to Sign**

Hazard Mitigation Plan, FEMA Certificate of Adoption.

ADA Self Evaluation & Transition Plan update contract, FRCOG.  
Minutes.

**Items Not Reasonably Anticipated by Chair 48 Hours Prior to Meeting**

**Select Board Member Concerns**

**Town Administrator's Report**

Police Bias Training Completed.

Lisa's Procurement Certificate.

Transfer Station Compactor Update.

Mass EV charging station grant opportunity.

**Public Comment**

**Volunteer Recognition**

Sue Samoriski for her work with Mary Lyon Foundation. Sue was named Citizen of the Year by the Recorder. She is retiring on December 31 from the Foundation.

**Announcements**

### **Attendees**

Dena Willmore - Select Board Chair  
Barry Del Castilho - Select Board Member  
Zachary Turner - Select Board Member  
Heather Butler - Buckland Town Administrator  
James Sullivan - Falls Cable  
James Hicks - Buckland Police Chief  
Mary Bolduc - Boards' Clerk  
Kyle Dragon - Animal Control Officer  
Marti Ferguson - Buckland Board of Health  
John Gould - Planning Board and Zoning Board of Appeals Member  
James Calloway - Resident  
Nancy Hodges - Resident  
David Hodges - Resident  
Marilyn Kelsey - Resident

### **Meeting**

Meeting was called to order at 5:30 p.m. by Ms. Willmore, Select Board Chair.

### **Appointments**

5:30 p.m. Kyle Dragon, Animal Control Officer - Dangerous Dog Hearing for Courtney Zarish, 150 Bray Road - Ms. Willmore opened the Dangerous Dog Hearing. She stated that a written complaint had been received, the hearing had been properly posted, and that the dogs' owner and all complainants had been notified. Ms. Willmore swore in the first complainant. Kyle Dragon, Animal Control Officer of the Franklin County Sheriff's Department reviewed the facts of the case. Dogs owned by the resident of 150 Bray Road did enter the property of 154 Bray Road, attacked livestock injuring a duck and fatally wounding a rooster. The dogs also threatened a runner passing by the property, growling and lunging. At this time, Ms. Willmore swore in the other two complainants, David and Nancy Hodges.

A video of the dogs had been submitted with the complaint. All Select Board members had viewed the video and chose to include it as a part of the permanent record. The owner of the canines did not attend the meeting.

Nancy Hodges addressed the Board, summarizing the events that transpired on her property by the unrestrained dogs and the resulting damage to livestock. She reported incidents of the dogs being aggressive and stated she is concerned for others who may visit them, especially her grandson.

Ms. Willmore moved based on, but not limited to, the facts introduced that the dogs belonging to Courtney Zarish be identified as dangerous: said dogs attacked and

killed livestock and chased a runner passing by; dogs are unrestrained. Mr. Turner seconded the motion. Vote: Turner, yes'; Del Castilho, yes; Willmore, yes.

After identifying the dogs as dangerous, a discussion followed regarding recommendations. Ms. Willmore asked Mr. Dragon's opinion in determining possible action. Ms. Willmore moved to apply all recommendations discussed (humanely restraining dogs by leash or in a confined area, safe from the elements; the use of humane muzzle when off their property; liability insurance; provide information on means to identify the dogs [dog license, veterinary statement, microchip, etc] to the Animal Control Officer; alter the dogs to prevent reproduction unless medically unfit to undergo procedure, per veterinarian confirmation.) Mr. Turner seconded the motion. Vote: Turner, yes; Del Castilho, yes; Willmore yes.

Mr. Dragon assured the Board that the owner had been sufficiently advised of the date and time of hearing, and that there would be sanctions if the dogs violated findings of the Board. Mr. Turner moved to return to the regular session, seconded by Mr. Del Castilho. Vote: Turner, yes; Del Castilho, yes; Willmore, yes. Hearing closed, regular session resumed.

6:00 p.m. Jackie Walsh, COVID-Commemorative Event, January 16, 2021

Ms. Walsh did not appear at the meeting.

### **Agenda Items**

COVID-19 Concerns - Ms. Butler turned this portion of the meeting over to Board of Health member Marti Ferguson and Police Chief Hicks. Non-compliance is an ongoing issue at the transfer station, particularly regarding masking. Most incidents are by one family (but not household). Enforcement options were discussed including fines, a cease and desist order, or written warning. Because most information is word of mouth, Ms. Ferguson would like further documentation, and does not want the transfer station attendants to have to address the situation. She also suggests having an enforcement officer present. In sending a letter (written warning) Ms. Ferguson recommends stating that the behavior has been noted, followed by defining the requirements and consequences for non-compliance.

Chief Hicks contends there is sufficient evidence to support sending the warning letter. It would state the violations, and the escalation of steps to be followed if non-compliance continues. Ms. Ferguson wants to confer with the Chief further to verify the evidence before the Board of Health sends the letter. Brief discussion followed addressing enforcement authorities (police and Board of Health) and from whom the letter should be issued. Mr. Del Castilho suggested both sign the letter and cc it to the Select Board.

### Hearing Fees - Planning and Zoning Boards

Ms. Butler explained the sequence formerly followed when applicants came into Town Hall to apply for permits and appear before the Planning Board or Zoning Board of Appeals. Pre-COVID, there had been a full-time administrative assistant who answered questions and directed applicants through the process. Presently, there is not a full time assistant and Town Hall is open by appointment only, both of which complicate the process. Ms. Butler explained the current procedure, and the fact that fees are not proportionate to the expenses involved such as newspaper posting. Prices have risen; including all pertinent Zoom information increases the size of the ad thus increasing the cost considerably.

