Select Board Meeting Minutes **August 17, 2026**

Present: Chairman Dan Haskins, Selectman Colton Andrews Selectman Seth Alexander, Town Administrator Ronald Boucher, Berkshire Health Alliance Representative Jazu Stine, Berkshire Public Health Alliance Representative Valerie Bird, Berkshire Public Health Alliance Representative James Massey, Animal Control Officer Diana Worth.

I. Call to Order.

Chairman Dan Haskins called the meeting to order at 5:00 p.m. and noted that the meeting was being recorded using artificial intelligence for note-taking purposes.

II. Pledge of Allegiance.

The Pledge of Allegiance was recited.

III. Approve meeting minutes from August 3rd.

The Board delayed the approval of meeting minutes further into the meeting once Selectmen Alexander was present to also review.

IV. Jazu Stine of Berkshire Public Health Alliance to discuss making changes to fee schedules.

The Select Board discussed proposed changes to the Town's food service permit fee schedule with Jazu Stine from the Berkshire Public Health Alliance. Mr. Stine explained that the proposed changes are part of an effort to rework and streamline the permitting system and make the fee structure more consistent and reflective of the actual time and work required for inspections and permitting.

He explained that the current fee schedules vary among municipalities and appear to have developed over time without a consistent basis. After reviewing the requirements with the state, it was determined that municipalities have flexibility in how food establishments are categorized, with certain specific categories, such as frozen desserts and milk, having additional requirements. The proposed system would instead categorize food establishments according to risk levels, following the framework used by the FDA and the system inspectors are trained to use. The risk levels correspond with the required frequency of inspections, making it easier to determine appropriate fees regardless of whether an establishment is a restaurant, bakery, takeout establishment, or another type of food service business.

Mr. Stine also explained that the proposed fee structure is intended to make fees more reflective of the actual staff time and resources required to administer and inspect each

establishment. The proposed changes would take effect immediately, with the possibility of incremental increases in the future.

The Select Board expressed support for the proposed changes and agreed that updating the fee schedule would provide a more consistent and logical system, particularly as new businesses come into Town. A motion was made to approve the updated food service fee schedule as proposed.

MOTION: Selectman Andrews motioned to approve the proposed changes to fee scheduling for food permitting.
SECOND: Chairman Haskins seconded.
VOTE: All were in favor.

V. Discuss and approve 573 River Rd. condemnation.

The Select Board returned to discuss and formally approve the condemnation of 573 River Road. Valerie Bird explained that the property had been condemned approximately one month earlier through an emergency condemnation, but a formal vote by the Select Board had not yet been completed. She reported that she had accompanied the Attorney General's Office to inspect 573 River Road and 750 Daniels Road and that both properties were approved to proceed into receivership. The Attorney General's Office will issue demand letters and proceed with the receivership process.

MOTION: Selectman Andrews motioned to approve the condemnation of 573 River Rd.
SECOND: Chairman Haskins seconded.
VOTE: All were in favor.

The Board then discussed the status of 750 Daniels Road with the property owners, who questioned why the property would still proceed to receivership after they had taken steps to address some of the concerns, including arranging for electrical work and removing debris from the property. The property owners stated that they had spent approximately $10,000 on cleanup and electrical-related expenses and provided or were obtaining invoices and receipts for the work performed.

Ms. Bird explained that although some cleanup had been completed, substantial debris and other materials remained on the property, including a condemned trailer. She stated that the

property was still proceeding through the receivership process and that the Attorney General's Office was now involved. The owners were advised that documented expenses for cleanup and other work they had completed could be presented as part of the receivership process and would be taken into consideration against work that a receiver would otherwise have to perform.

The Board and property owners discussed the remaining debris, the condemned trailer, the electrical service, and the status of the property. It was explained that the Attorney General's Office would be handling the matter moving forward and that the owners would receive a letter containing contact information and further information regarding the process. The Board noted that the matter had been ongoing for an extended period and that previous deadlines provided to the property owners had not been met, which contributed to the current receivership process.

The property owners expressed disagreement with the receivership and stated that they believed they had complied with the applicable requirements. The Board explained that the receivership process had already begun and that any disagreements regarding the process or associated costs could be addressed through the court proceedings. The owners were advised to retain and provide documentation of their cleanup and electrical expenses for consideration during the process.

