

HOLLISTON BOARD OF SELECTMEN

May 14, 2014
7:30 P.M.

Selectmen's Meeting Room
Town Hall

Present Jay Leary, Chairman; Kevin Conley, Vice Chairman; Jay Marsden, Clerk; and Andrea Minihan, Administrative Assistant. Paul Le Beau, Town Administrator was absent.

MR. MARSDEN MOVED TO APPROVE THE FOLLOWING WARRANT

14-47	GENERAL WARRANT	\$162,482.14
	VOIDS	\$ (270.16)
	DEBT SERVICE TOWN (001)	\$453,762.50
	STUDENT ACTIVITY (8030) HS	\$ 9,534.51
	MEALS TAX (220)	\$ 51.59
	EXPENDABLE TRUST (722) HOUSING TRUST	\$ 6,925.00
	PERFORMANCE DEPOSITS (801)	\$ 1,062.50
	AGENCY (890) VETERANS DISTRICT	\$ 723.79
	HS STUDENT ACTIVITY – DIRECT FROM MONEY MARKET	\$ 20,690.00
	AGENCY (890) VETERANS DISTRICT PAYROLL	\$ 1,128.52
	GENERAL PAYROLL WARRANT	\$ 126,288.48
	RECONCILING ITEM- MARK LEWIS (POLICE) DEDUCTION REFUND PREVIOUS	\$ 196.10
	TOTAL PAID WARRANT	\$ 782,574.97

ACCOUNTANT'S NOTE:

ACCRUED DEDUCTION LIABILITIES NOT PAID	\$ 34,237.68
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TREASURER'S NOTE:

WIRE TO HEALTH INSURANCE TRUST	\$ 23,059.38
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THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

COMMENTS FROM THE BOARD

Mr. Conley said that the Annual Town Election will take place on May 20, 2014, at the High School from 7:00 a.m. to 8:00 p.m. Mr. Conley said that Law Enforcement Memorial Day is on May 16th, 2014.

Mr. Conley said that Memorial Day is on May 26th, 2014. Mr. Conley said that there is a recycling event at the MBTA Station in Ashland on May 17, 2014, and is open to Holliston residents from 10:00 a.m. to 2:00 p.m. Mr. Leary said that there is a fee for the event in Ashland. He said that if an item has a plug they will take it. He said that a car load is \$20.00.

There were no comments from the audience.

BANS – TREASURER/COLLECTOR

Mary Bousquet, Treasurer was present. See attached

MR. CONLEY MOVED TO APPROVE THE BANS FOR THE TREASURER/COLLECTOR. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

OPEN SPACE COMMITTEE – STATE GRANT

George Johnson, Open Space, said that this grant is for regarding the Bullard Farm. He said that there are one hundred and eleven acres. He said that there will be a Conservation Restriction on the property. He said that they are late in bringing this forward because it just came up, but it needs to be registered with the restriction by June 30, 2014. Mr. Johnson said that the Conservation Commission signed the agreement with the State. He said that in the agreement they said that they will not turn the Bullard farm into a park and no paving, it has to remain the same as it is now. He said that it is a farm and they can continue to farm the property. He said that they can't build any houses on the property. Mr. Conley asked if this was going to be added to the Open Space in Town. Mr. Johnson said yes and it will be protected.

MR. CONLEY AUTHORIZED THE CHAIRMAN TO SIGN THE STATE GRANT CONTRACT DOCUMENTS FOR THE BULLARD FARM PROPERTY. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

BOARD BUSINESS

MR. MARSDEN MOVED TO APPROVE THE APRIL 16, 2014, SELECTMEN'S MEETING MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE THE APRIL 23, 2014, SELECTMEN'S MEETING MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE THE APRIL 30, 2014, SELECTMEN'S MEETING MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE THE MAY 5, 2014, SELECTMEN'S MEETING MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

EVENT PERMITS – TRI-STATE AND HIGH ROCK ROAD BLOCK PARTY

MR. CONLEY MOVED TO APPROVE THE HIGH ROCK ROAD BLOCK PARTY ON MAY 31, 2014, FROM NOON TO 8:00 P.M. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

MR. CONLEY MOVED TO APPROVE THE TRI-STATE TREK ON JUNE 27, 2014, STARTING AT 8:00 A.M. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.

