

**MINUTES JANUARY 25, 2011
SHEPARD MUNICIPAL BUILDING**

PRESENT: Robert K. Downing, Chairman, David A. Delanski, Vice-Chairman, Robert W. Souza, Jr., Clerk, Angela Cavanaugh, Selectmen's Secretary, Press, and see attached sign-in sheet.

Chairman Robert K. Downing called the meeting to order in the Selectmen's Meeting Room at 7:00 p.m. and led the Pledge of Allegiance.

COMMENTS AND CONCERNS

None.

CORRESPONDENCE

The Board received a letter from the Animal Inspector pertaining to fees for cat quarantines. The Board requested the letter be forwarded to the Board of Health.

The Board received a letter from Pathfinder Regional Voc. Tech High School District inviting the Board to their Annual Budget Presentation to be held on Wednesday, March 16th at 7:00 p.m.

The Board received an email from Chris Dunphy regarding whether or not an informal/formal committee exists pertaining to the Senior Center Project. A motion to formalize the Senior Center Improvement Committee to include Mr. Robert Downing, Dennis Morel, Armand Dimo, and Leona Wrobel was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

The Board received a letter from Comcast in regards to the upcoming contract renewal process.

7:05 P.M. - RESIDENT INSPECTOR FOR SOUTH STREET SEWER PROJECT

There was brief discussion regarding the hiring of a Clerk of the Works for the South Street Sewer project. Mr. Downing asked Mrs. Digris if the Sewer Commissioners will be attending the meeting tonight. Mrs. Digris stated that they could not attend but that the Commissioners would feel comfortable hiring someone from Tighe & Bond since they have done business in the past with them. Mr. Souza, Jr. stated that he knows a former Tighe & Bond engineer by the name of Terry Smith who was involved with a sewer project in Sturbridge in the past who might be interested in applying for the Clerk of the Works position. The Board unanimously agreed to start obtaining applications and interview for the Clerk of the Works for the South Street Sewer Extension project.

7:15 P.M. – HERNANDEZ DOG HEARING

Mr. Downing opened the dog hearing pertaining to Candice Hernandez, 63 Keyes Street, Warren, Ma at 7:15 p.m regarding her dog (Doberman cross), Daisy, due to receipt of a nuisance complaint causing a disturbance. Mrs. Candice Hernandez was not present. Mr. Downing asked Mrs. Cavanaugh if Mrs. Hernandez was informed of the rescheduled hearing due to the last snow storm. Mrs. Cavanaugh stated that Mrs. McCaughey did contact Mrs. Hernandez and informed her of the hearing being rescheduled to today and Mrs. Hernandez confirmed that she would be attend the hearing. Mr. Downing then read the hearing notice. Next, Mr. Delanski requested all parties speaking on behalf of this dog hearing take an Oath of Truth. The following took the oath: Lisa Digris. Mrs. Hernandez showed up a few minutes late and apologized for her lateness. Mr. Delanski requested that Mrs. Hernandez also take an oath

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of truth which she did. Mr. Delanski stated that according to the Town Clerk's office the dog, Daisy, has a current rabies vaccine is licensed with the town. Mr. Downing asked the complainant, Mrs. Digris, if she would like to state her side of the story. Mrs. Digris stated that on the day in question Mrs. Hernandez's dog, Daisy, was on the porch unleashed with a young child and ran off of her property on Keyes Street and approached her leashed dog as they were walking by and started a dog fight. Mrs. Digris mentioned that she should be able to walk her dog anywhere in town without worrying about other dogs attacking her dog. Mrs. Digris then stated that this was not the first incident. Mrs. Digris continued by stating that she does not want Mrs. Hernandez to lose her dog she just wants her to properly watch her dog and leash it at all times and fence in her yard. Mrs. Hernandez admitted to the Board that she was at fault for not leashing her dog and that she did and still does apologize for the incident and does not know what else she can do. She stated that on the day of the incident the dog followed her child to protect the child since she has a lot of kids to handle when getting out of the house. Mr. Downing thanked Mrs. Hernandez for her honesty but reminded her that no matter how busy she gets she is still responsible for the dog at all times. Mr. Downing spoke to Mrs. Hernandez regarding the severity of this matter and the incidents of rabies found throughout the community in other animals and explained to her the necessity for her to have control of her dog at all times to not only protect the community but also her own family. Mrs. Hernandez agreed with Mr. Downing's advisement.

The Board requested an order be sent to Mrs. Hernandez informing her that her dog, Daisy, must be on a runner at all times when on the property and the dog is to be leashed at all times when off the property. In addition the Board informed Mrs. Hernandez that she will be fined \$50.00 for each occurrence in which she violates the Dog Control Laws according to Article X Section 12 of the town by-laws and she is being forewarned that further action will be taken if she fails to comply with this order. The Board informed Mrs. Hernandez that a letter will be sent to her stating this order and advised her of her right to appeal this order to the District Court within 10 days of the date of the letter in accordance with Massachusetts General Laws, Chapter 140, Section 157. A motion to close the dog hearing pertaining to Candice Hernandez, 63 Keyes Street, Warren, Ma regarding her dog (Doberman cross), Daisy, was made at 7:28 p.m. by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

LEE WILCOX DOG HEARING

The Board reviewed copies of the Wilcox dog licenses obtained from the Town Clerk's office showing that all three dogs are licensed with current rabies shots. The Board requested an order be sent to Mr. Wilcox informing him that his dog, Jewels, must be on a runner at all times when on the property and the dog is to be leashed at all times when off the property. In addition the Board would like Mr. Wilcox informed that he will be fined \$50.00 for each occurrence in which he violates the Dog Control Laws according to Article X Section 12 of the town by-laws and he be forewarned that further action will be taken if he fails to comply with this order. The Board also requested that he be advised of his right to appeal this order to the District Court within 10 days of the date of the letter in accordance with Massachusetts General Laws, Chapter 140, Section 157. A motion to close the dog hearing at 7:35 p.m. pertaining to Lee Wilcox, 515 Keys Road, Warren, Ma was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

RELEASE DEED FOR COUTURE DRIVE

A motion to sign the release deed for Elyse G. Henault of 39 Couture Drive, Warren, Ma was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

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HYDRANTS

There was brief discussion regarding the snow removal of hydrants in town. The Board requested that the Warren and West Warren Water Districts be contacted and asked to attend a meeting in order to discuss handling snow removal around hydrants.