Ms. Bird confirmed that the matter was now in the hands of the Attorney General's Office and that the property owners should receive correspondence shortly with the appropriate contact information. The Board thanked Ms. Bird for her work on the matter.

VI. Maria LeFleur of 126 Cross Rd. to discuss neighborhood dog situation.

The Selectboard next heard from residents regarding an ongoing neighborhood dog situation on Cross Road. Maria LeFleur, 126 Cross Road, and Josh Goodell, 126 Cross Road, addressed the Board regarding repeated barking from dogs at a neighboring property. The residents stated that the barking has been an ongoing issue for an extended period of time and occurs both during the day and at night. They reported that the barking is disruptive to their ability to enjoy their property, interferes with visitors and family gatherings, and has awakened them during nighttime hours.

The residents also stated that there had previously been issues with the dogs running loose, but that the property had since been fenced. They indicated that they have attempted to address the matter and have provided videos documenting the barking. They expressed

frustration that the dogs continue to bark for extended periods, particularly when the owner is not home.

The property owner disputed that her dogs were solely responsible for the barking and stated that there are other dogs in the surrounding neighborhood that also bark. She questioned the recording of the dogs from the neighboring property and stated that she believes her household has been singled out regarding complaints. She also stated that the dogs are quiet when the neighbors are speaking to them.

Chairman Haskins reminded everyone present that the discussion needed to remain civil and that comments and questions should be directed through the Chair rather than becoming an argument between the parties.

The Board discussed the Town's nuisance provisions and the applicable regulations concerning barking dogs. It was noted that barking occurring during certain nighttime hours may be subject to enforcement and/or fines, depending upon the applicable Town bylaws. The Board reviewed information previously provided regarding the matter.

The residents reiterated that the barking occurs both when the dogs are outside and at times when the owner is not home. They stated that they understand that dogs naturally bark but believe the frequency and duration of the barking constitute an ongoing nuisance. They requested that the matter be addressed through the appropriate Town process.

The Board also discussed the property's previous kennel license. It was noted that the property had obtained a kennel license the prior year and that a current kennel license is required. The Board was informed that there are currently five dogs at the property, consisting of three larger dogs and two smaller dogs. The Board will review the applicable kennel licensing and nuisance provisions and determine the appropriate next steps regarding the complaints.

The property owner stated that she is in the process of renovating her basement to create a designated room for the dogs. She also stated that she has attempted to address the situation and has limited the dogs' time outside in an effort to avoid further complaints. She expressed frustration with the ongoing dispute and stated that she believes the complaints are directed specifically toward her property, noting that there are other dogs in the neighborhood.

The residents also referenced previous incidents in which the dogs had gotten loose and entered their property, damaging gardens and flower beds. They stated that the dogs are now

generally contained but continue to bark extensively, including while inside the house and barking through an open window facing the neighboring property.

The Board acknowledged the concerns raised and emphasized that the matter should remain focused on the dog nuisance issue rather than other disputes between the neighboring residents. They discussed the possibility of formally declaring the dogs a nuisance. It was explained that the issue would be considered a nuisance animal matter and that, if a formal complaint were filed and the animals were determined to be a nuisance, enforcement could include fines. The Board discussed a potential $50 fine associated with violations.

The Board questioned whether all five dogs would need to be identified as nuisance animals or whether the complaint could be limited to specific dogs. It was noted that the complaints involved multiple dogs and that additional information may be necessary to determine which animals are responsible for the nuisance. The Board also discussed what type of evidence would be sufficient to establish a violation. Animal Control Officer Diana Worth indicated that firsthand observation of the barking, as well as audio or video evidence documenting the nuisance, could be considered. The Board discussed whether videos previously provided by the residents would be sufficient documentation for enforcement purposes.

A question was also raised regarding whether barking by dogs while inside the residence, including barking through an open window, would constitute a nuisance in the same manner as dogs barking while outside. Ms. Worth stated that she would need to review the applicable law and regulations to determine whether there is a distinction between indoor and outdoor barking. The Board expressed a desire to ensure that any action taken is consistent with the law and the process is followed correctly, particularly because the Town has not previously handled a similar nuisance-dog matter through this process.

