

Town of Colrain
Select Board/MLP Board Meeting
Highway Garage, 9 Jacksonville Road
4:30 p.m.

MINUTES OF JULY 12, 2022

Present Mike Slowinski, Thom Griffin, Ben Eastman

Others Present Shannon and Scott Reade, Betsy Browning, Rebecca Tippens, Tim Richardson, Doug MacLeay, Rachel Glick, Betty Ringwood, Howard Phelps, Kathy Phelps, Jane Johnson, Joshua Hall, Roger Williams, Jamie Hall, Deb Menard, Joe Kurland, Jonathan Lagreze, Timothy Daniels, Emily Thurber, Michael Shuipis, Paula Harrison, Treasurer/Collector; Scott Sullivan, Highway Superintendent; Chris Lannon, Police Chief; Kyle Dragon, Animal Control Officer; Betsy Shuipis, Administrative Assistant; Michael Shuipis and Kevin Fox, Town Administrator;

Chair Slowinski called the meeting to order at 4:30 p.m.

Nuisance Dangerous Dog Hearing:

The following participants were sworn in by Chair Slowinski: Kyle Dragon, Animal Control Officer, Shannon Reade, Scott Reade, Daniel Zinn, Jonathan Lagreze. The hearing is at the request of Dr. Daniel Zinn who was bitten by Rocko, a dog owned by Scott and Shannon Reade. Dr. Zinn sustained an injury to his hand requiring six stitches. When asked by Officer Dragon his recollection of the incident, Dr. Zinn said the following:

I was walking along Foundry Village Road to the Annual Town Meeting and heard dogs barking. The owners were outside, and Mr. Reade talked to one dog who stayed put. As I walked by the tall hedges, I heard another dog barking who came through the hedge and bit my hand.

Mr. Scott Reade's testimony:

Shannon and I were outside hanging a swing when they heard Zeus bark, who is more loud and aggressive, but he was chained up. Rocko was lying beside the bushes (not chained up) and out of nowhere he was right next to Mr. Zinn. Mr. Scott says that instantly Rocko ran back to the front of the house and did not continue to attack or act aggressively.

For clarification, Mike Slowinski asked Mr. Reade if he had witnessed the bite. No, Mr. Reade replied, he had not witnessed the bite. Dr. Zinn's response to Mr. Reade's testimony was "that dog was very vicious when he came through the bushes."

Officer Dragon asked Dr. Zinn to define what he considered "vicious?" Mr. Zinn answered "the nature of the dog; the way he was when barking. It was not a yip-yip bark; he was attacking." Mr. Slowinski asked the Board to decide whether the dog is a dangerous dog, a nuisance dog, or whether we should dismiss this. Officer Dragon recommended that the board include in their finding a restraint clause for Rocko, and he explained the options the board could take if they find the dog dangerous. Mr. Reade added that he has a secure fenced-in area Rocko cannot get out of.

The Selectboard voted unanimously the dog is not dangerous or a nuisance and agree unanimously that the dog needs to be restrained. The Reades agree to a Memorandum of Understanding that states if there is another problem with Rocko there will be repercussions.

The dog must be on a leash when outside or be in the backyard enclosure. Officer Dragon will inspect the enclosure. Once the Memorandum of Understanding is drafted and signed, Officer Dragon will base his inspection on the MOU and report back when all is finished.

For the record, Dr. Zinn stated he is okay with the Selectboard's vote that the dog needs to be on a leash when outside or in the backyard enclosure subject to Officer Dragon's inspection.

MOVED: Thom Griffin moved to close the hearing at 4:57 p.m. Ben Eastman seconded. Voted unanimously.

The Select Board meeting called to order by Chair Slowinski at 4:58 p.m.

Appointments Chief Lannon – Continuation of policy review/adoption

These policies come as a template through Mass Chiefs to be customized by each town. Chief Lannon has been looking at 100+ policies; currently we have 58 in place. There are four policies before the board today.

MOVED: Thom Griffin moved to approve the new policies regarding Use of Force, Use of Force Reporting, Vehicle Pursuit, Preliminary Investigations, and Co-Response Clinicians as amended correcting the Town of Ashfield to the Town of Colrain in two places in the Co-Response Clinicians Policy. Ben Eastman seconded. **Approved unanimously.**

Outside Detail Process

Because there have been many questions about the outside detail payment process, Chief Lannon will explain the process. Contractors contact Chief Lannon to request a detail. Once the detail requests are out, he starts in-house with a list of officers then goes to outside departments, then sheriffs and our fire department. Chief Lannon fills the details and puts that data in his home computer. Once their detail slips are in, a process that is complicated because the slips often have to be tracked down, Chris sends out a detailed bill to the vendor. It takes 30-60 days, depending on the vendor, to get back to him. Once Chris receives the check it needs to go on the warrant, where it gets signed and then mailed out.

Paula Harrison, Collector/Treasurer responded to Emily Thurber's question of how the town can shorten the process. Paula explained that when Chief Lannon submits an invoice, it takes the vendor 2-3 weeks to turn it around and mail us the check; and again, another 2-3 weeks for the town to get those checks to payroll. All and all, a 60-day turnaround is good, especially considering the companies we are dealing with like Verizon.

