Pursuant to Governor Baker’s March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L.C. 30A, §18, and the Governor’s March 15, 2020 order imposing strict limitation on the number of people that may gather in one place, this meeting of the Blandford Board of Selectmen will be conducted via remote participation to the greatest extent possible. Members of the public who wish to listen to the meeting may do so by visiting either of the following options:

• **Dial-In Number:** (425) 436-6311; Access Code 248324#

• **YouTube –** https://www.youtube.com/channel/UCjMX9bP223xSJq34P31AVGw

No in-person attendance of members of the public will be permitted unless you are on the agenda ahead of time, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town of Blandford website a transcript or other comprehensive record of proceedings as soon as possible after the meeting.

If you have any comment regarding items that are on the agenda, please forward to Joann Martin, Administrative Assistant, at Selectboardadmin@townofblandford.com or 413-848-4279 x206.

1. Open Session at 6:00 pm
   - Meeting is recorded
   - Meeting held virtually/YouTube

   **In Attendance:** C. Letendre, Chairman; E. McVey, Clerk; T. Ackley, Member; J. Garcia, Town Administrator; D. Jemiolo, Town Clerk; M. Kronholm, Assistant Town Clerk

   **MOTION:** C. Letendre made a motion to move to Action Item 4a. Hearing: Petition for Joint or Identical Pole Locations from NSTAR Electric Company DBA Eversource

   T. Ackley Seconded
   All in Favor

2. **EXAMINATION OF THE MEETING MINUTES:**
   a. Examination of the Select Board Meeting Minutes of August 10, 2020

   **MOTION:** E. McVey made a motion to approve the Select Board Meeting Minutes of August 10, 2020 as written.

   T. Ackley Seconded
   All in Favor

   b. Examination of the Select Board Meeting Minutes of August 24, 2020
**MOTION:** E. McVey made a motion to approve the Select Board Meeting Minutes of August 24, 2020 as written.
T. Ackley Seconded
All in Favor

3. **AUDIENCE PARTICIPATION/PUBLIC COMMENT:**
None

4. **ACTION ITEMS:**
   a. **Hearing:** Petition for Joint or Identical Pole Locations from NSTAR Electric Company DBA Eversource upon the plan marked 6B920012 Rev072720.
   Eversource representatives joined the Select Board meeting via conference call to explain the work to be done in Blandford.

   **MOTION:** C. Letendre made a motion to approve the petition for Joint or Identical Pole Locations from NSTAR Electric Company DBA Eversource upon the plan marked 6B920012Rev072720.
   T. Ackley Seconded
   All in Favor

b. **Hearing:** Dangerous or Nuisance Dog Complaint
   Birch Hill Road residents, Susan Vurovecz and Kim Blanchette joined the Board for a dog complaint filed by Ms. Blanchette. Joining the Board via conference call is a representative from KP Law, Blandford Town Counsel.

   C. Letendre announced that this is a Public Hearing in the matter of the complaint in the Town of Blandford in accordance with Massachusetts General Laws, Chapter 140, Section 157, to determine whether the dog owned by Ms. Vurovecz shall be determined to be dangerous or a nuisance. This complaint was filed by Kim Blanchette of 4 Birch Hill Road against John and Susan Vurovecz of 12 Birch Hill Road at 6:04 pm regarding a dangerous or nuisance dog complaint.

   The meeting proceeded with the swearing in of Kim Blanchette, by the Assistant Town Clerk. Ms. Blanchette gave the board a summary of the various encounters she has had with this dog and her conversations with the owners of the animal which she states has ‘fallen on deaf ears’. Blanchette presented a video of the most recent attack which was viewed by the Select Board and Town Counsel. Town Counsel then asked a couple questions of Ms. Blanchette.

   The Animal Control Officer, Teresa Donovan, was sworn in by the Assistant Town Clerk. Ms. Donovan was questioned by Town Counsel. She gave an account of her conversations with the two parties involved when Ms. Blanchette reported the problem. She expressed her concern with the fact that the dog is wandering out in the street at will and ‘people should be allowed to walk on a public street without fear’. Donovan was assured that the Vurovecz’ would contain their dog in the future. Donovan received another complaint from Blanchette on July 21, 2020 when she reported that the Vurovecz’ dog had actually attacked her dog. The Animal Control Officer advised Blanchette to file a Dangerous or Nuisance Dog Complaint at that time. Ackley inquired about what our Town Bylaws are regarding containing resident dogs. Kronholm mentioned that the Bylaw in existence at this time specifies that dog owners are required to keep their dogs ‘under control’ at all times.
The owner of the dog, Susan Vurovecz, was sworn in by the Assistant Town Clerk. Ms. Vurovecz was questioned by Town Counsel at this time. Vurovecz gave her statement of what she believed happened the day her dog attacked Blanchette’s dog. Ms. Vurovecz mentioned the steps the family has taken to keep their dog contained going forward and their plans to install a fence. She expressed her desire to be sure that Blanchette feels safe walking her dog in the future.

The final determination of the Board is as follows: The dog known as Dixie shall not be allowed outdoors on the improved portion of the owners’ property located at 12 Birch Hill Road, Blandford, Massachusetts or within 500 feet of any public way in the town of Blandford, or on any property owned by any other person (including public ways on the Town), unless it is secured behind a fence or kept on a leash held by a responsible adult.

Ackley asked Blanchette if she would be satisfied with the changes Ms. Vurovecz is proposing to keep her dog secure. Blanchette answered ‘yes’. Now that all parties have had a chance to speak, the Board discussed the definition of “dangerous dog” and “nuisance dog” offered by Town Counsel before making a final decision. McVey read the definition of both ‘Dangerous’ and ‘Nuisance’ as defined by G.L.c. 140, §157 to the audience and the Select Board. Letendre expounded on the details for better clarification.

