



TOWN OF NORFOLK

SELECT BOARD

ONE LIBERTY LANE
NORFOLK, MASSACHUSETTS

Blythe C. Robinson
Town Administrator

(508) 440-2855
(508) 541-3366 FAX

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the June 29, 2020 7:00 PM public meeting of the Norfolk Select Board shall be physically closed to the public to avoid group congregation.

Alternative public access to this meeting shall be done via Zoom online video conferencing. This application will allow users to view the meeting and provide comments during allocated windows as outlined in the Board's Public Comment Policy. To join, follow the web link or call the dial-in number listed below under the start time/Call to Order. The meeting will be recorded for future rebroadcast by Norfolk Community Television. For more information on getting connected and using the video conference features, please visit

<http://www.norfolk.ma.us/assets/files/news/resident-zoom-guide.pdf>

7:00 p.m. Call Meeting to Order

Zoom Meeting Link: <https://zoom.us/j/3560716045>

Zoom Meeting Call-In: 1-929-205-6099 (Meeting ID 3560716045)

1. Public Comment

Action Items

- 2. Please consider the extension of an interim restraining order for a dog owned by Ms. Melissa Mitchell in accordance with the Town's General Bylaws, Article XIII, Section 3.F.**
- 3. Please consider ratifying the designation of the Police Chief to file notice with the Attorney General's Office regarding the postponement of the Annual Town Meeting date to June 27th.**

Report of Warrants

4. The following warrants have been signed:

- 6/23/2020 52V20 \$717,279.00 (KK)**
- 6/23/2020 52VSA20 \$230.37 (KK)**
- 6/23/2020 52VS20 \$65,635.46 (KK)**

Any other unanticipated business that may come before the Board

ADJOURNMENT



Blythe C. Robinson, Town Administrator



TOWN OF NORFOLK

SELECT BOARD

ONE LIBERTY LANE
NORFOLK, MASSACHUSETTS

Blythe C. Robinson
Town Administrator

(508) 440-2855
(508) 541-3366 FAX

June 25, 2020

MEMO TO: Select Board

From: Blythe C. Robinson, Town Administrator *BCK*

RE: **Agenda Background – June 29, 2020**

Below please find background material on each of the items on the agenda as well as draft motions that you can consider where action is required.

1. Public Comment
2. Please consider the extension of an interim restraining order for a dog owned by Ms. Melissa Mitchell in accordance with the Town's General Bylaws, Article XIII, Section 3.F.

Included in your packet is a temporary restraining order issued by Hilary Cohen, the Town's Animal Control Officer, to Ms. Melissa Mitchell for her dog as a result of an incident on June 13th. On that day Ms. Mitchell's dog bit a minor child who was present on her property. The Town's General Bylaws (also enclosed) provide that the Animal Control Officer may issue a temporary restraining order for up to 14 days after which the order can be either extended by the Select Board, or vacated if the Board takes no action. The date of this meeting is the 14th day after the restraining order was received by our office, and thus the last day that the Board can act if it decides to do so.

At the meeting the following parties will be present:

- Hilary Cohen, Animal Control Officer
- Melissa Mitchell, dog owner
- Sarah Durand & Brian Beachkofski – parents of the minor child
- Christopher Wider – Animal Inspector

I recommend that the Board first hear from Ms. Cohen with regard to her report and the dog's history. Following that it is recommended that the family of the victim have an opportunity to speak, after which the dog owner should also be given the opportunity to speak. Mr. Wider, the Town's Animal Inspector will also be at the meeting, as his role in this event was to quarantine the dog for 10 days after being alerted to the incident by the Animal Control Officer per State law.

The Board has several options in this case which include:

- Take no action and the order would be vacated
- Act to extend the order as written. The practice in Norfolk has been to make an order permanent which has been interpreted to mean the life of the dog
- Act to extend the order but modify the conditions in some manner. Ms. Cohen can discuss with you what options there might be.

MOVE that the Board vote to extend and make permanent the restraining order issued by the Animal Control Officer for the dog named Annabelle, owned by Ms. Melissa Mitchell.

3. Please consider ratifying the designation of the Police Chief to file notice with the Attorney General's Office regarding the postponement of the Annual Town Meeting date to June 27th

In response to the COVID-19 pandemic a number of legislative changes were approved by the State to facilitate spring Town meetings and provide Towns with flexibility to address financial matters. In particular, Moderator's were given more latitude to change the date of a Town Meeting in order to address either inclement weather, a public safety emergency or both that would impact those attending the meeting. Besides the Moderator issuing a notice of declaration to recess or continue the meeting, a required step is to have "a local public safety or public health official designated by the Board of Selectmen" submit a report to the Attorney General providing justification for the declaration, per section "d" of the statute. As the decision to change the meeting date didn't occur until Monday, June 22nd, there was no time to have the Board meet to vote on the declaration. At Town Counsel's recommendation we have already filed this notice, under the signature of the Police Chief. Counsel further recommended that the Board act to ratify the designation of the Chief for this purpose. We did consider asking Board of Health Chair Tom Gilbert to handle the filing, but were not sure we would be able to reach him for a signature. Copies of the letter, Moderator's declaration, Town Counsel recommendation and the law on this topic are all enclosed for your information.

MOVE that the board ratify the designation of the Police Chief to file notice with the Attorney General's Office regarding the postponement of the Annual Town Meeting date to June 27th.

4. The following warrants have been signed:

- 6/23/2020 52V20 \$717,279.00 (KK)
- 6/23/2020 52VSA20 \$230.37 (KK)
- 6/23/2020 52VS20 \$65,635.46 (KK)

Norfolk Police Department
14 Sharon Ave
Norfolk, Massachusetts
(508) 528-3206
Incident Report



Incident Number: 202000005716
File No: N/A
Dispatch Incident Number: N/A
Print Date: June 25, 2020
Printed By: hcohen

| Incident Information | | | | | | | | | | |
|---|-----------------|------------|---|----------------|-----------------|---|-----------|--------------------------------|-----------|-----------|
| Occurred On/From | Day of Week Sat | Date | Time | Occurred To | Day of Week Sat | Date | Time | Reported On → | Date | Time |
| | | 06/13/2020 | 5:44:00PM | | | 06/13/2020 | 5:44:00PM | | 6/15/2020 | 9:15:00AM |
| Reported As DOG V HUMAN | | | Incident Type - Primary Animal Complaint | | | Arresting Officer | | | | |
| Incident Address 90 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | Reporting Officer Hillary Cohen (HNP1) | | | | |
| Sector NORTH | | Stat. Area | | Sub Stat. Area | | Census Tract | | Landmark | | |
| Business Name N/A | | | Incident Types - Other | | | | | Action Taken Assisted Party | | |

| Related Incident Summary | | | |
|--|------|--------|-------|
| Incident No. | Date | Nature | Notes |
| No Related Incidents reported for Incident #: 202000005716 | | | |

| Incident Remarks: |
|---|
| MECC REPORTING 13 YEAR OLD BITTEN BY PITBULL WHILE AT NEIGHBOR'S HOUSE. |

| Associated Persons Summary | | | | | | |
|--|-----------------------------|---------------|-----|--------------|--------------|--------------|
| Type | Name (Last, First, MI) | Date of Birth | Sex | Home Phone # | Cell Phone # | Work Phone # |
| Owner | MITCHELL, MELISSA ANNE | : | F | (| N/A | N/A |
| Address: 90 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | |
| Parent/Guardian | DURAND, SARAH E | | F | N/A | | N/A |
| Address: 94 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | |
| Parent/Guardian | BEACHKOFSKI, BRIAN KERTTULA | | M | | N/A | N/A |
| Address: 94 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | |
| Victim | J | | M | N/A | N/A | N/A |
| Address: A 02056 | | | | | | |
| Involved | RAMPINO, MARY-ANNE | | F | N/A | | N/A |
| Address: 90 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | |

| Associated Businesses Summary | | | |
|--|------|-----------------|-------------------|
| Type | Name | Primary Phone # | Secondary Phone # |
| No Associated Businesses reported for Incident #: 202000005716 | | | |

| Involved Officers | | | |
|-------------------|-----------------|-------------------|----------------|
| Officer Title | Officer Name | Officer Type | Division |
| N/A | Hillary N Cohen | Reporting Officer | Animal Control |

| IBR/UCR Offenses | | | | |
|--|----------|---------|---------|-----------------------------------|
| Offense Number | IBR Type | Chapter | Section | Statute ID / IBR Type Description |
| No Incident Offenses Recorded for Incident #: 202000005716 | | | | |

| Complaint Charges | | | | |
|---|---------|---------|------------------------|------------------------|
| Seq # | Chapter | Section | Name (Last, First, MI) | Description of Offense |
| No Complaint Offenses Recorded for Incident #: 202000005716 | | | | |

Norfolk Police Department
 14 Sharon Ave
 Norfolk, Massachusetts
 (508) 528-3206
Incident Report



Incident Number: 202000005716
 File No: N/A
 Dispatch Incident Number: N/A
 Print Date: June 25, 2020
 Printed By: hcohen

| Victims | | | | | | |
|-------------|-------------|------|------|---------------|----------------------|-----------------------|
| Victim Type | Victim Name | Sex | Race | Ethnic Origin | Hospital Destination | Transport Description |
| N/A | J I | Male | N/A | N/A | N/A | N/A |

| Vehicle Info | | | | | | |
|---|---------------------------|-----|---------------|--------------|---------------|--|
| Reg Plate - State (Year) | Vehicle Year, Make, Model | VIN | Primary Color | Second Color | Insurance Co. | |
| No Vehicle Info Recorded for Incident #: 202000005716 | | | | | | |

| Property |
|--|
| No Property Info reported for Incident #: 202000005716 |

| Citations | | | | | | |
|--|------|------|--------|---------|-------------|--|
| Citation No | Code | Date | Status | Statute | Description | |
| No Citations reported for Incident #: 202000005716 | | | | | | |

| Permits | | | | | | |
|--|------|------------|-------------|--------|-----------------|--|
| Permit No | Type | Issue Date | Expire Date | Status | Issued To/Notes | |
| No Permits recorded for Incident #: 202000005716 | | | | | | |

Norfolk Police Department
14 Sharon Ave
Norfolk, Massachusetts
(508) 528-3206
Incident Report



Incident Number: 202000005716
File No: N/A
Dispatch Incident Number: N/A
Print Date: June 25, 2020
Printed By: hcohen

Narratives for Incident Number 202000005716 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: Hillary Cohen (HNP1) Division: Animal Control

| <u>Date & Time</u> | <u>Narrative Description</u> | <u>Entered by</u> | <u>Status</u> | <u>Reviewed by</u> | <u>Last Edit Date</u> |
|------------------------|------------------------------|----------------------|---------------|---------------------------|-----------------------|
| 06/15/2020 11:50 | | Hillary Cohen (HNP1) | Closed | LIEUTENANT Robert Shannon | 06/15/2020 |

THIS REPORT MAY OR MAY NOT CONTAIN ALL INFORMATION KNOWN TO THE NORFOLK POLICE DEPARTMENT OR THE NORFOLK ANIMAL CONTROL DEPARTMENT

On Saturday June 13th 2020 I, ACO/SPO Cohen, received a call from MECC regarding a dog bite to a child. The caller, Sarah Durand, is the mother of the victim and resides at 94 Boardman Street, Norfolk, MA. Durand stated that her son, was playing at his friend's house at 90 Boardman Street and the dog that resides at 90 Boardman Street bit him in the right calf. Durand stated that her husband, Brian Beachkofski, drove their son to the hospital for medical care. I spoke with Durand on the phone and relayed the following: That the dog involved, Annabelle, is licensed and vaccinated for rabies. I also asked Durand to contact her husband and take photos of the injury prior to medical care (photos and description are attached to this incident).