Referring to Chief Lannon's payroll reports, Thom Griffin sees that the average is three-five days between the service date and the date at which it was billed so there is little room for improvement. Chief Lannon noted that this is work he brings home to do on his own computer, and work that the Town does not pay him for.

Kevin Fox added that everybody makes money off the details except the Town. The officers are paid \$50/hour. If they work 4 hours and 1 minute, they get paid for 8 hours; if they work one minute they get paid for 4 hours. The officers have zero overhead because the Town bills, schedules, and collects for each of them.

Full-time officer. The department has had a vacancy position for over a year and still has the money in the budget. Chief Lannon is interested in knowing whether the Selectboard would like to have a full-time officer or a full-time police chief. The Chief will provide the board with a breakdown of the cost of each position for discussion at the 8/9/22 meeting.

New Business Fiscal Year 2022 End-of-year transfer in accordance with MGL Ch. 44 Sect. 33B

A total of \$629.89 unexpected funds moved to long term principal account.

MOVED: Thom Griffin moved to accept the three transfers as approved by the Finance Committee earlier this afternoon. Ben Eastman seconded. **Voted unanimously**

Request from MASSDOT District One to support temporary road closures

MOVED: Ben Eastman moved to email a letter of support for the temporary road closures. Thom Griffin seconded. **Approved unanimously.**

Sidewalk Snow Removal Discussion

Superintendent Scott Sullivan will look into the cost of town-owned sidewalk snow removal pricing.

Old Business Stetson Brothers Road Drainage Project

Superintendent Scott Sullivan submitted Option 1 and Option 2 project proposals. Thom Griffin is in favor of Option 1. Mike Slowinski stated we are still no closer knowing from Scott Sullivan what work the Highway Department needs to complete throughout the summer, along with the vacation schedule for the department. Without that information, Mike cannot evaluate if town crew can fit the project into their schedule or if the work should be contracted out. Thom Griffin believes finishing this project is imperative even though Scott did not give the Selectboard the information they needed.

MOVED: Thom Griffin moved to fix Stetson Bros Road Drainage Project using Option 1 to be completed by our crew with a 4% slope and 15 inches on the high side with filter fabric brought up both sides; 6-inch pipe with minimum 2% pitch and raise the culvert near Riehl's house. Ben Eastman seconded. **Approved by Ben Eastman and Thom Griffin.**

Scott Sullivan will keep the Selectboard informed of timing; he should have his doctor's clearance August 1 to supervise the project. It could be months before all the materials arrive. The funding will come out of general funds.

Unanticipated Request from Emily Thurber to be on the Zoning Board of Appeals.

The Selectboard could not appoint Ms. Thurber as there are no vacancies on the board.

Veteran's Memorial - The required deposit, \$837.50, is for one bench, the second bench is a gift.

MOVED: Thom Griffin moved to approve \$837.50 as a deposit on the kidney-shaped bench at the Veteran's Park. Ben Eastman seconded. **Approved unanimously.**

Mr. Tim Richardson of Greenfield talked with Mr. Boles about buying the Camaro that is being auctioned presently. He presented a bill of sale to the Selectboard dated 2/10/22. Mr. Richardson paid cash; he does not have title of the car.

Thom Griffin and Mike Slowinski accept the bid made on-line. Ben Eastman abstains.

Residents cancelling Colrain Broadband internet and then sharing illegally

People are canceling their internet because neighbors are sharing their passwords/internet, which is unlawful according to the contract. Whip City has proposed sending an email to all subscribers (625) reminding them of the policy to protect their password. Mike Slowinski, MLP Manager, will give those subscribers known to be sharing a head's up that Whip City will contact

them giving them 7 days to contact the MLP Board. Mike Slowinski will draw up the letter with Whip City and, with the Selectboard's approval, send it out to all residents.

Town Administrator Updates

None.

MOVED: Ben Eastman moved to dissolve the meeting at 7:20 p.m. Thom Griffin seconded.
Approved unanimously.

Respectfully submitted,

Accepted by the Select Board

Betsy Shuipis
Administrative Assistant

Michael Slowinski - Chair

W. Thomas Griffin

Benjamin Eastman

Documents

Select Board Meeting Notes

Letter Kevin Fox dated July 2022 to Mr. Scott Reade re: Nuisance/Dangerous Dog Hearing regarding a complaint against “Rocko” on Tuesday, July 12, 2022 at 4:30 p.m.

Letter from Kyle Dragon, Animal Control Officer, dated June 29, 2022 to Kevin Fox re: Citizen Request for Nuisance/Dangerous Dog Hearing – Daniel Zinn’s dog bite of June 14, 2022.

Dog Complaint Form G.L. c.140, 157 from Daniel Zinn of 7 York Road; owner Scott Reade; dog Rocko.

Dog Hearing Procedures

Colrain Police Department draft policies – Use of Force, Use of Force Reporting & Investigation, Vehicular Pursuit, Preliminary Investigations, Co-Response Clinicians, Nasal Nalozone (Narcan)

Request for line item/Transfer of Funds to Colrain Finance Committee from Colrain Selectboard

Email from Francisca R. Heming to Colrain Administrator re: Proj. 608649 Colrain – Route 112 Repair and overlay 2-60 hour closure for new overlays, Equipment Costs, Explanation of Hours, FEMA Schedule of Equipment Rates