

Town of Colrain  
Select Board/MLP Board Meeting  
Colrain Highway Garage  
9 Jacksonville Rd  
4:30 PM

**MINUTES OF SELECT BOARD  
September 13, 2022**

**Present** Mike Slowinski, Chair; Thom Griffin; Ben Eastman

**Others Present** Kathryn Bosyk; Jason and Stephanie Hubert; Jane Johnson; Roger Williams; Jonathan Lagreze; Emily Thurber; Lynn DiTullio; Zara Dowling, UMass Clean Energy Extension (remote); Bella Levavi, Greenfield Recorder; Kyle Dragon, Animal Control Officer; Betsy Shuipis, Administrative Assistant

Chair Michael Slowinski called the meeting to order at 4:31 p.m.

**Nuisance Dangerous Dog Hearing:**

Mike Slowinski opened the Public Hearing in accordance with MGL Chapter 14 Section 157 at 4:32pm.

The following participants were sworn in by Michael Slowinski: Kyle Dragon, Animal Control Officer, Kathryn Bosyk, and Jason and Stephanie Hubert.

Kyle Dragon made the following statements: The hearing is at the request of Ms. Kathryn Bosyk, who was bitten on 6/29/22 by Piper and Beans, dogs owned by the Huberts. Prior to the bite, the dogs were at-large in Ms. Bosyk's front yard. She brought the dogs back to their home at which point she was bitten. Ms. Bosyk sustained an injury to her hand requiring three stitches. After speaking with Kevin Fox, he did more preliminary investigation including speaking with the Library which reported no problems. The Post Office has had two incidents that were not reported to the police. The dogs are contained by a wireless containment system and the batteries had failed in the collar.

Ms. Bosyk's testimony:

This incident was not the first incident. She has seen the dogs running loose various times before the incident - in the road, other properties and kept her dog inside. The day they attacked her, she tried to knock on the door to see if Jason was home to let him know the dogs were in her yard. When she entered the driveway, she was bitten on the back of her leg and hand. The dogs followed her back to her house and when she was able to get inside, she called 911 and an ambulance came. The dog that had a collar on, the batteries were not working.

Questions to Ms. Bosyk:

- Ben Eastman - Prior to the incident did you fear the dogs? Ms. Bosyk stated the dogs seemed skittish but didn't understand why they followed her back to her house.

Mr. and Mrs. Hubert's testimony:

Stephanie Hubert - The batteries were not working and they weren't aware they had stopped. At the suggestion of Animal Control, they started an monthly auto-delivery for batteries and now they change the batteries every month. The wireless fence perimeter has been changed so that they cannot go near the road up the hill to the library, and only halfway through their yard on the Post Office side. They have four letters from people in support of the safety including the construction crew working at their house and previous neighbors.

Jason Hubert – In regard to unexpected visitors and the aggression of the dogs, the Electrical inspector came to the house unexpectedly and there were no issues with the dogs. Kathryn has come to their house on four different occasions since the incident and there have been no issues with the dogs. He expressed his condolences to Ms. Bosyk, however, the dogs are jumpers when they get excited, there were no witnesses to the bites, the dogs have never bitten before, and the wounds he saw are inconsistent with a dog bite. He further commented on the complaints from the Post Office.

Questions to Mr. and Mrs. Hubert:

- Mike Slowinski - How long this has been happening? Two to three months, and they haven't gotten out since.
- Thom Griffin asked if both dogs are wearing collars currently? Yes, both dogs are wearing collars.
- Thom Griffin - what would you do if no power for five or more days? They have a generator, and if needed, they would walk the dogs on leashes.

Thom Griffin stated that the actions of the dog depend on the actions of the person and that might account for the benign behavior with the contractors versus Ms. Bosyk.

Ben Eastman – confirmed with the Huberts that they haven't had any issues with past neighbors in Greenfield.

Ms. Bosyk explained she had one severe bite requiring stitches, the dog ripped the skin on the back of her leg, the length of her arm, and 3 stitches on her finger. She stated she hasn't entered the Huberts property since the incident, only spoken to them from the library or the road. Stephanie is sorry for the incident and has worked hard to keep the dogs restrained.

Kyle Dragon – He confirmed recommending the auto-delivery for batteries. There have been no calls on the dogs until this incident. He requested the Board entertain to keep the dogs restrained, especially since they are close to the library. Thom Griffin questioned the effectiveness of the wireless system. Mr. Dragon explained the system uses an audio tone or vibration shock if they get too close to the perimeter. Mr. Hubert explained that the dogs are familiar with the beep and are very cautious of it.

Discussion on the three options for a decision; dismiss the complaint, deem the dog a nuisance, deem the dog a dangerous dog. Mike Slowinski stated the measures that have been taken are sufficient to solve this problem of controlling the dogs under normal circumstances. Mr. Dragon explained the Board will need to provide parameters for remediation should they deem the dog a nuisance. Members of the Board agree that no further action is needed currently and are satisfied that with the actions of the Huberts.

**MOVED:** Thom Griffin moved to deem Piper and Beans nuisance dogs and further that the owners of said dogs take remedial action to ameliorate the cause of the nuisance behavior by putting up an invisible fence and getting the batteries changed monthly.

Ben Eastman seconded. **Approved unanimously.**

**Discussion:**

Mr. Hubert offered to put up No Trespassing signs and a wind fence on the library side of their property. Kyle Dragon agreed that a visible fence would be a good idea.

**MOVED:** Thom Griffin moved to close the hearing at 5:11 pm.

Ben Eastman seconded. **Approved unanimously.**

The Select Board meeting called to order by Chair Slowinski at 5:12 pm.