Durand stated that 3 years ago her dog was bitten (on the Durand's property) while it was loose and not in compliance with the leash law or licensing law. *See Last two pages for incident*

On Monday June 15th 2020, I spoke with the dog owner, Melissa Mitchell of 90 Boardman Street. Mitchell states she was not home when the incident occurred, and that her mother, Mary-Anne Rampino (same address), had put the dog out on the runner on their property and didn't realize that was outside playing with Mitchell's son. Mitchell states that she is moving out of Norfolk as soon as her house in Medway is finished. Mitchell stated this to me in the dog incident from 3 years ago as well. Mitchell also stated that she has used a dog trainer in the past named Tim Morgan of Mulligan Kennels in Weymouth. She also stated that she hasn't used the dog trainer recently because of Covid. While speaking with Mitchell she stated to me that she felt that was not seriously injured and didn't appear to understand the severity of the situation. I explained to her that the victim and his family may request a dangerous dog hearing under MGL. I inquired if she was willing to fence in her property and she stated the house is owned by her mother so she was not willing to, and due to the fact she stated she was moving, would not be possible.

Durand states that in the previous incident 201700005435, there was another dog bite, but it wasn't reported because it happened when her dog was loose, went upon Mitchell's property. While speaking with Durand on follow up she stated that Mitchell has been saying they were moving for several years now. I was able to ascertain through an assessors property search that they do indeed have a property in Medway at 18 Populatic Street and it is listed under Jeffrey Brady. Medway Animal Control has no known history on this dog.

Due to the bite history I will be ordering a temporary restraining order to prohibit their dog being outside unless it is leashed, handled by an appropriate adult, and muzzled. Email has been sent to the animal inspector to quarantine the animal.

I have placed a call to Mulligan Kennels, left a voicemail and also reached out to them through social media. I have not heard back yet.

A citation and the restraint order will be delivered via constable.

On the Dr. Ian Dunbar bite scale, this bite is a level 3 or a level 4. Still awaiting clarification from victim regarding those parameters.

More to follow: Supervisor, please do not close this card at this time.

Norfolk Police Department
 14 Sharon Ave
 Norfolk, Massachusetts
 (508) 528-3206
Incident Report



Incident Number: 202000005716
 File No: N/A
 Dispatch Incident Number: N/A
 Print Date: June 25, 2020
 Printed By: hcohen

Narrative by: Hillary Cohen (HNP1) Division: Animal Control (continued)

| Date & Time | Narrative Description | Entered by | Status | Reviewed by | Last Edit Date |
|------------------|-----------------------|----------------------|--------|---------------------------|----------------|
| 06/15/2020 11:50 | | Hillary Cohen (HNP1) | Closed | LIEUTENANT Robert Shannon | 06/15/2020 |

Signature - Reporting Officer

Signature - Reviewing Officer

Narrative by: Hillary Cohen (HNP1) Division: Animal Control

| Date & Time | Narrative Description | Entered by | Status | Reviewed by | Last Edit Date |
|------------------|-----------------------|----------------------|--------|---------------------------|----------------|
| 06/16/2020 08:09 | | Hillary Cohen (HNP1) | Closed | LIEUTENANT Robert Shannon | 06/16/2020 |

citation and restraint order added to the incident.

Signature - Reporting Officer

Signature - Reviewing Officer

Narrative by: Hillary Cohen (HNP1) Division: Animal Control

| Date & Time | Narrative Description | Entered by | Status | Reviewed by | Last Edit Date |
|------------------|-----------------------|----------------------|--------|-------------|----------------|
| 06/25/2020 08:57 | | Hillary Cohen (HNP1) | Open | | 06/25/2020 |

THIS REPORT MAY OR MAY NOT CONTAIN ALL INFORMATION KNOWN TO THE NORFOLK POLICE DEPARTMENT OR THE NORFOLK ANIMAL CONTROL DEPARTMENT

This is a supplemental (follow up report) for the dog bite incident that transpired between Melissa Mitchell's dog.

I have placed multiple calls to the dog trainer and have not been contacted back except for the initial return call which was a voicemail. The trainer did state that he would like to talk with me to talk about a plan going forward. I contacted back, included my work number and my personal cell number because the trainer stated on his voicemail that he is incredibly busy during the daytime so this would give the trainer an opportunity to talk with me at a time more convenient for him. I have not heard back.

Service to the dog owner of my temporary order and a citation was delivered via constable on June 16th, 2020 successfully.

I have also attached updated photos and emails from the victim's father to this report.

As of this date, I have had no calls for service or reason to believe that the dog owners are not complying with the protocols of the temporary order that was placed.

Due to the fact that I was not able to get a depth of measurement on the wound specifically from when it happened, I cannot determine whether the dog bite is in fact a 3 or a 4 on the Dr. Ian Dunbar bite scale.

Signature - Reporting Officer

Signature - Reviewing Officer

Norfolk Police Department
14 Sharon Ave
Norfolk, Massachusetts
(508) 528-3206
Incident Report



Incident Number: 202000005716
File No: N/A
Dispatch Incident Number: N/A
Print Date: June 25, 2020
Printed By: hcohen

| External References | | | | | | |
|---------------------|----------|-------------|----------|---|----------|---------|
| Added | Added By | Description | Category | Filename | Active | Expires |
| 06/15/20 13:35 | hcohen | | | C:\Users\hcohen\Downloads\ 20200615133214941.pdf | 06/15/20 | |
| 06/15/20 13:35 | hcohen | | | C:\Users\hcohen\Downloads\ 20200615133303322.pdf | 06/15/20 | |
| 06/15/20 13:47 | hcohen | | Document | C:\Users\hcohen\Downloads\ 20200615134538143.pdf | 06/15/20 | |
| 06/16/20 08:05 | hcohen | | Diagram | C:\Users\hcohen\Downloads\ 20200616080052112.pdf | 06/16/20 | |
| 06/25/20 09:07 | hcohen | | Document | C:\Users\hcohen\Downloads\ 20200625085431140.pdf | 06/25/20 | |

Norfolk Animal Control

Norfolk Police Department
117 Main Street
Norfolk, MA 02056
(508) 440 2816

June 15, 2020

1 Liberty Lane
Norfolk, MA 02056

Dear Town Administrator:

Under town by laws ART XIII SEC 3F1, I am issuing a temporary restraint order on the owner/dog that resides at 90 Boardman Street, Norfolk. The dog in question is listed as a Pitbull type dog, black, named Annabel, and is currently owned by Melissa Mitchell of the same address. Annabel bit a juvenile over the weekend while the child was at a playdate at 90 Boardman Street.

The juvenile did seek medical attention at the hospital and the wound was substantial. Although I am still actively investigating this incident, I am requesting the Select board to review my preliminary report and either issue a permanent restraining order or vacate the temporary order. The juvenile victim has received stitches, is going to a plastic surgeon today for follow up and will need rehabilitation in the future.

This is not the first bite incident for this dog. It has bitten a dog in the past while at large, and there is mention of another bite incident previous to that, but there was no report of it as it wasn't reported at the time.

It is unknown at this time if the parents of the victim would like to go forward with a dangerous dog hearing. I will keep your office up to date on any developments. A citation has not been issued as of yet, as the police department on Sharon Avenue has my case file from the 2017 incident and I need to ascertain those records to set the fine amount for this current incident.

I have spoken with Melissa Mitchell and she is not willing to provide a fenced in enclosure for her dog which is why it is paramount that this dog be restrained in a manner to prevent the animal from attacking again.

Sincerely,



Hilary N. Cohen
Norfolk Animal Control

Norfolk Animal Control

Norfolk Police Department
117 Main Street
Norfolk, MA 02056
(508) 440 2816

June 15, 2020

90 Boardman Street
Norfolk, MA 02056

Dear Melissa Mitchell:

Under town by laws ART XIII SEC 3F1, I am hereby placing an interim restraining order on your dog, Annabelle, residing at 90 Boardman Street due to the most recent bite incident. Due to prior history with your dog being at large, showing aggressive behavior, and biting on more than one occasion I hereby order you to the following:

1. You must walk your dogs upon a leash at all times when outside your dwelling.
2. Your dogs must only be walked on a leash no longer than 6 feet and controlled by a responsible adult.
3. Your dog must wear an appropriate muzzle at all times when outside of your dwelling.

A copy of this order will be forwarded to the board of Selectmen to determine whether this order will stay standing or be vacated after 14 days. Under MA Gen Law MGL Ch 140 ss 157, any person at any time may petition the Hearing Authority for a public hearing regarding your animal's behavior and the hearings authority may impose actions that would need to be met in order to keep your animal contained so that they do not pose a public safety threat in the future.

Citation remedy: You have 21 days to pay or contest the citation relative to the incident on 6/13/2020. You may either pay the citation at the town clerk's office, or you may contest it through Wrentham District Court. Failure to act upon the citation may result in criminal charges being filed through Wrentham District Court.

Sincerely,



Hilary N. Cohen
Norfolk Animal Control



TOWN OF NORFOLK
 Notice of Violation
 Town By-Law or Civil Infraction

Nº 2733

(Date of this Notice) 6/16 2020
 To: Melissa Mitchell
 (Name of Offender)
90 Boardman St
 (Address of Offender)
Norfolk, MA 02056 | 3/20/84
 (City, State, Zip Code) Date of Birth of Offender

YOU HAVE BEEN OBSERVED VIOLATING:
Art XIII Sec 3B5
 (Specific Law, By-Law or Regulation)
 By: biting a human
 (Act Constituting Violation)

at: 17:44 (A.M./P.M.) on 6/13 2020
 (Time and Date of Violation)

at: Norfolk
 (Place of Violation)
W. O. P. D.
 (Signature of Enforcing Person) Enforcing Dept

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOREGOING CITATION:

(Signature of Offender) _____
 Unable to obtain Signature of Offender _____ Date Mailed 6/16/20

THE FINE FOR THIS OFFENSE IS \$ 30.00 YOU HAVE THE FOLLOWING ALTERNATIVES WITH REGARD TO DISPOSITION OF THIS MATTER.

