



## **Town of Rochester**

### **Office of the Select Board**

1 Constitution Way, Rochester MA 02770

Phone: 508-763-3871

Fax: 508-763-4892

[www.townofrochestermass.com](http://www.townofrochestermass.com)

#### **Select Board Members**

Greenwood Hartley III, Chair

Paul Ciaburri, Vice Chair

Bradford N. Morse, Clerk

#### **Town Administrator**

Glenn D. Cannon

**Executive Assistant**

Amanda L. Baptiste

### **SELECT BOARD MEETING**

#### **MONDAY, APRIL 3, 2023**

Select Board Chair Greenwood Hartley III, Vice-Chair Paul Ciaburri, and Clerk Bradford Morse are Present.

The Select Board's Open Meeting is opened by Chair Greenwood Hartley III.

**Minutes:** Select board Member Hartley holds the minutes from the March 20, 2023 meeting for changes to be made.

**Motion:** A motion is made by Select Board Member Morse to accept the Open Session Minutes from March 6, 2023. The motion is seconded by Select Board Member Ciaburri. All members of the Board are in favor, the minutes are approved with a unanimous vote.

#### **People on the Agenda:**

**6:00 PM – Dangerous Dog Hearing: John McCusker** – Select Board Member Hartley opens the hearing, pursuant to G.L. c. 140, § 157, to determine if resident, John McCusker's dog, Nomad, is deemed a "dangerous dog" or "nuisance dog" as defines by G.L. c. 140 § 136A. Animal Control Officer Anne Estabrook, makes her statement about the incident she was called to. Next, Detective Emberg testifies. Lieutenant Kemmett then makes his testimony. Then, Officer Smith testifies. Police Chief Small recommends that the Board deem the dog a dangerous dog based on the events and provides the Board with written testimony from a bail clerk involved. Next, John McCusker makes his testimony on behalf of his dog. The meeting is opened to anyone that would like to speak on behalf of the dog, Nomad. A delivery driver, Timothy Lynch makes a statement saying he frequents the home and has never had an issue with the dog. The Board discusses and finds that the dog is considered a dangerous dog by definition but, will put the dog on a six-month probation. If there are no attacks within that period the dog will no longer be deemed dangerous.

**Motion:** A Motion is made by Select Board Member Morse to close the dog hearing. This motion is seconded by Select Board Member Ciaburri. All Members of the Board are in favor, the motion passes with a unanimous vote.

**Motion:** A Motion is made by Select Board Member Morse to declare Nomad as a dangerous dog. This motion is seconded by Select Board Member Ciaburri. All Members of the Board are in favor, the motion passes with a unanimous vote.

**Motion:** A motion is made by Select Board Member Morse that the dog be humanly restrained and kept on the premises of his owners. In six-months the Board will revisit this matter. This motion is seconded by Select Board Member Ciaburri. All Members of the Board are in favor, the motion passes with a unanimous vote.

**Select Board Signature:**

**Employee Retirement Citation for Jim Dexter –**

**Motion:** A motion is made by Select Board Member Morse to sign the citation for James Dexter as presented. This motion is seconded by Select Board Member Ciaburri. All Members of the Board are in favor, the motion passes with a unanimous vote.

**Road Usage Event Request: Tour de Crème –** The Tour de Crème is requesting use of Town Roads on May 21, 2023; Police, Fire, and Highway have already signed off in support of the event.

**Motion:** A motion is made by Select Board Member Morse to approve the road usage event for the Tour de Crème on Sunday, May 21, 2023. This motion is seconded by Select Board Member Ciaburri. All Members of the Board are in favor, the motion passes with a unanimous vote.

**Correspondence:**

**Town Planner Nancy Durfee: Request to Form the Hazard Mitigation Plan Committee –** Town Planner Nancy Durfee presents to the Board a request to form a Hazard Mitigation Plan Committee. The Committee would be made up of the Town Planner, Fire Chief, Facilities Manager, Highway Surveyor, Police Chief, Building Commissioner, a member of the Select Board, and two residents. She lets the Board know that having this Committee would put the town in good standing with FEMA and NEMA if there were to be a natural disaster.