Based on the definition, Ackley believes this dog should be recognized as a Nuisance dog. McVey also recommends that the dog should be recognized as a Nuisance dog.

**MOTION:** E. McVey made a motion, based on the following facts adduced at this public hearing, including but not limited to the facts provided in video and testimony, that the Select Board find the dog complained of is considered a nuisance dog by reason of the traits exhibited in the testimony.
T. Ackley Seconded
All in Favor

Letendre reported that the dog has been determined to be a nuisance dog and the remedy to abate the situation would be that Ms. Vurovecz complete the fenced in containment area for the dog and it is not let free to roam off the property. Town Counsel questioned how long it would take to install the fence. Ms. Vurovecz stated about 2 weeks. The Select Board agreed on this being accomplished by October 1, 2020. The Select Board has determined that the dog, Dixie, not be allowed off the property unless it is within a fenced containment area or on a leash controlled by a responsible adult. Letendre stated that as long as the dog is on her own property and is controlled by a responsible adult the matter should be acceptable to all parties.

**MOTION:** McVey made a motion that the dog, Dixie, shall not be allowed outdoors on the improved portion of the owner’s property, within 500 feet of any public way within the Town or on anybody else’s property unless it is secured behind a fence or on a leash held by a responsible adult.
So Moved – C. Letendre
T. Ackley Seconded
All in Favor

C. Letendre announced that this Public Hearing is officially closed at 6:54 pm regarding the dog complaint.

c. Review and take action on Mass DOT Final Report for completion of the super structure replacements of two small bridges on Gore Road and North Blandford Road over the Tiffany Brook
Garcia presented the final report on the super structure replacements on Gore Road and North Blandford Road to be approved by the Select Board for reimbursement from the State of $416,138.92 - $471,743.16 total expended. The town has already received reimbursements for $55,604.24 and are now submitting a reimbursement request of the remaining $416,198.92.

**MOTION:** C. Letendre made a motion to approve the MA DOT final report for the completion of super structure replacements of two small bridges on Gore Road and North Blandford Road over the Tiffany Brook.
T. Ackley Seconded
All in Favor

d. Review and take action on Mass DOT reimbursement request of $416,198.92 for completion of the super structure replacements of two small bridges on Gore Road and North Blandford Road over the Tiffany Brook

**MOTION:** C. Letendre made a motion to approve the reimbursement request of $416,198.92 from MA DOT for the construction of super structures on Gore Road and North Blandford Road over Tiffany Brook.
T. Ackley Seconded
All in Favor

e. Review and take action on warrant for Special Town Meeting
Garcia presented the final warrant already vetted by Town Counsel. The Board reviewed the final draft warrant for the Special Town Meeting which will be held on September 28, 2020.

**MOTION:** C. Letendre made a motion to accept the Special Town Meeting Warrant as written.
T. Ackley Seconded
All in Favor

f. Review and take action on quote submitted for necessary plumbing work at the Porter Memorial Library for installation of a new water meter and water shut-off
Garcia presented these quotes to the Finance Committee. Their recommendation was to take it out of Capital funds.

**MOTION:** C. Letendre made a motion to approve the quotes submitted for necessary plumbing work at Porter Memorial Library in the amount of $1,950 for ASP Plumbing, $478 for Team EJP parts and $4,400 for M&M Site Services to be taken out of Capital.
E. McVey Seconded
All in Favor

**5. UNFINISHED BUSINESS FROM PRIOR MEETINGS:**

**6. NEW BUSINESS:**
a. Green Communities Grant Awarded – Garcia
Garcia reported that Town has been awarded another round of Green Communities for $110,764 for the following projects:
-$99,340 for Town Office heating system. It has been reported to Garcia that the Town will have annual cost
savings of $9,600 or so on going; a 29% reduction in energy.
-$5,424 for weatherization of the Porter Memorial Library
-$6,000 for Town Administrative Assistance

b. Strap Grant for North Blandford Road Replacement
Garcia reported that he and the Highway Superintendent submitted an application to MA Housing & Economic development for a STRAP Grant through the MA Works Program of $998,743 to reconstruct all of North Blandford Road. If this is awarded, construction can start in May of 2021. McVey asked what he feels are the chances of the grant being awarded. Garcia only alluded to the chances being ‘strong’.

c. School Committee Meeting Update – Letendre
Letendre reported on the activities of the latest School Committee meeting. The State has agreed to allow participation in fall sports. The USDA has extended its Universal Meal Waiver program. All children will receive free lunches when in school through December 31, 2020.

7. OTHER BUSINESS, IF ANY

8. TABLED ITEMS:
   a. Review updated draft policies for personnel handbook – General Administration
   b. Review draft policies for personnel handbook – Preamble; General Provision; Recruiting; Hiring
   c. Review draft policies for personnel handbook – standards of Conduct
   d. Discuss creating a committee to research and provide recommendations for stipends for elected and appointed Town boards, commissions and committees that exist per Town bylaws.

9.**MEETING ADJOURNED:
Meeting adjourned at 7:20 pm

10.*EXECUTIVE SESSION:

*NOTE: Audience participation / public comment is welcome only when acknowledged by the Chair and limited to two minutes. Participation / public comment is only limited to Blandford residents and can only comment on agenda items only.

**NOTE: Agenda may include items not reasonably expected 48 hours before the meeting. At any point this meeting may go into executive section if Selectboard finds it warranted.

Submitted by: Joann Martin
Administrative Assistant to the Board of Selectmen
and Town Administrator

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Cara Letendre, Chairman

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Eric McVey, Clerk

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Thomas Akley, Member