1. You may elect to pay the above fine, either by appearing in person during regular office hours, or by mailing a check, money order or postal note WITHIN 21 DAYS OF THE DATE OF THIS NOTICE to:
 Norfolk Town Clerk
 One Liberty Lane
 Norfolk, MA 02056
 2. If you desire to contest this matter, you may do so by making a written request for a noncriminal hearing, and enclosing a copy of this citation WITHIN 21 DAYS OF THIS NOTICE to:
 Clerk-Magistrate
 District Court Dept.
 District Court of Western Norfolk
 Wrentham, MA 02093
 3. If you fail to pay the above fine or to request a hearing within 21 days, or if you fail to appear for the hearing or to pay any fine determined at the hearing to be due, a criminal complaint may be issued against you.
- () I HEREBY ELECT THE FIRST OPTION above, confess to the offense charged, and enclose payment in the amount of \$ _____
- () I HEREBY REQUEST A NONCRIMINAL HEARING on this matter.

Signature: _____

COPIES: Original-Offender/Duplicate-Town Clerk/Triplicate-Enforcer
 (This form approved by Chief Justice of District Court)



Dr. Ian Dunbar's Dog Bite Scale (Official Authorized Version)

An assessment of the severity of biting problems based on an objective evaluation of wound pathology

Level 1. Obnoxious or aggressive behavior but no skin-contact by teeth.

Level 2. Skin-contact by teeth but no skin-puncture. However, may be skin nicks (less than one tenth of an inch deep) and slight bleeding caused by forward or lateral movement of teeth against skin, but no vertical punctures.

Level 3. One to four punctures from a single bite with no puncture deeper than half the length of the dog's canine teeth. Maybe lacerations in a single direction, caused by victim pulling hand away, owner pulling dog away, or gravity (little dog jumps, bites and drops to floor).

Level 4. One to four punctures from a single bite with at least one puncture deeper than half the length of the dog's canine teeth. May also have deep bruising around the wound (dog held on for N seconds and bore down) or lacerations in both directions (dog held on and shook its head from side to side).

Level 5. Multiple-bite incident with at least two Level 4 bites or multiple-attack incident with at least one Level 4 bite in each.

Level 6. Victim dead.

~~The above list concerns unpleasant behavior and so, to add perspective:~~

Levels 1 and 2 comprise well over 99% of dog incidents. The dog is certainly not dangerous and more likely to be fearful, rambunctious, or out of control. Wonderful prognosis. Quickly resolve the problem with basic training (control) — especially oodles of Classical Conditioning, numerous repetitive Retreat n' Treat, Come/Sit/Food Reward and Back-up/Approach/Food Reward sequences, progressive desensitization handling exercises, plus numerous bite-inhibition exercises and games. Hand feed only until resolved; do NOT waste potential food rewards by feeding from a bowl.

Level 3: Prognosis is fair to good, provided that you have owner compliance. However, treatment is both time-consuming and not without danger. Rigorous bite-inhibition exercises are essential.

Levels 4: The dog has insufficient bite inhibition and is very dangerous. Prognosis is poor because of the difficulty and danger of trying to teach bite inhibition to an adult hard-biting dog and because absolute owner-compliance is rare. Only work with the dog in exceptional circumstances, e.g., the owner is a dog professional and has sworn 100% compliance. Make sure the owner signs a form in triplicate stating that they understand and take full responsibility that: 1. The dog is a Level 4 biter and is likely to cause an equivalent amount of damage WHEN it bites again (which it most probably will) and should therefore, be confined to the home at all times and only allowed contact with adult owners. 2. Whenever, children or guests visit the house, the dog should be confined to a single locked-room or roofed, chain-link run with the only keys kept on a chain around the neck of each adult owner (to prevent children or guests entering the dog's confinement area.) 3. The dog is muzzled before leaving the house and only leaves the house for visits to a veterinary clinic. 4. The incidents have all been reported to the relevant authorities — animal control or police. Give the owners one copy, keep one copy for your files and give one copy to the dog's veterinarian.

Level 5 and 6: The dog is extremely dangerous and mutilates. The dog is simply not safe around people. I recommend euthanasia because the quality of life is so poor for dogs that have to live out their lives in solitary confinement.



Town of Norfolk

Hillary Cohen <hcohen@norfolk.ma.us>

Follow-up from Dog Attack on 6/13/2020

1 message

brian beachkofski <beachkofski@gmail.com>
 To: hcohen@norfolk.ma.us
 Cc: Sarah E Durand <sarah.e.durand@gmail.com>

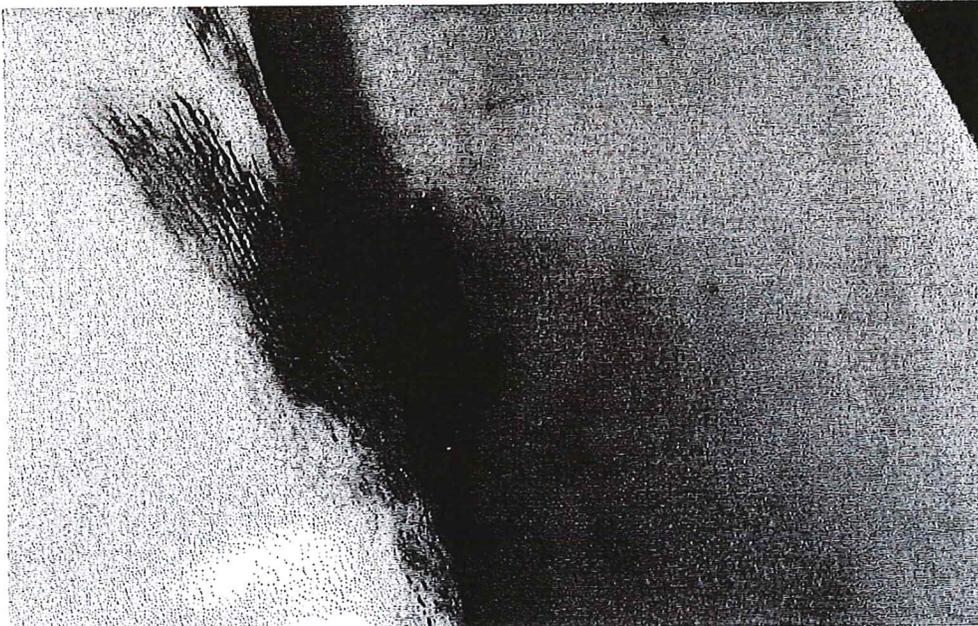
Mon, Jun 15, 2020 at 12:45 AM

Hillary,

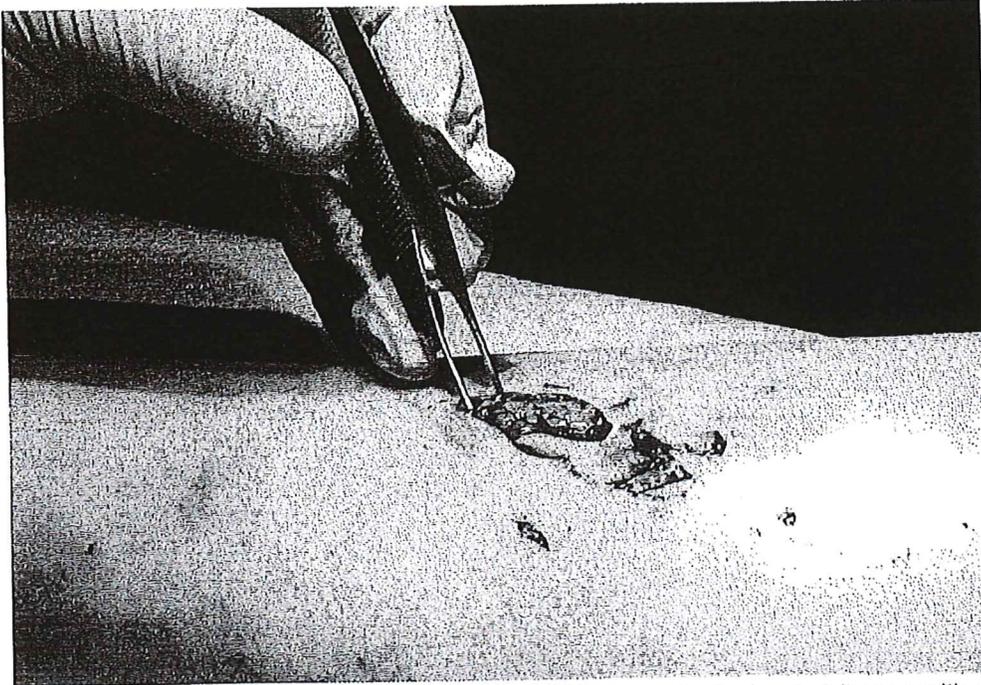
I know Sarah already contacted you about our son being attacked by a dog Saturday. I wanted to pass along the description of events based on recollection.

He was seated on the ground with the neighbor's kid, Dom, when Dom's grandmother opened the door and let the dog out onto the dog run line. knows that the dog doesn't like him and wanted to get away from it. said that he stood up and walked away so it wouldn't get excited by him running. He said the dog immediately came towards him, initially walking, and then ran at him. The dog caught him and bit his right leg, below the calf. He said that the dog let go and he ran a few steps and got past the end of the dog's run line. Today he shared that he was glad that he immediately tried to get away so he wasn't on the ground when the dog attacked and it could only get his leg.

