

**BOARD OF SELECTMEN  
MINUTES OF OCTOBER 30, 2019**

**PRESENT:** Mr. Dario F. Nardi; Chairman and Mr. John Nason, Vice-Chairman and Mr. Marc Richard, Clerk

**ATTENDEES:** See attached list

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**Opened the Meeting at 7:00 PM**

Chairman Nardi opened the meeting and led with the Pledge of Allegiance. He advised all that tonight's meeting was being both video and audio taped.

**MINUTES**

Motion to approve the Minutes of October 15, 2019 as written made by Mr. Richard; second: Mr. Nason – unanimous.

**CORRESPONDENCE**

1. Due to the impending adverse weather expected for Thursday, October 31<sup>st</sup>, the town wide Trick or Treat and parade will take place on Friday, November 1<sup>st</sup> from 5 PM to 6:30 PM. Line up for the West Warren Fireman's Association annual parade and costume contest will begin at 6:30 PM at the corner of North and Main Streets and will proceed to Station B, 20 Albany Street in West Warren. - **Noted**
2. The winter parking ban will be in effect from November 15<sup>th</sup> thru April 1<sup>st</sup>. There will be no on street parking from midnight to 6 AM. On street parking in downtown Warren will be prohibited from 2 AM to 6 AM. Also, as a reminder, residents are prohibited from piling, pushing or plowing snow or ice across a roadway. This bylaw may be enforced pursuant to the non-criminal disposition procedure set forth in G.L. c. 40, §21D and Article 1, Section 4B of the Town's General By-laws. - **Noted**
3. Quaboag Regional High School will be holding a Veterans Day Ceremony on Friday, November 8<sup>th</sup> beginning at 8:30 AM in the auditorium. At that time, the ceremony will include the induction of the Veterans Wall. All are welcome to attend. - **Noted**
4. The office received the monthly report of CERT/EM for month ending September 2019. - **Noted**

**APPOINTMENTS**

Chief Millette introduced Mr. Matthew Morin to the Board this evening and provided a recommendation for appointment as a Full-Time Police Officer. Mr. Morin is a graduate of Anna Maria College in Paxton and was awarded the Molly Bish Foundation Scholarship. Mr. Morin interned with the Paxton Police Department during his time in school and was hired as an officer upon graduation. He moved to New Jersey for a time and is now back in Massachusetts and applied for the position when it became available. He will be residing in Palmer which is within the limits under the General By-Laws. Chief Millette stated that with his appointment, it would bring the department up to the staffing level as it had been, however not where they should be. Mr. Morin thanked the Chief, Board and the residents of town for the opportunity to serve and is looking forward to working in Warren. Based on the recommendation of the Chief, the following motion was made: Motion to appoint Matthew Morin as a Full-Time Police Officer for a one-year probationary period made by Mr. Nardi; second: Mr. Nason – unanimous.

Motion to appoint Shelia LaFlower to the Board of Registrars at the request and recommendation of the Town Clerk made by Mr. Nardi; second: Mr. Richard – unanimous.

## **WEST WARREN PUBLIC LIBRARY – 1 – DAY LIQUOR LICENSE**

Motion to approve a 1-Day Liquor License for the West Warren Public Library for their Workshop Fundraiser to be held on November 23, 2019 from 5 PM to 9 PM made by Mr. Nason; second: Mr. Richard – unanimous.

## **SOCIAL MEDIA POLICY**

The Board has been meeting with the NEPBA, Local 195 for contract negotiations and one aspect of discussion has been the town's social media policy. Mr. Nardi stated that the Board is hopeful that with some language changes it will become a town-wide policy. A draft will be circulated to all departments so they have chance to review it prior to any official vote of the Board.

## **WARRANTS & INVOICES**

Motion to approve Warrant No's 32 & 33 dated October 21, 2019 as presented made by Mr. Richard; second: Mr. Nason – unanimous.

Motion to approve Warrant No's 34 & 35 dated October 28, 2019 as presented made by Mr. Richard; second: Mr. Nason – unanimous.

Motion to approve invoice No. 137 for FY 18 CDBG Draw Down to PVPC in the amount of \$41,911.82 made by Mr. Richard; second: Mr. Nason – unanimous.