**Motion:** A Motion is made by Select Board Member Morse to appoint: Nancy Durfee, Scott Weigel, Andrew Daniel, Shaun Morrison, Paul Ciaburri, Jeff Eldridge, Robert Small, Paul Boucher, and Sarah Williams to the Hazard Mitigation Plan Committee. This motion is seconded by Select Board Member Ciaburri. All members of the Board are in favor, the motion passes with a unanimous vote.

**Town Administrators Report:**

- Town Administrator Cannon lets the Board know a grant was received for the Cultural Council in the sum of \$5,800.
- Town Administrator Cannon attended a Capital Planning Committee meeting, they have settled on \$148,531 of Capital Projects. Town Administrator Cannon lets the Board know there is about \$52,000 left over from this year and the Committee is going to reach out to the Highway Surveyor, Jeff Eldridge, to see if there is any equipment he needs.
- Town Administrator Cannon attended a Water Line meeting in the Town of Middleboro to discuss the possibility of supplying water to Old Colony.
- Town Administrator Cannon lets the Board know there will be a pre-Town Meeting on Tuesday, April 18, 2023. Select Board Member Hartley lets Mr. Cannon know he will not be available that day. They will discuss possibly rescheduling.
- Town Administrator Cannon states the Old Rochester School track will be closed for the Spring season to undergo repairs.
- Town Administrator Cannon notes the Rochester Historical Commission has an event scheduled for May 7, 2023 at the Town Hall.
- Town Administrator Cannon then states that he received back the signed stipulation of agreement from Bristol County Agricultural School.
- Town Administrator Cannon next lets the Board know the Governor has signed a supplemental budget that allows for remote and hybrid meetings to continue at least until March 31, 2025.
- Town Administrator Cannon reminds the Board that there is an Open Meeting Law training at the Council on Again on Monday, April 10, 2023, followed by a presentation from the State on the Green Communities Act.

**Old Business:**

**Payroll and/or Vendor Warrant Approvals** – Select Board Member Ciaburri notes all payroll and vendor warrants have been signed since last meeting.

**Stretch Energy Code** – The Board discusses the Stretch Code Energy article that is on the annual Town Meeting warrant. Select Board Member Hartley states he will vote to have the article remain on the Warrant for residents to vote on but, he strongly encourages residents to come to the presentation on April 10, 2023 to learn more.

**Motion:** A Motion is made by Select Board Member Morse to place an Article on the Town Meeting Warrant to rescind Article 4 of the November 18, 2018 Special Town Meeting titled Stretch Energy Code General By-Law. This motion is seconded by Select Board Member Ciaburri. All Members of the Board are in favor, the motion passes with a unanimous vote.

**New Business:**

**Fire Department Cost of Living Adjustment** - Town Administrator Cannon asks the Board to vote on COLA for the Fire Department to ensure their inclusion after last meeting's COLA vote.


**Motion:** A motion is made by Select Board Member Morse to give the firefighters the 3% COLA. This motion is seconded by Select Board Member Ciaburri. All Members of the Board are in favor, the motion passes with a unanimous vote.

Adam Murphy and Kristine Nash, of the Personnel Board are in attendance to discuss employees, such as the fire fighters, that are not considered either By-Law or contracted. Ms. Nash and Mr. Murphy express their concern as to where these employees fall and if there is a policy for these employees.

Select Board Member Hartley lets everyone know that Veterans Agent, Chris Gerrior would like for there to be more of a Memorial Day Celebration. Select Board Member Hartley would like to have this put on the agenda for the next meeting.

**Adjournment:**

**Motion:** Select Board Member Morse makes a motion to adjourn the meeting. The motion is seconded by Select Board Member Ciaburri. All members of the Board are in favor, the motion passes with a unanimous vote.



---

Bradford N. Morse, Clerk