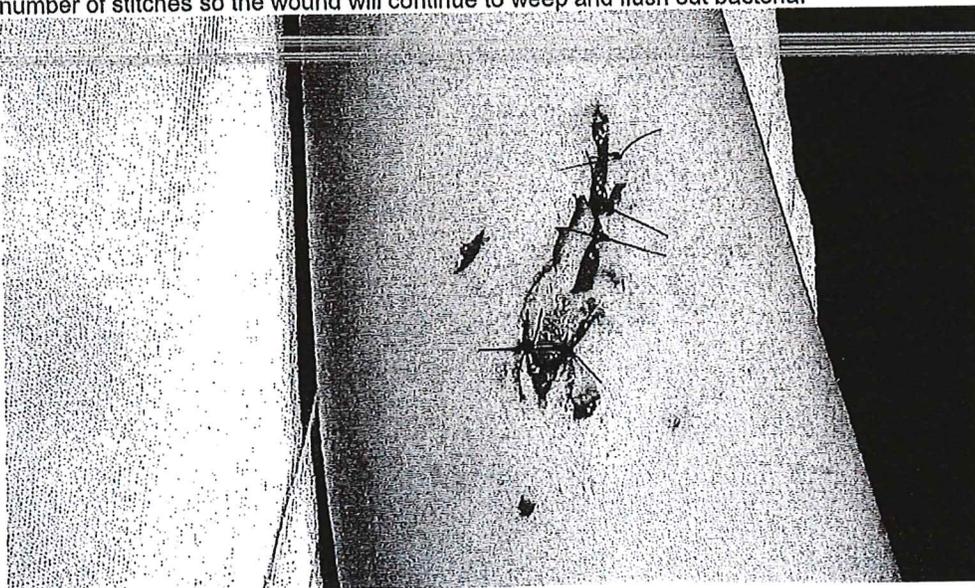
The grandmother kept at their house and didn't inform Sarah or me that had been bitten. After about 45 minutes, Dom's mother returned home and she brought to our house. I brought him inside and inspected the wounds and immediately realized that it needed medical attention. Here is a picture of the wound with the dressing the dog's owner applied prior to bringing back to our house.



Upon getting to the hospital, he was immediately admitted and seen by the physician. The lead doctor was concerned that there was missing tissue and that the wound couldn't be closed. In fact, to close it to the degree that they did, they needed to cut out the portion of fat that was protruding from the wound. Here's a picture of the wound from the hospital after the doctors had washed the area and cut off the tissue that could not fit back under the skin that remained.



The doctors were able to close the opening most of the way and asked us to follow-up with a plastic surgeon Monday to address the missing skin and probable scarring. Because dogs bites often cause infection, they also used the minimum number of stitches so the wound will continue to weep and flush out bacteria.



The photos show that the bite had multiple puncture wounds in addition to the complete tearing of the skin and fat. The patient has extreme tightness in the leg and has only been able to walk unassisted after working up to it for a while. We'll learn more after we hear from the plastic surgeon and see whether the skin flap survives or if it ends up dying and leaving a hole for the scar tissue to cover.

Like , I'm glad that he was aware enough to get away from the dog as much as he did. I also think that he got lucky and the other jaw didn't puncture the leg on the other side. If it had, I'm not sure it would have let go and things would have been even worse. We're also lucky, ironically, that the dog had attacked our dog before. It was only after that attack that they put the dog on a line. If that had not happened, it would have been much, much worse.

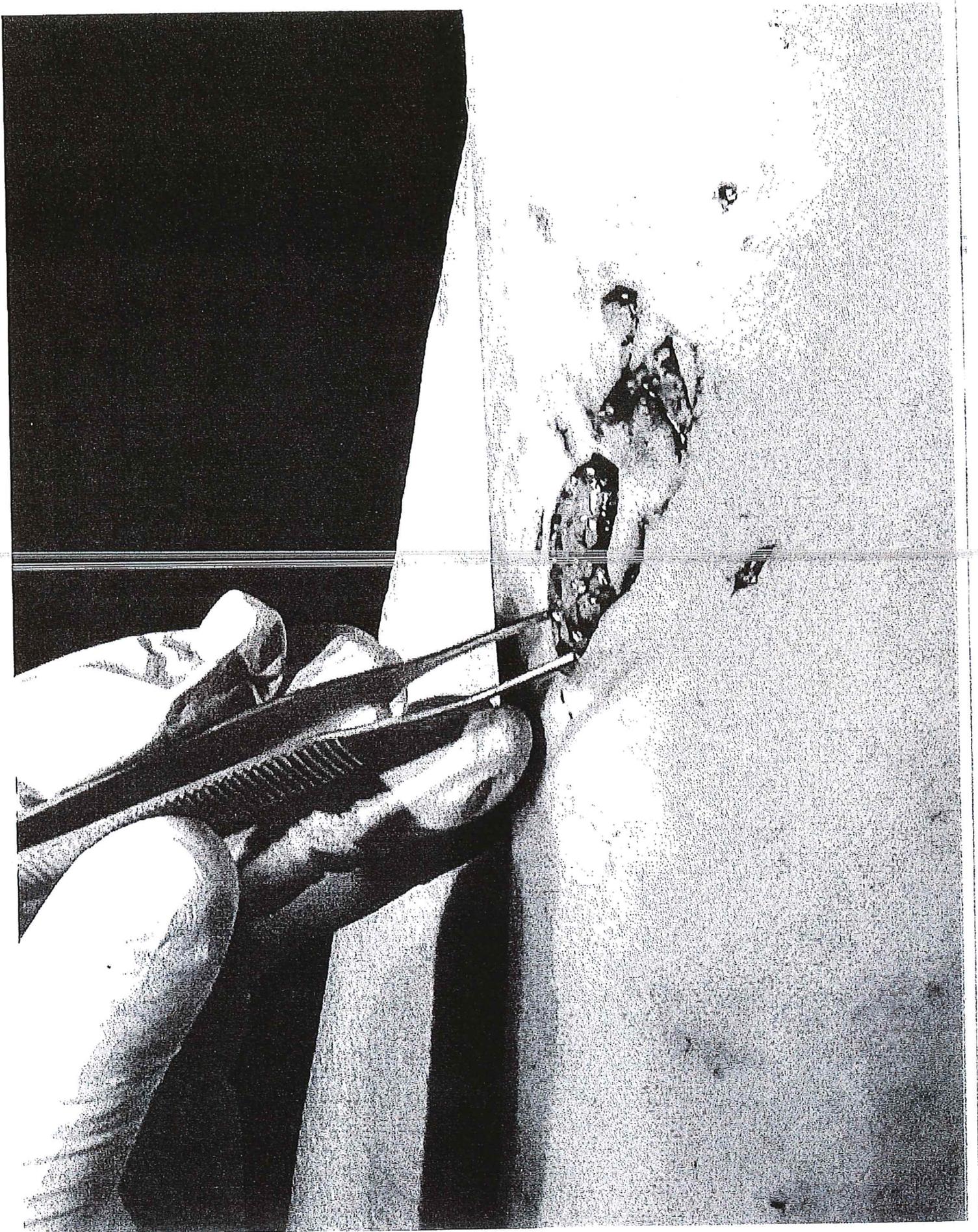
The dog is a community danger. It attacked a child, completely unprovoked. It has bitten another neighbor's kid as well, though the child's dad said that he didn't report it. I've also heard that it bit one of the owner's family members (a cousin?). You have on record when it attacked our dog resulting in another puncture wound. Please let me know if you need any other information and what the recommendation will be.