## **REVIEW OF SPECIAL TOWN MEETING MOTIONS**

The Board reviewed the draft motions for the STM scheduled for November 7<sup>th</sup>. Outside of the transfers, the remaining monies are anticipated to come from Free Cash. As of this evening, free cash has yet to be certified, however it is anticipated to be done so prior to the meeting. In the event it is not, then most if not all of the articles seeking funding will be passed over. The breakdown is as follows:

**Article 1:** \$150K from FC

**Article 4:** By-law

**Article 7:** \$5K – Transfer-Highway

**Article 10:** \$5,500 – Transfer Hgwy

**Article 13:** \$35,458.29 – Transfer – FC

**Article 2:** Transfer – Retained Earnings

**Article 5:** Transfer - \$700 – FC

**Article 8:** \$10K – Transfer-Highway

**Article 11:** \$86.90 – Transfer – FC

**Article 14:** \$500 – Transfer - FC

**Article 3:** \$45K – from FC

**Article 6:** \$125K – from FC

**Article 9:** \$3,179-52 from FC

**Article 12:** \$25K – Transfer FC

The total amount requested from Free Cash is \$384,924.71. The Town anticipates being certified around the \$525K mark. The Board will wait for final approval from DOR.

## **7:15 PM – NUISANCE DOG HEARING – ELIZABETH/PAULA KEEFE**

Mr. Nardi called the hearing to order pursuant to MGL, Chapter 140, Section 157 in order to investigate a complaint that a dog owned by Elizabeth/Paula Keefe is a dangerous and/or nuisance dog, as defined by MGL, Chapter 140, Section 136A.

A complaint has been filed by Mr. & Mrs. Richard Hardy who were in attendance this evening along with the dog's owner, Ms. Elizabeth Keefe. Mr. & Mrs. Hardy have provided video documentation to Animal Control Officer, Sydney Plante as well as to Mrs. Acerra and Chief Janulewicz from Palmer. Ms. Plante serves as a Regional ACO for Palmer, Monson, Warren and Ware and both Mrs. Acerra and Chief Janulewicz are members on the Regional Committee.

This matter has been going on for some time now and ACO Plante acknowledges that 4 citations have been issued (citation #3 & #4 are unpaid, however still within the window for payment). Mrs. Hardy went on record to say that the dog is not dangerous, just a nuisance. ACO Plante also feels that the dog is just a nuisance, however could pose a danger in terms of running in front of a car which could potentially cause an accident. Ms. Keefe did acknowledge without hesitation that the dog is a free spirit and does get out, however never intentionally lets the dog run loose. Ms. Keefe was very apologetic to the Hardy's for the situation this has caused. She stated that she has taken pro-active steps to try to avoid such a situation, (baby gates) however the dog does not listen and it is best to leave him alone versus chasing him as he'll come back sooner. That well may be the case, however it is not the solution.

Mr. Nardi asked the Hardy's as to what they would like as an outcome of this evening's meeting. Mrs. Hardy suggested that the dog be given back to the rescue or take whatever steps necessary to ensure that the dog stays on the Keefe's property. Mrs. Hardy stated that Ms. Keefe's response has always been "we're trying the best that we can" and now has come to the point where it is unacceptable.

Ms. Keefe is willing to euthanize the dog so this all goes away. Mr. Nardi stated that he doesn't want to see the dog euthanized. He (Nardi) made a recommendation that within the next thirty (30) days, a fence will need to be erected and ACO Plante is to provide Mrs. Acerra with weekly status reports. Ms. Keefe said that she is willing to give the dog to a friend. Mr. Nardi asked if the friend resided in town and Ms. Keefe said yes, at 777 Coy Hill Road. All were agreeable to that suggestion and Ms. Keefe stated that the dog will be gone in the morning.

With all parties satisfied, the following motion was made: Motion to close the hearing and relocate the dog to 777 Coy Hill Road at the suggestion of Ms. Keefe made by Mr. Nardi; second: Mr. Nason – unanimous.

The Board asked that ACO Plante do a follow up to ensure the agreement was fulfilled.