Conversation followed regarding how and when fees should be assessed and what is appropriate to charge. No one wants to discourage people from following procedure by exorbitant fees, but the town cannot bear the burden of increased costs alone. It was decided that the fees should be paid up front with an explanation that the town is absorbing some of the cost. Fees should also be clearly presented on one sheet of paper to be handed to applicants. Heather Butler and John Gould, member of both the Planning Board and the Zoning Board of Appeals, will work together to draft a fee schedule.

Ms. Butler is going to check with other towns to gauge their success in recouping costs and to get a sampling to compare fees. Ms. Willmore stated that perhaps this subject can be revisited at another meeting once “homework” has been done to gather more information.

### Special Town Meeting

Ms. Butler is asking the Select Board to call a Special Town Meeting for February 13 to address easements as part of the Ashfield Street Reconstruction Project, and to authorize paying some bills from the previous Fiscal Year. Ms Butler has met with the owners of the six properties where easements are required. Ms. Willmore moved to call a Special Town Meeting and open the warrant. Mr. Del Castilho seconded. Vote: Del Castilho, yes; Turner, yes; Willmore, yes.

### Senior Center Update

Mr. Turner reported there was no update.

### Proposed Borrowing, Town Projects

Skip this item. Grant has been received.

### **Documents to Sign**

Hazard Mitigation Plan, FEMA Certificate of Adoption

Mr. Del Castilho moved to sign, seconded by Mr. Turner. Vote: Del Castilho, yes; Turner, yes; Willmore, yes.

#### ADA Self Evaluation & Transition Plan update contract, FRCOG

Ms. Willmore gave a brief explanation, and Ms. Butler added that costs involved are covered by grant money. Mr. Turner moved to sign, seconded by Mr. Del Castilho. Vote: Turner, yes; Del Castilho, yes; Willmore, yes.

#### Minutes

Select Board minutes for November 10, December 8, 17, and 22, 2020 were reviewed by the Board. Mr. Turner moved to accept all minutes presented, seconded by Mr. Del Castilho. Mr. Del Castilho then recommended an edit to the November 10 minutes. Mr. Turner amended his motion, moving to correct November 10. Vote on original motion: Del Castilho, yes; Turner, yes; Willmore, yes. Vote on amendment: Del Castilho, yes; Turner, yes; Willmore, yes.

#### **Items Not Reasonably Anticipated by Chair 48 Hours in Advance of Meeting - N/A**

#### **Select Board Member Concerns**

Mr. Del Castilho suggested an executive session following the next meeting to address amendment to Town Administrator's salary.

#### **Town Administrator's Report**

##### Police Bias Training Completed

Reported that above referenced training has been completed.

##### Treasurer Collector Procurement Certificate

Lisa Blackmer has been taking professional development classes and received a procurement certificate. Mr. Turner asked if there is any policy for employees to continue to work for a specified time following classes, seminars, etc in which the town has invested. Currently there is not, although Ms. Butler pointed out that the highway crew pays for their own licenses and certifications.

##### Transfer Station Compactor Update

Ms. Butler explained a problem with the compactor at the transfer station for which an electrician had been hired to diagnose and repair. His report was that changing the wiring from the way it was installed would nullify warranty. Jan Ameen of the FCSWMD suggested that it be looked at and recommendations made. Ms. Butler stated that she wanted to listen to the transfer station attendants concerns; they have done a good job managing the station. Presently, at the recommendation of the electrician, the compactor is not shut off, the oil remains warm, and it has been functioning properly.

Mass EV charging station grant opportunity.

There is a grant opportunity for an EV charging station to be located on public property, the most likely spot being in the parking lot behind Town Hall. Ms. Willmore expressed concern over the limited parking already, and noted that the two EV charging stations in Shelburne are for the most part, unoccupied, and suggested that the Board revisit the subject. Ms. Butler will look at the specifics of the application and report back to the Board. Ms. Willmore inquired about cost, and Ms. Butler replied that the user bears the expense.

FY22 Budget Update

Budget worksheets have been rolling out for FY22 recommendations. Return of budget sheets is expected by end of January, after which they will move on to the Finance Committee with formal recommendations due in March. Some towns are considering holding Annual Town Meetings in June to give more people a chance to be vaccinated for COVID. Ms. Willmore and Mr. Del Castilho reported they have met with department heads and Finance Committee. Mr. Turner met with Paula Consolo regarding the Senior Center budget and reported that he anticipates the request to be minimal.

**Public Comment**

Marilyn Kelsey commented on an article in the Senior Center newsletter and one by Sylvia Smith on the editorial page of the Recorder. Ms. Kelsey does not believe Ms. Smith should speak on behalf of Buckland residents and suggested it be addressed in the town newsletter.

**Volunteer Recognition**

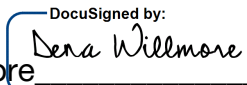
Sue Samoriski was recognized for her outstanding work with the Mary Lyon Foundation, and the many other ways she has volunteered/contributed to the community. Named Citizen of the Year by the Recorder, she is retiring from the Foundation effective December 31. The Board wishes her the best.


**Adjournment**

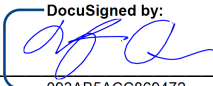
With no further business to conduct, Mr. Del Castilho moved to adjourn, seconded by Mr. Turner. Vote: Del Castilho, yes; Turner, yes; Willmore, yes. Meeting adjourned at 7:04 p.m.

Respectfully Submitted by Mary Bolduc, Board's Clerk, January 26, 2021

**Signed:**

DocuSigned by:  
  
Dena Willmore  
380EC42B0DEC4CD...

DocuSigned by:  
  
Barry Del Castillo  
F45677BA4EAD4B6...

DocuSigned by:  
  
Zachary Turner  
093AB5ACC869472...