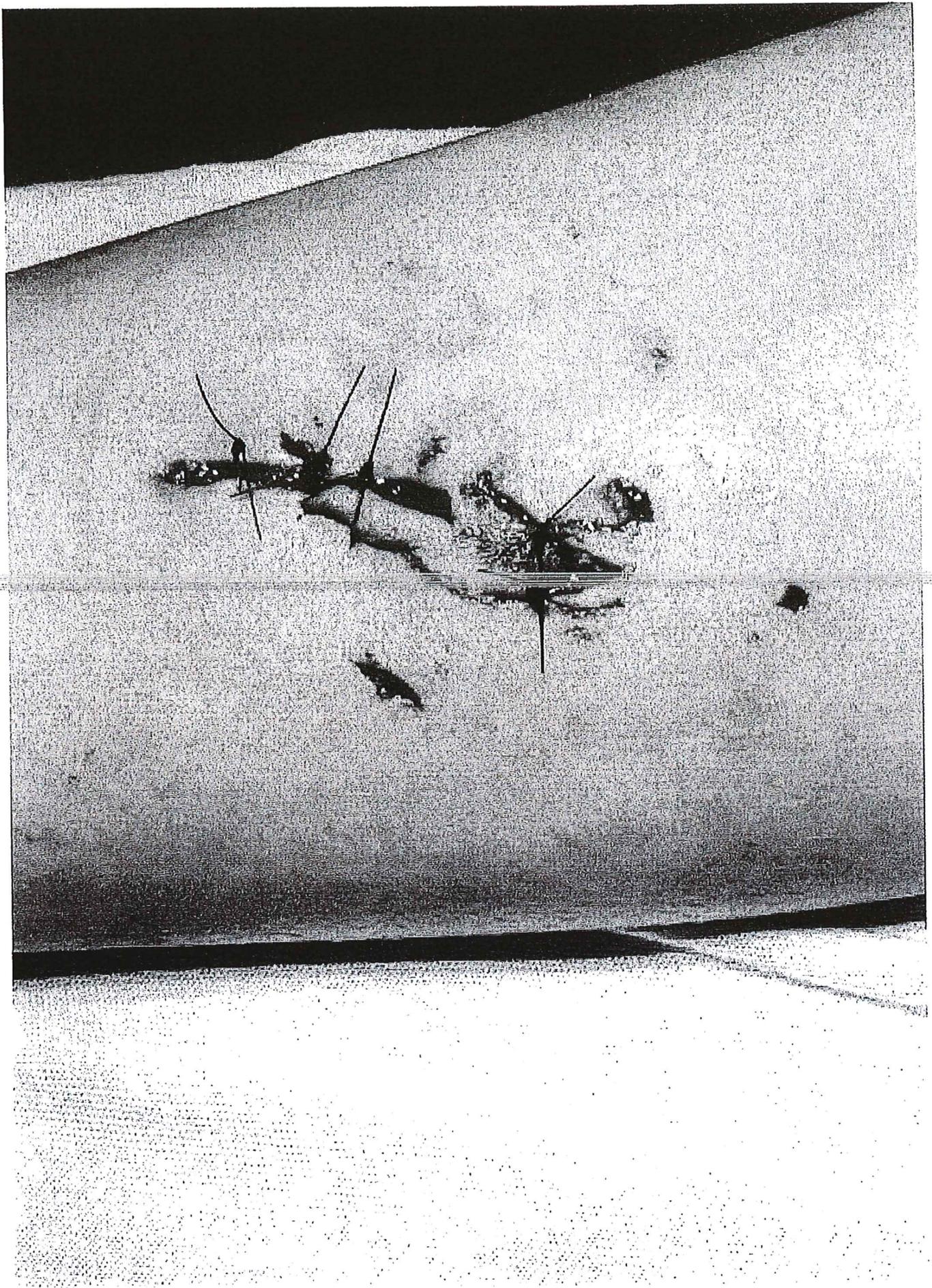
thanks,

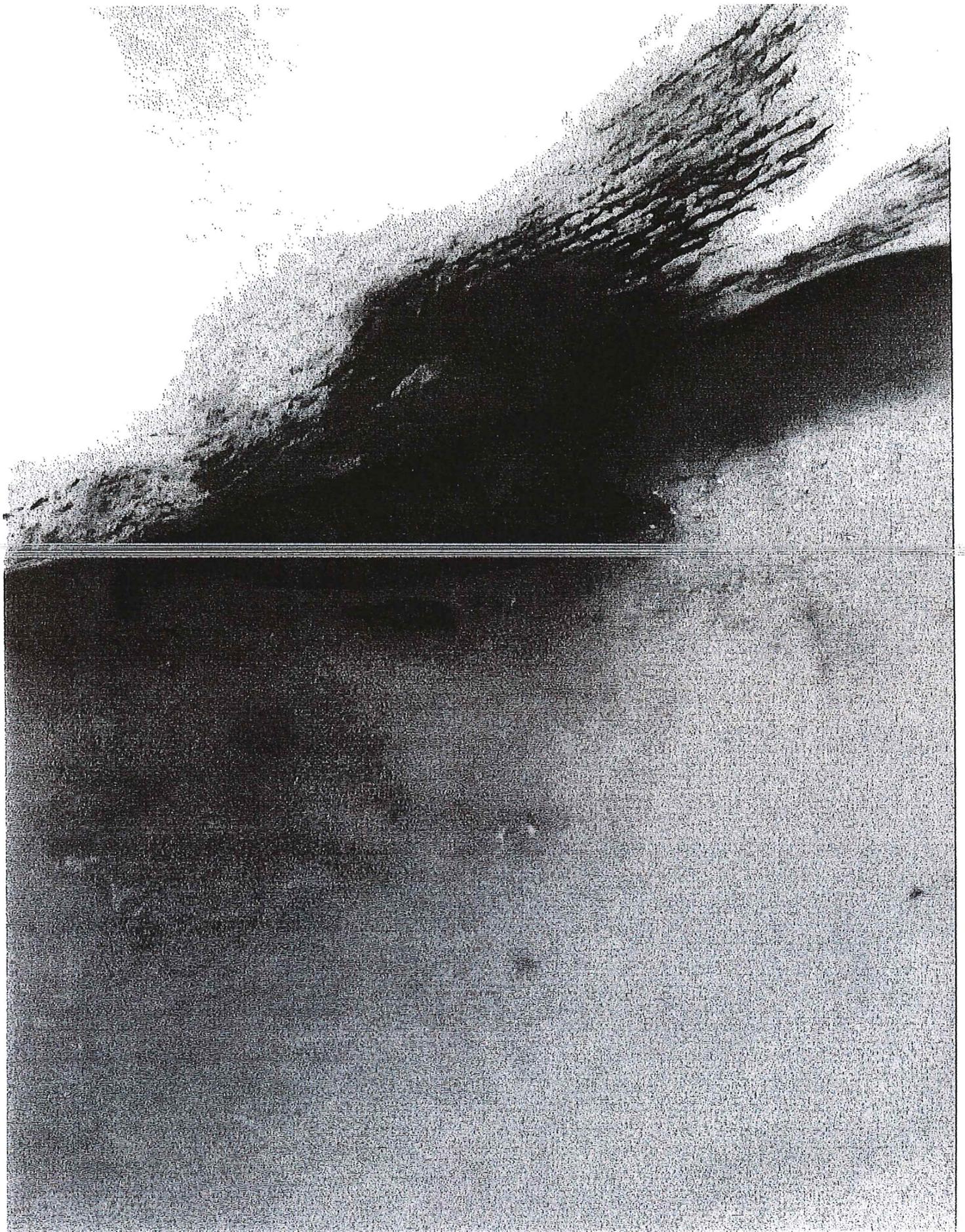
6/15/2020

Town of Norfolk Mail - Follow-up from Dog Attack on 6/13/2020

Brian









Town of Norfolk

Hilary Cohen <hcohen@norfolk.ma.us>

Follow-up from Dog Attack on 6/13/2020

Mon, Jun 15, 2020 at 5:45 PM

brian beachkofski <beachkofski@gmail.com>
To: Hilary Cohen <hcohen@norfolk.ma.us>

Thanks. I'll tune in tomorrow.

Here's the message from/to [redacted]. I included additional background that helps explain why she may have written to him. Still, I find it odd that she's contacted him and not us. I find it stranger that my son apologized for Sarah being short with them after he was attacked and I haven't heard a single apology or had any contact since then from the family to apologize for injuring him.

I also want to be clear that [redacted] wildly overstates how "fine" he is as a 13-year old is likely to do. Also, there are only five stitches because they want the wound to weep to prevent infection; not because of the minor amount of damage. It even getting worse. He hasn't been able to put weight on it at all today. The swelling has increased the tension in the stitches and moving his foot or putting weight on the leg causes shooting pain. I'm worried about scar tissue building up and the need for physical therapy after the skin closes.

Thanks again for the info on the Select Board meeting.

Best,
Beach

[Quoted text hidden]



message.png
172K

im on base

his dad on guitar

hey

tell ur mom and brother im sorry about my mom screaming
at them

and that im fine

mostly

only 5 stiches

I can sort of walk on it

but it is just sore and it aches

i can still drum tho

just with my other foot

Sun, 7:18 PM

go out side and listen



Hi . . . It's his Mom. I'm glad your ok. I was very very worried about you. It's ok, your mom had every right to freak out and be upset. It's her job to protect you. I'm just really glad you are in good spirits. Tell your mom I'm very sorry. I feel bad I couldn't control myself.

I got Annabell a muzzle to wear when she's outside. She's not liking it but eventually she will get used to it. Once this craziness is over with Covid 19, I will put her back in training

We have been listening. And enjoying it!

6/25/2020

Town of Norfolk Mail - Follow-up from Dog Attack on 6/13/2020



Town of Norfolk

Hilary Cohen <hcohen@norfolk.ma.us>

Follow-up from Dog Attack on 6/13/2020

brian beachkofski <beachkofski@gmail.com>
To: Hilary Cohen <hcohen@norfolk.ma.us>

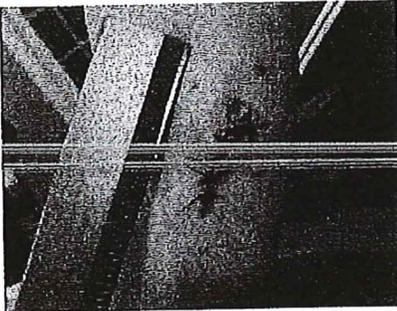
Mon, Jun 15, 2020 at 10:43 PM

Thanks. Here's the photo from the bandage replacement tonight. I'm worried that the skin flaps are dead. I'm worried that the stitches are too tight; you can see the one in the middle pulling the leg tight in person. I'm worried that I see some puss and it's getting infected.

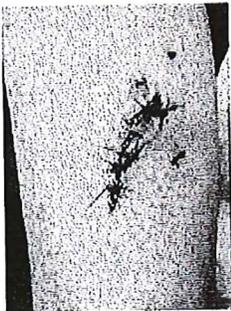
Sarah suggested that I send the pic with a roller in it for a sense of scale. It's about to inches long in total.

Best,
Brian
[Quoted text hidden]

2 attachments



20200615_222039-01.jpeg
1464K



20200615_210950.jpg
2140K

6/25/2020

20200615_222039-01.jpeg





6/25/2020

Town of Norfolk Mail - Follow-up from Dog Attack on 6/13/2020



Town of Norfolk

Hilary Cohen <hcohen@norfolk.ma.us>

Follow-up from Dog Attack on 6/13/2020

Thu, Jun 18, 2020 at 10:12 PM

brian beachkofski <beachkofski@gmail.com>
To: Hilary Cohen <hcohen@norfolk.ma.us>
Cc: Sarah E Durand <sarah.e.durand@gmail.com>

Hilary,

Kevin contacted me today and said that the Board will consider the case on the 29th. Is there anything in particular that we need to do to prepare?

As for i... progress, he's doing well. There is more necrosis and the wound smells a bit. Still, we're glad that we've made contact with a plastic surgeon who will see i... My hope is that they will cut away the dead tissue and help accelerate the healing. I've attached the current pictures to add to the file.

Thanks,
Brian

[Quoted text hidden]

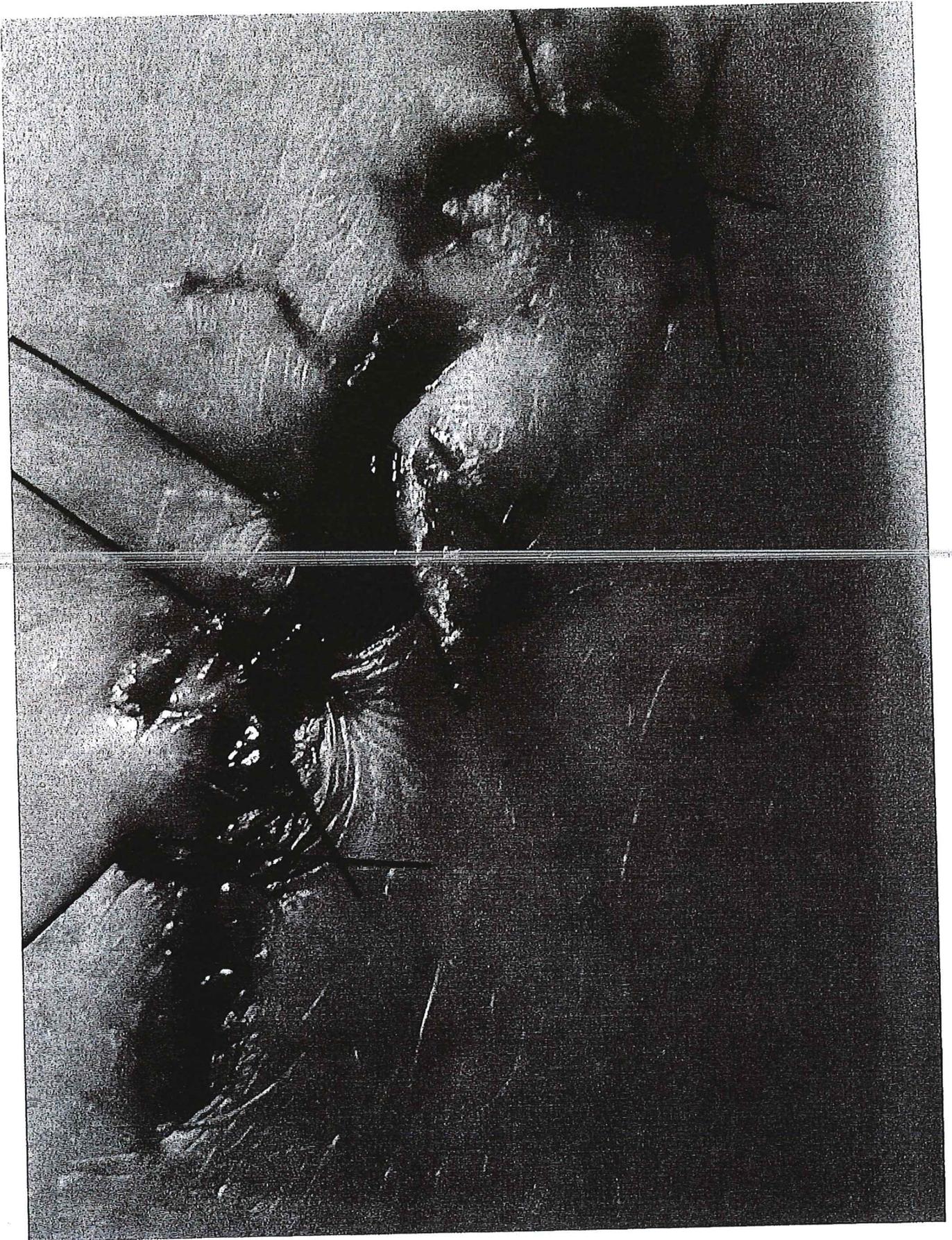
2 attachments



20200618_220358.jpg
2603K



20200618_220345.jpg
2198K





Norfolk Police Department
14 Sharon Ave
Norfolk, Massachusetts
(508) 528-3206
Incident Report