#### **DISCUSSION WITH DR. KUSTIGIAN REGARDING REGIONALIZATION GRANT**

Dr. Kustigian addressed the Board this evening looking for a letter of support for the fund code 191. He apologized for not addressing this earlier as the grant is due on Monday, November 4<sup>th</sup>. West Brookfield has voted to support the effort. This grant would allow the District to explore was of either expanding or creating regional services. Mr. Nardi has strongly advocated in the past for regionalization of services and is agreeable to do so for this. With no opposition from either Selectboard Member Nason or Richard, the following motion was made: Motion to provide a Letter of Support on behalf of the Town of Warren to Quaboag as requested by Dr. Kustigian made by Mr. Nardi; second: Mr. Richard – unanimous.

#### **NOTICE OF NON-EXERCISE OF RIGHT OF FIRST REFUSAL – CHAPTER 61A – BOUDREAU/OPALENIK**

Maida Boudreau and George Opalenik presented the Board with notice of their intent to sell a 2.7 +/- acre parcel of land which is currently held in Chapter. With no opposition from the Board, the following motion was made: Motion to approve the Not exercise the Right of First Refusal for the property known as Assessors Map 11, Lot 40 as described in the plan made by Mr. Richard; second: Mr. Nason – unanimous.

#### **EVAN TURNER – AIRES POWER SYSTEMS – 777 COY HILL ROAD**

Mr. Turner requested to address the Board this evening to discuss the possibility of the Town entering into a payment agreement with a property owner for a proposed solar project. The subject property is currently in tax title and to date owes approximately \$143,000.00 in back taxes. Mr. Turner is aware of the situation and is looking to enter into an agreement in accordance with c. 40, Section 57 to put the land in a correct status. He and his company were before the Planning Board on October 28<sup>th</sup>, to which the Planning Board denied the application based on the unpaid taxes. The Town does have a by-law that does state that no permit be issued if outstanding taxes are owed, however Town Counsel was present and he advised that there is a process in order to do so. The Planning Board did not adhere to Counsel's advice and denied the applicant with a unanimous vote.

Mr. Turner felt that he was not given proper due process however would like to opportunity to discuss the matter this evening. He suggested that a payment agreement be submitted for consideration with the stipulation that ALL back taxes and roll back taxes be paid in full prior to the issuance of a building permit. He would like to proceed with the Special Permitting process, however after Monday's events, he and his team are looking at litigation. He would need to have a Special Permit in hand in order to receive credits from the state and further financial backing.

Mr. Nardi on behalf of the Board stated that they are willing to take the information under advisement for now as he has other hurdles he must navigate prior to any real discussion on the matter. He (Nardi) did say that he is in favor of collecting back taxes, especially those on the tax title list.

Kerry Schmidt (Tax Collector) was in attendance this evening and stated that a payment agreement is not the only way in getting monies from tax title properties.

Mr. Turner thanked the Board for their time and will be in touch as things progress.

#### **NEW BUSINESS**

Mr. Richard wanted to advise all that the Cash Market has opened they will soon be adding new items to the store. The Village Market will be opening soon as well. He also thanked Chief Lavoie and his crew for the great turnout at their annual Spaghetti Supper and for all the hard work and attendance at the Truck or Treat.

#### **COMMENTS & CONCERNS**

Mr. Soltys asked why Mr. Richard doesn't read aloud the figures from the Warrants. Mr. Richard advised that the numbers are available from the office and he is more than welcome to receive a copy.

Mr. Nardi reminded all departments that December 31<sup>st</sup> is the deadline for Capital Planning submissions. Also, he had a discussion with Mr. Olson from the Highway Department regarding the possibility of taking out the island before the snow flies. He will contact the office to be placed on an upcoming agenda.

Chief Lavoie thanked Mr. Olson and the members of the Highway Department for their assistance with erecting the repeater.

#### **NEXT MEETING DATE: TBD**

Motion to Adjourn made by Mr. Richard; second: Mr. Nason – unanimous at 8:00 PM.

Respectfully submitted,

Rebecca Acerra  
Administrative Secretary

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Marc W. Richard, Clerk