IT INFRASTRUCTURE

There was brief discussion regarding ongoing computer issues and the installation of a new server for the Shepard Municipal Building. The Board requested that Mrs. Cavanaugh obtain quotes for a new server and for IT Support Services. A motion to approve placing an article on the Special Town meeting warrant for a new server for the Shepard Municipal Building was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

DOWNTOWN SIDEWALK SNOW REMOVAL

There was brief discussion with the Highway Surveyor, Tom Boudreau, pertaining to snow removal on sidewalks downtown in front of businesses. The Board mentioned that they feel it is the business owner's responsibility to remove the snow in front of their buildings. In addition, the Board does not feel it is the Highway Department's responsibility to remove the snow in front of businesses downtown. Mr. Robert Lavash of the Parks Department suggested that they should have students from the High School help shovel the sidewalks. Mr. Lavash stated that he will contact the High School and arrange for the students to do snow removal of the sidewalks downtown.

Mr. Boudreau stated to the Board that he has some concerns pertaining to residents placing snow on town roadways. The Board requested that a copy of the town by-law regarding pushing snow into the road be sent to cable access.

Mr. Boudreau requested permission from the Board to take the old snow machine from the Police Department and repair it for use by the Highway Department. The Board approved Mr. Boudreau taking and repairing the old snow machine from the Police Department.

SUPPLY PURCHASING

The Board requested a memo be sent out to all departments informing them that the regionalization committee has chosen W.B. Mason for ordering office supplies and that a representative from W.B. Mason will be visiting Warren in the upcoming weeks to explain the ordering process and hand out new catalogs. In addition, the Board requested that all departments be reminded that they are only authorized to order through W.B. Mason unless they require a special order in which they must submit a request to the Board.

CELL PHONE POLICY

A motion to adopt the cell phone policy as drafted by town counsel and adapted to Town of Warren was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

CDAC APPOINTMENT

A motion to appoint Leona Wrobel to the Community Development Advisory Committee until July of 2013 was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

MINUTES

A motion to accept and sign the open session minutes of January 11th as written was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

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WARRANTS

A motion to accept warrant #85 dated January 17, 2011 in the amount of \$33,571.89 and warrant #87 dated January 17, 2011 in the amount of \$82,557.73 was made by Mr. Souza, Jr.; second; Mr. Delanski – voted unanimously.

A motion to accept warrant #86 dated January 17, 2011 in the amount of \$330.21 was made by Mr. Souza, Jr.; second; Mr. Delanski – Mr. Downing abstained.

A motion to accept warrant #88 dated January 24, 2011 in the amount of \$36,739.21 and warrant #90 dated January 24, 2011 in the amount of \$234,904.76 was made by Mr. Souza, Jr.; second; Mr. Delanski – voted unanimously.

A motion to accept warrant #89 dated January 24, 2011 in the amount of \$330.21 was made by Mr. Souza, Jr.; second; Mr. Delanski – Mr. Downing abstained.

LENARD ENGINEERING

A motion to approve payment to Lenard Engineering in the amount of \$11,344 for Invoice no. 54500 pertaining to the South Street Sewer Extension project was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

OTHER BUSINESS

Mrs. Cavanaugh presented to the Board a list of participants chosen for the Senior Tax Abatement Program for 2011. A motion to approve the list of participants was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

Mrs. Cavanaugh presented to the Board a quote in the amount of \$1,395 from T. Pine for printing the town report this year in the 8 ½" x 11" format as requested by the Board. Mrs. Cavanaugh stated that Mrs. McCaughey obtained this quote and that it is much lower than the prior year for a smaller format. A motion sign and approve a three year contract with T. Pine in the amount of \$1,395 per year for printing the town report in 8 ½" x 11" format was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

Mrs. Cavanaugh requested that the Board review the updated Call Salaries pertaining to the Fire Department.

Mrs. Cavanaugh mentioned to the Board concerns pertaining to the level of snow on the lower roof near the Town Treasurer's Office. The Board requested that the Cable Committee immediately place a public notice on the local cable access requesting a quote for snow removal on the lower roof of the Shepard Municipal Building.

Mrs. Cavanaugh requested the purchase of a new fax machine in the near future since the current one does not always work properly. The Board stated that at the end of this fiscal year if there is money left over a new fax machine may be purchased.

The Board requested a memo be sent the Assistant Assessor thanking her for the time she has taken out of her schedule in order to help other departments in the building with computer issues.

Mr. Souza, Jr. stated that he would like the locksmith to come back and completely replace the lock since he was locked out of the building once again today. The Board requested that Mrs. Cavanaugh contact the locksmith and have the lock changed.

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Mr. Souza, Jr. stated that the regionalization committee is in the process of procuring a contract for cleaning supplies and is currently working on a HR Policy with Kopelman & Paige.

A motion to adjourn the meeting at 8:45 p.m. was made by Mr. Souza, Jr.; second; Mr. Delanski – unanimous.

Respectfully Submitted,

Angela L. Cavanaugh
Selectmen's Secretary

Robert W. Souza, Jr., Clerk