Incident Number: 2017000005435
File No: N/A
Dispatch Incident Number: N/A
Print Date: June 25, 2020
Printed By: hcohen

Incident Information

| | | | | | | | | | | |
|-----------------------------------|-------------|------------|-------------------------|----------------|-------------|----------------------|-----------|----------------|-----------|-----------|
| Occurred On/From | Day of Week | Date | Time | Occurred To | Day of Week | Date | Time | Reported On | Date | Time |
| | Thurs | 07/06/2017 | 5:44:00PM | | Thurs | 07/06/2017 | 5:44:00PM | → | 7/10/2017 | 8:51:00AM |
| Reported As | | | Incident Type - Primary | | | Arresting Officer | | | | |
| dog v dog bite | | | Animal Complaint | | | | | | | |
| Incident Address | | | | | | Reporting Officer | | | | |
| 94 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | Hillary Cohen (HNP1) | | | | |
| Sector | | Stat. Area | | Sub Stat. Area | | Census Tract | | Landmark | | |
| NORTH | | | | | | | | | | |
| Business Name | | | Incident Types - Other | | | | | Action Taken | | |
| N/A | | | | | | | | Assisted Party | | |

Related Incident Summary

| | | | |
|---|------|--------|-------|
| Incident No. | Date | Nature | Notes |
| No Related Incidents reported for Incident #: 2017000005435 | | | |

Associated Persons Summary

| Type | Name(Last, First, MI) | Date of Birth | Sex | Home Phone # | Cell Phone # | Work Phone # |
|--|------------------------|---------------|-----|--------------|--------------|--------------|
| Reporting Person | DURAND, SARAH | N/A | F | N/A | | N/A |
| Address: 94 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | |
| Involved | RAMPINO, MARY-ANNE | N/A | F | N/A | | N/A |
| Address: 90 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | |
| Involved | MITCHELL, MELISSA ANNE | | F | | N/A | N/A |
| Address: 90 BOARDMAN ST, NORFOLK, MA 02056 | | | | | | |

Associated Businesses Summary

| | | | |
|---|------|-----------------|-------------------|
| Type | Name | Primary Phone # | Secondary Phone # |
| No Associated Businesses reported for Incident #: 2017000005435 | | | |

Involved Officers

| | | | |
|---------------|-----------------|-------------------|----------------|
| Officer Title | Officer Name | Officer Type | Division |
| N/A | Hillary N Cohen | Reporting Officer | Animal Control |

IBR/UCR Offenses

| | | | | |
|---|----------|---------|---------|-----------------------------------|
| Offense Number | IBR Type | Chapter | Section | Statute ID / IBR Type Description |
| No Incident Offenses Recorded for Incident #: 2017000005435 | | | | |

Complaint Charges

| | | | | |
|--|---------|---------|-----------------------|------------------------|
| Seq # | Chapter | Section | Name(Last, First, MI) | Description of Offense |
| No Complaint Offenses Recorded for Incident #: 2017000005435 | | | | |

Vehicle Info

| | | | | | |
|--|---------------------------|-----|---------------|--------------|---------------|
| Reg Plate - State (Year) | Vehicle Year, Make, Model | VIN | Primary Color | Second Color | Insurance Co. |
| No Vehicle Info Recorded for Incident #: 2017000005435 | | | | | |

Property

No Property Info reported for Incident #: 2017000005435

Citations

| | | | | | |
|---|------|------|--------|---------|-------------|
| Citation No | Code | Date | Status | Statute | Description |
| No Citations reported for Incident #: 2017000005435 | | | | | |

Norfolk Police Department
 14 Sharon Ave
 Norfolk, Massachusetts
 (508) 528-3206
Incident Report



Incident Number: 2017000005435
 File No: N/A
 Dispatch Incident Number: N/A
 Print Date: June 25, 2020
 Printed By: hcohen

| Permits | | | | | | |
|---|------|------------|-------------|--------|-----------------|--|
| Permit No | Type | Issue Date | Expire Date | Status | Issued To/Notes | |
| No Permits recorded for Incident #: 2017000005435 | | | | | | |

Narratives for Incident Number 2017000005435 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: Hillary Cohen (HNP1) Division: Animal Control

| <u>Date & Time</u> | <u>Narrative Description</u> | <u>Entered by</u> | <u>Status</u> | <u>Reviewed by</u> | <u>Last Edit Date</u> |
|------------------------|------------------------------|----------------------|---------------|--------------------|-----------------------|
| 07/10/2017 08:57 | | Hillary Cohen (HNP1) | Open | | 07/10/2017 |

On Thursday July 7th 2017 at 5:44pm Norfolk Police Dispatch texted me to contact Sarah Durand of 94 Boardman Street. I contacted her and she stated that approximately an hour earlier her son let their dog out for a walk in their yard. Sarah states that her son told her that while upon their own back deck a black, female pit bull came upon their deck and bit their dog. The Durand's dog is a standard poodle and is currently licensed in Norfolk and current on vaccines. She stated she has seen this dog residing at 90 Boardman Street. She did notice blood from a puncture wound on her dog as a result of the bite. Durand stated that in the past there was another bite to their dog (did not break the skin) from this dog but she did not report it because her dog had trespassed on to Rampino/Mitchell property back in February. While talking with her she mentioned that she he has had concerns walking her dog down Rockwood Road. She states that at 16 Rockwood there is a family who owns two large bully breed type dogs and that the female owner cannot control them while on leashes. I have received a dog bite report in the past from an unrelated incident regarding this address. The concern is a valid one, but since she failed to report the incidents in a timely manner they are stale.

I contacted Mary Anne Rampino of 90 Boardman Street, Norfolk via telephone. I explained to her the reason of my call. She stated she does not own a black pit bull but her daughter, Melissa Mitchell, and resides in Norfolk at the same address. Through our conversation it was made known that this particular dog named Annabelle, came from a rescue down in Macon GA, and does not always like other dogs. Speaking with Mary Anne Rampino she stated to me that yes there was a bite, but that her daughter stated it happened when the Durand's dog trespassed upon the Rampino's property. Rampino texted me a copy of Annabelle's rabies vaccination.

I explained the QT procedures, and that Melissa will be receiving a written warning via mail regarding having an unlicensed dog and that she needs to go license her dog immediately.

I forwarded QT information to Chris Wider, the animal inspector.

citation #2336 issued for biting and unlicensed dog.

Signature - Reporting Officer

Signature - Reviewing Officer

Incident Dispatcher Remarks:

Create User ID:

Date & Time

No dispatcher remarks listed.

Call Takers Remarks:

Create User ID:

Date & Time

No Caller Remarks Listed

ARTICLE XII: CEMETERIES

SECTION 1. Authority of the Board of Cemetery Commissioners

The Town of Norfolk Board of Cemetery Commissioners pursuant to Massachusetts General Laws, Chapter 41, Section 21, in accordance with Massachusetts General Laws, Chapter 114, Section 27 duly adopted by the public vote on May 6, 1974, shall be responsible for the care and management of public cemeteries in the Town and shall have such powers and make such rules and regulations with respect thereto as may be authorized by law. Copies of such rules and regulations shall be filed with the Board of Selectmen and the Town Clerk.

SECTION 2. A Fund for Proceeds from the Sale of Cemetery Lots

The proceeds from the sale of lots, purchase of perpetual care, and miscellaneous costs of internment shall be paid to the Town Treasurer to be kept by him separate and apart from other funds of the Town, and income from the investment of said funds shall be credited to the fund. By majority vote of Town Meeting the proceeds of said fund may be appropriated for expenditure by said Commissioners for the care (including ordinary maintenance) improvements, embellishment or expansion of said cemeteries as provided by the laws of the Commonwealth of Massachusetts, and any balance remaining at the end of any fiscal year shall be returned to said fund.
(6/2/82)

ARTICLE XIII: ANIMAL REGULATIONS

SECTION 1. Responsibility of Animal Owners

No owner or person having the care of any sheep, goats, swine, oxen, cows, horses or other grazing animals or fowl, shall permit or suffer the same to go at large or to graze on any street, way, common, square or other public place within the Town; nor permit any such animal to go upon any sidewalk therein except for the purpose of crossing the same. (3/16/36)

SECTION 2. Disturbing Noises from Animals

No person shall keep any bird, fowl, or other animal which by barks, howls or other noises, disturbs the peace and quietness of any resident of the Town. (3/16/36)

SECTION 3. Dog Regulations

A. Definitions

1. Dog: Shall mean all animals of the canine species, both male and female.
2. Owner or Keeper: Shall mean any person or persons, firm, association or corporation keeping or harboring a dog.
3. At large: Any dog shall be deemed to be at large when it is off the premises of its owner or keeper and not under the care and control of a person demonstrating the ability to control the dog.
4. Care and Control: A dog shall be considered in care and control while on the premises of its owner or keeper or if the dog is on the premises of another person with knowledge and expressed permission of such other person. A

dog under voice command or leashed shall be considered in the care and control of a person only if said person is competent to prevent the dog from becoming a threat to public safety.

5. Restraint: To limit, restrict, and keep in control by means of a leash, or by confinement within a building or a fenced barrier from which the dog cannot escape. The main purpose being to restrict the dog within specific boundaries.
6. Animal Control Officer: Shall be that person or persons appointed by the Selectmen to enforce this bylaw.