PROCLAMATIONS – POLICE MEMORIAL DAY, BUILDING SAFETY MONTH AND CHILDHOOD CANCER AWARENESS

MR. MARSDEN MOVED TO APPROVE AND SIGN THE PROCLAMATION FOR THE POLICE MEMORIAL DAY ON MAY 16, 2014. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE AND SIGN THE PROCLAMATION FOR BUILDING SAFETY MONTH. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

MR. MARSDEN MOVED TO APPROVE AND SIGN THE PROCLAMATION FOR CHILDHOOD CANCER AWARENESS MONTH. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

RE-APPOINTMENT – BONDED CONSTABLE

MR. MARSDEN MOVED TO RE-APPOINT BARRY SIMS AS A BONDED CONSTABLE FOR A THREE YEAR TERM. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

7:45 P.M. DOG HEARING – GHELLI

Mr. Marsden read the hearing notice and he swore in all present. Cheryl Rudolph, Animal Control Officer, Dona Walsh, Animal Control Officer were present. Ms. Rudolph said that she received a complaint of a dog incident at 342 Hanlon Road on March 19, 2014. Ms. Rudolph said that the dog went down the street and the dog approached a jogger and it was growling at her. Ms. Rudolph said that the jogger talked to the dog but the dog did bite her. Ms. Rudolph said that the owner called the dog and the dog went back into the house. They did ask if the jogger was ok and the jogger said that she was not sure and the owner closed the door and that was the last of the conversation. Ms. Rudolph said that the owner is Paul and Joanne Ghelli and the victim is Carol Lesure of Hopkinton. Ms. Rudolph said that this is the second incident for this dog. She said that 2009 was the first one. Ms. Rudolph said that the first bite did not get her skin because she had too many layers of clothes on. Ms. Rudolph said that this most recent attack required medical attention. Ms. Walsh said that the owners have an electric fence around the property but the front section was not working at that time. The back yard is all enclosed with a fence.

Brian Lesure was present to represent his wife who was working. He said that they have had problems with this dog in the past and he has even been chased by it. He said that one of his son's has been chased before. Mr. Lesure said that he was bitten by this dog right in front of the owners. He said that they are not the only ones who have had a problem with the dog. Mr. Lesure said that they live at the second house just over the Hopkinton line. Mr. Lesure said that he was bitten in the arm in the Ghelli's driveway and lucky for him it did not break the skin. Ms. Ghelli said that her dogs do not bite.

Joanne and Paul Ghelli were present with their Attorney Mr. Ross. Ms. Ghelli said that Mr. Lesure did not get bit in her driveway, that is not true. She said that the electric fence did get struck by lightning but that is fixed now. She said that they were not aware that their dogs were leaving the property. She said that this is the first time that they heard about it. Ms. Ghelli said that when she saw Ms. Lesure running she said that her dog was behind her on the street and it was wagging its tail. Ms. Ghelli said that by the time she got her dog into the house Ms. Lesure was already around the corner. Ms. Ghelli said that her dogs are not typically aggressive and they have not had any incidents with anyone else. Ms. Ghelli said that they have found sticks, rocks and golf balls around the corner of their property and it looks like they were throwing it at their dogs. She said that one time she saw a male runner throw a stick at her dog. Ms. Lesure said that they have moved the fence line so that the dogs are only in the back yard. Ms. Ghelli said that they have three children and she has never had a problem.

Mr. Ghelli said that they have found things in their front yard and their dogs do bark. Mr. Ghelli said that the dogs are confined to the back yard.

Attorney Ross said that the Ghelli's have taken preventive measures to keep the dogs in the yard.

Ms. Rudolph said that they Ghelli's have done a good job in bringing the dogs into the back yard. Ms. Rudolph said that they have to look and see if this dog is a nuisance or a dangerous dog. Ms. Rudolph said that Ms. Walsh went and met the dog and the dog was fine with her. Ms. Rudolph said that the dog has now done this twice and it is on the record. Ms. Rudolph recommended that if the dogs do not stay in the back yard a second fence should be installed in the front yard in front of the electric fence and to muzzle the dog when in the front yard. Ms. Rudolph said that because the dog has bitten twice it should be deemed a dangerous dog.

Mr. Marsden asked if the Ghelli's would be willing to put up another fence. Ms. Ghelli said that people run by the house every day and there are no problems. Attorney Ross said that there is 2 acres of property. He said that the pool area is fenced in already. Mr. Marsden said that if the dog was to continue to go into the front yard a second fence should be installed because the electric fence is not working properly.

Mr. Conley said that he thinks the dog should be in a contained area behind a fence and anytime it is outside of the fence it should be muzzled. Mr. Leary said that he agrees with what Mr. Conley said.

Ms. Rudolph said that the hard fence should be just a few inches from the electric fence.

Mr. Marsden said just to make sure that we are all on the same page, the Ghelli's will be putting up a fence to keep the dogs in. If the dog goes out it has to go into the fenced enclosure. Mr. Leary said that Ms. Rudolph will check in with the Ghelli's on the fence.

MR. MARSDEN MOVED TO DEEM THE DOG A NUISANCE AND PER ORDER INSTALL A FENCE ENCLOSURE TO KEEP THE DOG SECURE ON THEIR PROPERTY. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

AT 8:25 P.M., MR. MARSDEN MOVED TO CLOSE THE HEARING. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

AT 8:29, P.M., MR. MARSDEN MOVED TO ADJOURN. THE MOTION WAS SECONDED BY MR. CONLEY. ALL IN FAVOR.

Respectfully submitted,

Donna A. Muzzy

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