**Appointments: Zara Dowling, Research Fellow, UMass Clean Energy Extension, Community Solar Initiative Program**

Zara Dowling presented to the Board that the reason for the program was from feedback from towns around solar programs coming in without town input. The program decided to start with community proactive planning regarding how much solar they want, where they want it, and how they want it to be developed. The Program has developed a Community for Solar Planning Toolkit and has implemented it with three pilot towns – Blanford, Wendell and Westhampton. They are now working with an additional five to ten towns.

Marybeth Chichester further explained the first step is determining if the Board is comfortable creating a committee. Mike Slowinski feels uncomfortable recommending this without an opinion from the Planning Board. Thom Griffin agreed that the Planning Board needs to be involved with the process. Zara stated she will be meeting with the Planning Board tomorrow and suggested that if the Select Board is comfortable, they could vote in favor contingent upon the Planning Board's support. She further explained the Scope of Work and role of the Solar Planning Committee.

**MOVED:** Thom Griffin moved to endorse the Solar Planning Opportunities for MA Communities contingent upon agreement from the Planning Board and at least two of their members will join a solar committee.

Ben Eastman seconded. **Approved unanimously.**

Ms. Chichester will attend the next Select Board meeting.

**New Business: Approve Revised Job Description for Highway Superintendent**

**MOVED:** Thom Griffin moved to approve the job description as written for the position of Highway Superintendent.

Ben Eastman seconded. **Approved unanimously**

**Approve the Revised Administrative Assistant Job Description**

**MOVED:** Thom Griffin moved to approve the revised job description for Administrative Assistant.

Ben Eastman seconded. **Approved unanimously.**

**Town Administrator Required Contract Notification**

The Select Board has been notified by Kevin Fox that his contract is up in June. No action is required.

**Request to Hold a Boot Drive, Colrain Firefighter's Association, Inc.**

**MOVED:** Thom Griffin moved to approve the request to hold a boot drive by the Colrain Firefighter's Association.

Ben Eastman seconded. **Approved unanimously.**

**Potentially Unsafe Culvert on Charlemont Road, Possible Closure Discussion**

Discussion on closing the road and how soon work could begin. Mike Slowinski will contact the Chair of the Select Board in Charlemont.

**MOVED:** Thom Griffin moved to close the unsafe culvert on Charlemont Road.

Ben Eastman seconded. **Approved unanimously.**

**Town Administrator Request to Adjust Vacation Accrual Cap**

Mike Slowinski explained that Kevin Fox has been working extra hours due to not having a Highway Superintendent and is requesting an adjustment to the vacation time accrual cap on a temporary basis.

**MOVED:** Thom Griffin moved to raise the maximum accrued vacation time for the Town Administrator's to 200 hours on a temporary basis.

Ben Eastman seconded. **Approved unanimously.**

**Old Business:** None

**Unanticipated:** **Select Board Minutes of August 23, 2022**

**MOVED:** Ben Eastman moved to approve the minutes of August 23, 2022, as written.

Thom Griffin seconded. **Approved unanimously.**

**Highway Superintendent Job Search Committee**

Mike Slowinski explained that there are two applicants for the position and discussed forming a committee.

**MOVED:** Thom Griffin moved to create a selection committee for the position of highway superintendent for the Town of Colrain consisting of Lynn DiTullio, Ellen Weeks, Thom Griffin, Doug MacLeay, and Kevin Fox.

Ben Eastman seconded. **Approved unanimously.**

**Town Administrator Updates:** None

**MOVED:** Thom Griffin moved to dissolve the meeting at 6:10 pm.

Ben Eastman seconded. **Approved unanimously.**

Respectfully submitted,

Accepted by the Select Board

Betsy Shuipis  
Administrative Assistant

\_\_\_\_\_  
Mike Slowinski - Chair

\_\_\_\_\_  
Thom Griffin

\_\_\_\_\_  
Ben Eastman

Minutes originally taken by Betsy Shuipis and typed by Marjorie Smith for approval by the current Select Board members. The current Board members accept the minutes as written on 1/9/2024, for the purpose of putting the minutes on record, as they were not accepted around the time of the original meeting.

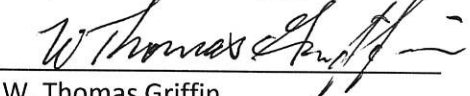
Respectfully submitted,

Marjorie Smith  
Administrative Assistant


Accepted by the Select Board



Benjamin Eastman - Chair



W. Thomas Griffin



Emily Thurber

**Documents Distributed to the Select Board Before the Meeting in a Packet or at the Meeting:**

Letter from Kyle Dragon, Animal Control Officer, dated 8/29/2022 to Kevin Fox re: Citizen Request for Nuisance/Dangerous Dog Hearing – Kathryn Bosyk Incident on 6/29/2022

Dog Complaint Form G.L. c.140, 157 from Kathryn Bosyk dated 8/25/2022

Letter from Kevin Fox dated 9/6/2022 to Jason and Stephanie Hubert re: Nuisance/Dangerous Dog Hearing  
Dog Hearing Procedures

Franklin County Regional Animal Control Incident Report by Kyle Dragon dated 7/01/2022

UMass Amherst Clean Energy Extension Scope of Work: Community Planning for Solar

Draft Highway Superintendent Job Description

Draft Administrative Assistant Job Description

Letter from Kevin Fox to the Select Board dated 9/13/2022 re: Town Administrator Contract Renewal  
Employment Contract between Town of Colrain and Town Administrator dated 4/13/2020