B. Public Nuisance A dog shall be deemed a public nuisance for any of the following reasons (but not limited to):

1. If such a dog is found to be at large;
2. If such dog shall persistently and prolonged bark or howl;
3. If found without wearing a license and a vaccine tag as required by Section B of this bylaw;
4. If found in a schoolyard, public or private recreation area, store, or shopping area except that a "seeing eye" dog (or other certified assistance dog) under the care and control of its owner shall be deemed to be exempt from this provision;
5. For having bitten or attacked any person;
6. For having killed or maimed or otherwise damaged any wild or domestic animal;
7. For chasing a domesticated animal, pedestrian, or vehicle on a way to which the public has a right to access within the Town;
8. For damaging or destroying property that does not belong to its owner or keeper;
9. Except that a police dog acting in the line of duty shall not be considered a public nuisance;
10. Except that a dog being used as a so-called "hunting dog," which is being supervised as such by a person demonstrating the ability to control such dog so that it will not be a threat to public safety, shall not be considered a public nuisance;

C. License and Tags

1. Any owner or keeper of a dog six months of age or older shall, beginning January 1 cause the dog to be registered, numbered, described, and licensed with the Town Clerk in accordance with the laws of the Commonwealth of Massachusetts. The license shall be valid until the following December 31st.

2. As a prerequisite to such licensing, the owner or keeper of the dog must present evidence to the Town Clerk that the dog, if six months of age or older, shall have a current vaccination against rabies, and proof of spaying or neutering, if applicable. The fee for such a license shall be as established in Section H of this bylaw.
3. Should any owner of a dog previously licensed in the Town of Norfolk, fail to re-license his/her dog before May 1, the owner shall pay a late fee of \$15.00 for the month of May and increase the late fee by \$5 per month through the end of the calendar year for a maximum fine of \$50. The late fee shall be in addition to the licensing fee. The late fee shall be imposed per residence, not per dog. (11/30/2011)
4. The owner or keeper of a licensed dog shall cause it to wear around its neck or body a collar or harness to which shall be securely attached: a) the tag evidencing current rabies inoculation; and b) The license issued by the Town Clerk of Norfolk for the current license period.
5. No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. No fee shall be charged for a license for a dog owned by a person aged 70 years or over. (Massachusetts General Law Chapter 140, Section 139 (c)) (11/18/2014)

D. Control of Dogs

1. No owner or keeper of any dog shall at any time permit his/her dog, licensed or unlicensed, to become a public nuisance within the Town of Norfolk. Any owner found in violation of any provision of this bylaw shall be fined for each offense as established in Section H. of this bylaw, after receiving written notice under Section 1 of this bylaw. (10/22/02)
2. Dog excretions on either public or private property must be removed and disposed of immediately by the owner(s) or keeper(s) of the dog or the person(s) under whose care and control the owners have placed the dog. In any event, if this section is violated, the dog shall be deemed to be a public nuisance and such violation shall be considered a violation by the owner(s) or keeper(s) of the dog subject to a non-criminal fine listed in Section 3H. (10/22/02)
3. Impoundment by Animal Control Officer: It shall be the duty of the Animal Control Officer to apprehend any dog found at large in any street or public place within the Town of Norfolk in violation of any of the provisions of this bylaw and to impound such a dog. The Animal Control Officer upon receiving any such dog shall make a complete registry entering the breed color and sex of such dog and whether licensed. The owner of the dog, if known, shall be notified as soon as possible that the dog has been impounded. The owner of any dog so impounded may claim such dog upon reimbursement to the Animal Control Officer the expenses for maintaining said dog while impounded in addition to the fines established in Section H. of the bylaw. Prior to its release, any dog that is at least six (6) months of age must have proof of current rabies inoculation shall have a proper license form the Town Clerk and be properly tagged.

E. Disposition of Unclaimed Dogs: Any dog which has been impounded and has not been redeemed by the owner within ten (10) days shall be disposed of as provided by Chapter 140, Section 151A of the General Laws of the Commonwealth of Massachusetts and any amendment thereto.

F. Restraint by Order of the Animal Control Officer

1. If any person shall make a complaint in writing to the Animal Control Officer or the Town that any dog within his jurisdiction is a public nuisance, the Animal Control Officer shall investigate such complaint and may restrain or muzzle or issue an interim order to restrain or muzzle for a period not to exceed fourteen (14) days. The Animal Control Officer may take similar action, without written complaint, should he/she become aware that any dog is a public nuisance.
2. Upon restraining or muzzling, or issuing an interim order to restrain or muzzle, the Animal Control Officer shall submit in writing to the Selectmen a report of the action and the reasons therefore. Upon receipt of such report, the Selectmen may make such order concerning the restraint, muzzling or disposal of such dog as may be deemed necessary. If the Selectmen fail to act upon the report during the period the dog is restrained or muzzled, upon expiration of the period, the interim order automatically is vacated.

G. Appeal

1. The owner or keeper of any dog that has been ordered restrained or muzzled under this bylaw may, within seven (7) days after such an order of restraint, file a request in writing with the Animal Control Officer that the restraining order be vacated, or released. Requests shall be filed by the Animal Control Officer with the District Court Clerk who shall schedule a hearing pursuant to Massachusetts General Laws, Chapter 140, Section 173A, as amended.
2. The Animal Control Office may file a complaint with the District Court Clerk if the owner or keeper of any dog under a permanent restraint order continues to be a public nuisance, or has failed to pay fines within 30 days after receiving written notice under Section H of this bylaw.
3. The decision of the Court shall be final and conclusive on all parties. (8/01/00)

H. Fees and Fines:

1. Failure to re-license dog by March 1st \$ 50 (5/13/08)
2. Non-Criminal Disposition:
 - a) Whoever violates any provision of these bylaws, the violation of which is subject to a specific penalty, may be penalized by a non-criminal disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D as amended.

3. Enforcement Agent: Animal Control Officer Fines for Violation of this bylaw:

First OffenseWarning
Second Offense.....\$ 30
Succeeding Offenses \$ 50 for each offense (9/1 /93)

Article XIV: Non-Criminal Notice

SECTION 1. Notice Form

The Chief of Police shall establish the form of notice to be utilized by enforcement personnel.

SECTION 2. Enforcement of Bylaws

The Non-Criminal Notice form, at the discretion of the enforcing agent, may be utilized as an alternative to initiating criminal proceedings for violations of any Town bylaw or any rule or regulation of any Town officer, board or department, the violation of which is subject to a specific penalty and which is included in Appendix A.

SECTION 3. Enforcing Agent

The "Enforcing Agent" shall be as previously designated by the Board of Selectmen and as listed in Appendix A for each bylaw.

SECTION 4. Penalties

Penalties for violations shall be as in Appendix A.

SECTION 5. Severability of Provisions

The provisions of this regulation shall be deemed severable and in case any section, paragraph or part of this regulation shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the decision of such court shall not effect or impair the validity of any other section, paragraph or part of this regulation.

SECTION 6. Proceedings

Proceedings held pursuant to Article XII and Massachusetts General Laws, Chapter 40, Section 21D shall not be deemed to be criminal proceedings nor shall a conviction for such a violation be shown to affect the credibility of a witness.

SECTION 7. Effective Date

This regulation shall be effective on March 6, 1989.

A. Procedures:

- 1) Violation citation issued by the enforcing officer for each designated bylaw infraction;
- 2) Citation and copies dropped off at the Norfolk Police Department each day;
- 3) Police Department sends/brings these citations to Wrentham District Court;



Norfolk Police Department

P.O. Box 3
Norfolk, Massachusetts 02056

Charles H. Stone, Jr.
Chief of Police

Emergency – 911
Tel (508) 528-3206
Fax (508) 541-3340

Ms. Maura Healy, Attorney General
Office of the Attorney General
20 Ashburton Place, 20th Floor
Boston, MA 02108

RE: Change of Date - Norfolk Annual Town Meeting

Dear Ms. Healy,

On Tuesday, June 22, 2020 the Moderator for the Town of Norfolk determined that due to safety concerns he would change the date of the annual town meeting from the scheduled date of Wednesday, June 24th to Saturday, June 27th. As the date of the meeting drew closer and it appeared that attendance would be greater, it was determined that the Town could not safely accommodate a larger gathering partially indoors and outdoors as planned. The meeting on Saturday will be able to accommodate the larger group completely outdoors on the regional high school football field. A copy of the Moderator's declaration is enclosed for your information.

Should you have any questions or need additional information please contact either myself or Blythe Robinson, the Town Administrator at 508-440-2855.

Sincerely,

Charles H. Stone Jr.
Chief of Police

NOTICE PER G.L. C. 39, §10A

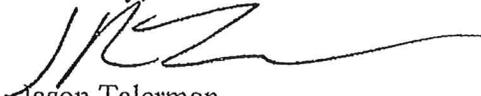
TO: Blythe Robinson, Norfolk Select Board, Carol Greene
FROM: Jason Talerman, Town Moderator
CC: Peter Mello, Town Counsel, Board of Health
RE: Postponement of Town Meeting
DATE: June 23, 2020

This Notice will confirm my declaration of yesterday (at approximately 1:00 p.m.) that the 2020 Annual Town Meeting, originally scheduled for June 24, 2020 at the King Philip High School is being postponed to Saturday June 27, 2020 at 10:00 a.m. at the King Philip High School football field. This declaration is to address concerns raised by the novel coronavirus – in particular concerns raised regarding holding the Meeting indoors. My declaration was made after consultation with the Chair of the Norfolk Select Board, the Chair of the Norfolk Board of Health and the Norfolk Town Administrator. My declaration is also based upon guidance issued by the Massachusetts Department of Public Health, such guidance specifically recommending outdoor Town Meetings where feasible.

While discussion of an outdoor Town Meeting has been ongoing for several weeks, there was an expectation that, with a relatively modest warrant, a meeting in the High School cafeteria could be conducted in a safe and appropriately socially distanced manner. However, as Town Meeting approached, it became increasingly clear that there was a heightened issue in Town Meeting attendance due to the public's interest in several warrant articles, including the omnibus budget article. Furthermore, both the Norfolk Select Board as well as Norfolk Public Schools expressed an interest in completing Town Meeting before the close of the fiscal year. Accordingly, although I have the authority to postpone the Town Meeting beyond July 1st, I deferred to the interests of Town and School administration and scheduled the meeting for this Saturday. By doing so, we also retain a possible "rain date" of June 30th.

Both I and Select Board Chair Kevin Kalkut fully understand that moving the meeting on such short notice will be a significant inconvenience for some. However, it was the most viable option to conduct the Town's business while mitigating risk of exposure to the coronavirus.

Sincerely,



Jason Talerman
Norfolk Town Moderator



Town of Norfolk

Blythe Robinson <brobinson@norfolk.ma.us>

RE: Postponement of Town meeting

1 message

Peter L. Mello <pmello@mhtl.com>

Wed, Jun 24, 2020 at 9:49 AM

To: Blythe Robinson <brobinson@norfolk.ma.us>

Although the legislation does not expressly require that the transmission of the report to the AG precede the town meeting, I agree that it's probably prudent to do so. I would err on the side of having the Police Chief or BOH Chair send it and then have the Select Board ratify a designation of the official on 6/29.