The Board agreed that additional review of the applicable nuisance, kennel licensing, and noise provisions would be necessary before proceeding with a formal determination.

MOTION: Selectmen Andrews motioned to approve a nuisance dog order for 140 Cross Rd. with a $50 fine per dog per violation moving forward.
SECOND: Chairman Haskins seconded.
VOTE: All were in favor.

VII. Approve meeting minutes from August 3rd.

MOTION: Chairman Haskins motioned to approve the meeting minutes from August 3rd.

SECOND: Selectman Alexander seconded.

VOTE: All were in favor.

VIII. Appoint Ron Boucher as deputy warden for September 1st primary.

The Board discussed the need to appoint additional election personnel for the September 1, 2026 State Primary Election. It was explained that several individuals who were expected to be available are no longer available, and the appointment would provide additional coverage if needed.

MOTION: Selectman Alexander motioned to appoint Ron Boucher as deputy warden for the September 1st primary election.

SECOND: Selectman Andrews seconded.

VOTE: All were in favor.

IX. Town Administrator updates.

The Town Administrator provided an update on the Housing Rehabilitation Program. Information regarding the program has been posted on the Town website. Funding is anticipated to become available either later this month or in September.

Residents interested in having eligible work completed on their homes were encouraged to review the information on the Town website and submit the required paperwork. Applications will be placed on a waiting list, and residents were encouraged to submit their information as soon as possible.

The Board received an update regarding the North Eagle Street Sewer Project. Bids were opened approximately two weeks ago and the bid information was forwarded to Tighe & Bond for review. A recommendation regarding the lowest qualified bidder has been received.

Mr. Boucher stated that she will meet with DPW Superintendent Kyle Hurlbut upon his return to review the recommendation and confirm that the Town is in agreement before moving forward. The Board discussed that the lowest bid must be from the lowest qualified bidder and that the qualifications and background information must be considered as part of the process.

The Town Administrator provided an update regarding the Route 8 bridge closure and related detour concerns. The Town received reports of tractor-trailers and other vehicles traveling toward the closed bridge and having difficulty recognizing the detour. One tractor-trailer reportedly entered a resident's driveway and crossed the resident's lawn after reaching the bridge closure.

Mr. Boucher contacted MassDOT regarding the situation and requested improved signage and additional flashing warning lights near the detour barriers. Similar flashing lights are being used at other locations and were suggested as a way to make the closure more noticeable to motorists.

The Board also discussed safety concerns near the upper portion of River Road where traffic must maneuver around the barriers and temporarily enter the opposing travel lane. Members expressed concern about vehicles traveling at excessive speeds through the area and the potential for head-on collisions, particularly because of the roadway configuration and limited visibility near the hill.

A recent near-collision involving a vehicle coming from Middle Road was also discussed. The Board noted that vehicles traveling north on River Road have to maneuver around the barrier while approaching traffic may be traveling at a high rate of speed.

The Board discussed the possibility of additional warning measures, including flashing lights and improved signage, to alert motorists before they reach the closure. The Town Administrator stated that MassDOT had been contacted regarding these concerns and that she would continue to follow up.

The Board also received an update that one of the concrete bridge stanchions had been installed. Discussion continued regarding the progress of the temporary bridge project and concerns that some aspects of the project and detour may have been implemented quickly.

The Board was informed that culvert work on South Middle Road is expected to begin the following week.

The Board was reminded that the Clarksburg Pickle Festival is scheduled for August 29, 2026, from 12:00 p.m. to 6:00 p.m. at the Town Field.

X. Public Comment.

Chairman Haskins opened the floor to public comment. No public comments were offered.

XI. Adjourn.

MOTION: Chairman Haskins motioned to adjourn the meeting at 5:47 p.m.
SECOND: Selectman Alexander seconded.
VOTE: All were in favor.

Respectfully submitted,

Markell Shea, *Town Executive Assistant*

_____

Selectboard,

Dan Haskins, *Chair*	**Colton Andrews**, *First Vice Chair*	**Seth Alexander**, *Second Vice Chair*