Alternatively I can call the AG's office to find out how it's interpreted this requirement.

Thanks,

Peter L. Mello Esq.**MURPHY, HESSE, TOOMEY & LEHANE, LLP**

Crown Colony Plaza | 300 Crown Colony Drive, Suite 410 | Quincy, MA 02169

Tel: (617) 479-5000 | Fax: (617) 479-6469

E-mail: pmello@mhtl.com | www.mhtl.com

MH MURPHY HESSE
TL TOOMEY & LEHANE LLP
Attorneys at Law

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From: Blythe Robinson [mailto:brobinson@norfolk.ma.us]**Sent:** Wednesday, June 24, 2020 8:55 AM**To:** Peter L. Mello**Subject:** Fwd: Postponement of Town meeting

Peter,

Part I ADMINISTRATION OF THE GOVERNMENT

Title VII CITIES, TOWNS AND DISTRICTS

Chapter 39 MUNICIPAL GOVERNMENT

Section 10A RECESSION AND CONTINUATION OF TOWN MEETING
DUE TO INCLEMENT WEATHER OR PUBLIC SAFETY
EMERGENCY; NOTICE

Section 10A. (a) Whenever the moderator determines that voters, or in a town having a representative town meeting form of government, the town meeting members, may be unable to attend a town meeting, called pursuant to a warrant issued pursuant to section 10, because of a weather-related or public safety emergency, the moderator shall consult with local public safety officials and members of the board of selectmen and then, upon the moderator's own declaration, the moderator shall recess and continue the town meeting to a time, date and place certain. A discussion to recess and continue a town meeting under this section shall not constitute a "deliberation", as defined by section 18 of chapter 30A, if the only subject of that discussion is the recess and continuance. If due to the emergency, a new meeting place may be required but cannot be then identified, the moderator

may recess and continue the town meeting and the board of selectmen shall within 3 days of the declaration of recess and continuance select a meeting place and the moderator shall declare the meeting location. If due to the emergency no suitable town facility is available for a meeting place in a town that typically holds such meetings within the town limits, the board of selectmen may move the meeting location to a suitable meeting place in a contiguous municipality.

The moderator need not appear at the place of the town meeting to announce a declaration of recess and continuance. The moderator shall announce the declaration of recess and continuance as far in advance of the town meeting being continued as is practicable.

(b) A notice of the declaration of recess and continuance shall be prepared by the moderator and printed in a legible, easily understandable format and shall contain the date, time and place of the continued meeting, state the reason for the declaration and identify the date and time that the moderator announced the recess and continuance. If the moderator does not identify the location of the continued meeting in the notice, within 3 days of the announcement of the declaration of recess and continuance the moderator shall issue an amended notice which identifies the meeting place. Notice shall be filed with the municipal clerk as soon as practicable and then posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located. As soon as practicable, the notice of declaration of recess and continuance and the amended

notice shall be directed to the constables or to some other persons, who shall post the notice in the manner otherwise prescribed by general law, charter or by-laws for the posting of notice of town meetings. One copy of the notice of declaration of recess and continuance or the amended notice shall be posted at the main entrance of the place of the town meeting as soon as is practicable. In addition, the moderator may use any electronic, broadcast or print media convenient to circulate the notice of recess and continuance and any amended notice. Those towns that have a municipal website shall post a copy of the notice of declaration of recess and continuance or amended notice on the town's municipal website as soon as practicable. Towns having a representative town meeting form of government may by by-law establish additional requirements for providing notice to representative town meeting members.

(c) A town meeting session recessed by the declaration of recess and continuance pursuant to this act shall be convened by the moderator not later than 30 days following the date and time of the moderator's original announcement of the declaration of recess and continuance.

(d) Within 10 days after a declaration to recess and continue a town meeting pursuant to this section, a local public safety official designated by the board of selectmen of the town in which the declaration was made shall submit a report to the attorney general that sets forth the reasons why the declaration was made.



Norfolk Police Department

P.O. Box 3
Norfolk, Massachusetts 02056

Charles H. Stone, Jr.
Chief of Police

Emergency – 911
Tel (508) 528-3206
Fax (508) 541-3340

Ms. Maura Healy, Attorney General
Office of the Attorney General
20 Ashburton Place, 20th Floor
Boston, MA 02108

RE: Change of Date - Norfolk Annual Town Meeting

Dear Ms. Healy,

On Tuesday, June 22, 2020 the Moderator for the Town of Norfolk determined that due to safety concerns he would change the date of the annual town meeting from the scheduled date of Wednesday, June 24th to Saturday, June 27th. As the date of the meeting drew closer and it appeared that attendance would be greater, it was determined that the Town could not safely accommodate a larger gathering partially indoors and outdoors as planned. The meeting on Saturday will be able to accommodate the larger group completely outdoors on the regional high school football field. A copy of the Moderator's declaration is enclosed for your information.

Should you have any questions or need additional information please contact either myself or Blythe Robinson, the Town Administrator at 508-440-2855.

Sincerely,

Charles H. Stone Jr.
Chief of Police

NOTICE PER G.L. C. 39, §10A

TO: Blythe Robinson, Norfolk Select Board, Carol Greene
FROM: Jason Talerman, Town Moderator
CC: Peter Mello, Town Counsel, Board of Health
RE: Postponement of Town Meeting
DATE: June 23, 2020

This Notice will confirm my declaration of yesterday (at approximately 1:00 p.m.) that the 2020 Annual Town Meeting, originally scheduled for June 24, 2020 at the King Philip High School is being postponed to Saturday June 27, 2020 at 10:00 a.m. at the King Philip High School football field. This declaration is to address concerns raised by the novel coronavirus – in particular concerns raised regarding holding the Meeting indoors. My declaration was made after consultation with the Chair of the Norfolk Select Board, the Chair of the Norfolk Board of Health and the Norfolk Town Administrator. My declaration is also based upon guidance issued by the Massachusetts Department of Public Health, such guidance specifically recommending outdoor Town Meetings where feasible.

While discussion of an outdoor Town Meeting has been ongoing for several weeks, there was an expectation that, with a relatively modest warrant, a meeting in the High School cafeteria could be conducted in a safe and appropriately socially distanced manner. However, as Town Meeting approached, it became increasingly clear that there was a heightened issue in Town Meeting attendance due to the public's interest in several warrant articles, including the omnibus budget article. Furthermore, both the Norfolk Select Board as well as Norfolk Public Schools expressed an interest in completing Town Meeting before the close of the fiscal year. Accordingly, although I have the authority to postpone the Town Meeting beyond July 1st, I deferred to the interests of Town and School administration and scheduled the meeting for this Saturday. By doing so, we also retain a possible "rain date" of June 30th.

Both I and Select Board Chair Kevin Kalkut fully understand that moving the meeting on such short notice will be a significant inconvenience for some. However, it was the most viable option to conduct the Town's business while mitigating risk of exposure to the coronavirus.

Sincerely,



Jason Talerman
Norfolk Town Moderator

DATE: **06/23/2020** WARRANT: **52V20** AMOUNT: **\$ 717,279.00**

| | |
|----|-------------------|
| \$ | 17,206.16 |
| \$ | 14,064.08 |
| \$ | 2,824.70 |
| \$ | 967.02 |
| \$ | 792.13 |
| \$ | 216,903.45 |
| \$ | 104,790.90 |
| \$ | 11,415.57 |
| \$ | 2,435.22 |
| \$ | 40,829.04 |
| \$ | 9,978.00 |
| \$ | 8,758.18 |
| \$ | 286,314.55 |
| \$ | 717,279.00 |

TO THE TREASURER:

PAY TO EACH OF THE PERSONS NAMED IN THE ABOVE WARRANT, ACCOMPANYING SCHEDULES OF BILLS PAYABLE THE SUMS SET AGAINST THEIR RESPECTIVE NAMES, AMOUNTING IN THE AGGREGATE SHOWN ABOVE, AND CHARGE THE SAME TO THE APPROPRIATIONS OR ACCOUNT INDICATED.

APPROVED

FINANCE DIR TODD LINDMARK

SELECTMEN KEVIN KALKUT

SELECTMEN CHRISTOPHER WIDER

SELECTMEN CAROLYN C. VAN TINE

SCHOOL BILLS

SCHOOL COMMITTEE
THOMAS DOYLE

SCHOOL COMMITTEE
PAUL COCHRAN

SCHOOL COMMITTEE
JENNIFER WINN

SCHOOL COMMITTEE
MEDORA CHAMPAGNE

SCHOOL COMMITTEE
JEFFREY CURRY

06/23/2020 07:21
9730rrov

Town of Norfolk - LIVE
PRELIMINARY ACCOUNTS PAYABLE WARRANT REPORT

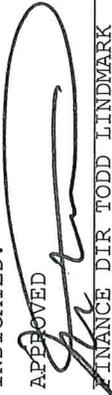
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DATE: 06/23/2020 WARRANT: 52VSA20 AMOUNT: \$ 230.37

TO THE TREASURER:

PAY TO EACH OF THE PERSONS NAMED IN THE ABOVE WARRANT, ACCOMPANYING SCHEDULES OF
BILLS PAYABLE THE SUMS SET AGAINST THEIR RESPECTIVE NAMES, AMOUNTING IN THE
AGGREGATE SHOWN ABOVE, AND CHARGE THE SAME TO THE APPROPRIATIONS OR ACCOUNT
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SCHOOL COMMITTEE
JENNIFER WINN

SCHOOL COMMITTEE
MEDORA CHAMPAGNE

SCHOOL COMMITTEE
JEFFREY CURRY

06/18/2020 16:32
9730bb00

Town of Norfolk - LIVE
ACCOUNTS PAYABLE WARRANT REPORT

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apwarrnt

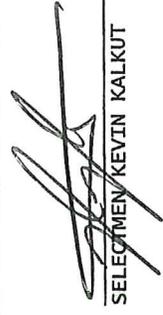
DATE: 06/23/2020 WARRANT: 52VS20 AMOUNT: \$ 65,635.46

TO THE TREASURER:

PAY TO EACH OF THE PERSONS NAMED IN THE ABOVE WARRANT, ACCOMPANYING SCHEDULES OF
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JEFFREY CURRY


SCHOOL COMMITTEE
PAUL COCHRAN

SCHOOL COMMITTEE
MEDORA CHAMPAGNE

12,730.78 +
7,507 +
4,572.6 +
12,025.12 +
13,247.03 +
19,191.75 +
159,355.45 +
