

Shutesbury Selectboard Meeting Minutes
October 13, 2026 Hybrid Meeting Format

Selectboard members present: Melissa Makepeace-O'Neil/Chair, Eric Stocker/ Vice-Chair,

Selectboard members absent: James Walton/ Board Member.

Staff present and Guests: Hayley Bolton: Town Administrator, Brennan Mailloux, Gail Fleischaker, Miriam DeFant, Liz Goodsell, Leah Jack, Stephen Dallmus, Frank McGinn, Jeff Quackenbush, Leslie Bracebridge, Kyle Dragon, Christine Marglin, Stephen Marglin, Kristin Mattocks, Kim Callicoatte.

Makepeace-O'Neil calls the meeting to order at 5:01pm

Agenda Review: As posted.

Public Comment:

Miriam DeFant Expressed deep concern about potential contaminated runoff from burned electrical equipment entering the environment, and the risk of future fires given a pattern of electrical failures. Miriam noted that MassDEP advised testing their well, with one quote received at \$2,500, an extraordinary cost for an abutter, and that a negative test would not rule out future contamination migration. Miriam stated that for approximately six months, burned equipment and structures have remained exposed to weather without containment, and that the building inspector has not responded to their request for a review. Miriam asked the Select Board to urge the Board of Health and the Building Inspector to review the fire-damaged structure and determine whether additional protective measures or investigation are warranted, and to support initiating a MassDEP investigation.

Leah Jack, Chair of the Shutesbury School Committee, made a public comment with a request for a closer collaboration between the Shutesbury School Committee and the other committees that have an interest in municipal buildings and work that's taking place around the Elementary School. She asked for the Town Administrator's support in coordinating municipal building work and wrangling all of the different invested committees together.

General Business:

1. Approve Meeting Minutes for 9/29/26 and 10/7/26:

VOTE: Makepeace-O'Neil makes a motion to approve the Meeting Minutes for 9/29/26 as posted, Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

VOTE: Makepeace-O'Neil makes a motion to approve the Meeting Minutes for 10/7/26 as posted, Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

2. Discussion/vote on adding a Council on Aging Representative to the Emergency Management Team:
 - a. Council on Aging approached the Emergency Management Team requesting one representative seat, and the team's general consensus was to support this. It was noted that during active storm-related emergencies, the Council on Aging representative would not be part of the immediate command center response, and that this distinction was understood.

VOTE: Makepeace-O'Neil makes a motion to approve adding (1) Council on Aging Representative to the Emergency Management Team, Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

3. Appointments of the Shutesbury Elementary School Decarbonization Procurement Selection Committee:
 - a. Bolton explained that the committee's purpose is to review proposals and draft procurement documents in support of the town's decarbonization roadmap, contingent on the grant being awarded.
 - b. Michael DeChiara, Nate Heard, Stephen Dallmus, Jeff Quackenbush, Nate Longcope, and Hayley Bolton (Ex-Officio).
 - c. McGinn asked to be removed from the Committee's membership, as having three Buildings Committee Members on the committee would create an Open Meeting Law quorum issue.
 - d. Stocker noted the absence of women on the committee and suggested the possibility of adding members in the future.

VOTE: Makepeace-O'Neil makes a motion to establish the Shutesbury Elementary School Decarbonization Procurement Selection Committee and approve the appointments of Michael DeChiara, Nate Heard, Stephen Dallmus, Jeff Quackenbush, Nate Longcope, and Hayley Bolton (Ex-Officio), Stocker seconds. Roll call vote, Stocker: aye, Makepeace-O'Neil: aye; motion carries.

4. Discussion about Planning Board's recommendation for the Town Administrator to initiate the complaint process with the Massachusetts Department of Environmental Protection regarding possible environmental contamination resulting from the April 16, 2026 inverter fire at the Solar facility on Pratt Corner Road (Wheelock Tract):
 - a. The Planning Board met and voted on making this recommendation at their October 5, 2026 meeting.
 - b. The Planning Board requested the Town take this action in an urgent matter.
 - c. Bolton stated she is in agreement with the Planning Board that an investigation be done. Bolton stated that she did discuss the situation with MassDEP and found that there is not a statutory requirement for the town to notify abutters or even initiate a complaint process, but that she does see the human element of the situation, which wants more than what's statutorily required.
 - d. Bolton will engage with MassDEP and do it in conjunction with the opening of their special permit that would look at the conditions regarding certain notifications in the event of a fire.

VOTE: Makepeace-O'Neil makes a motion that Town Administrator Bolton initiates the complaint process with Mass DEP regarding any possible environmental contamination resulting from the April 16, 2026 inverter fire at the solar facility on Pratt Corner Rd (The Wheelock Tract), Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

5. Vote to adopt: Policy #261013: Municipal Maintenance & Request Policy
 - a. The Town Administrator and Select Board reviewed the Municipal Maintenance & Request Policy, effective October 13, 2026, which establishes standardized procedures for submitting, approving, prioritizing, and completing maintenance and repair requests for municipal facilities. Requests must be submitted using the Town Maintenance Work Order Request Form and approved by the appropriate department head. The Town Administrator oversees authorization and vendor coordination, with the Building Committee reviewing projects costing \$500 or more. The policy establishes response priorities based on urgency, outlines procedures for verifying completed work and processing invoices, and identifies budget responsibilities for routine maintenance, department-specific upgrades, and capital improvements.
 - b. Dallmus asked that this policy be circulated to department heads to gather feedback from them. He also asked that a separate meeting be held with the Buildings Committee, so that everyone can review the policy and inspection spreadsheet together.
 - c. Jack echoed Dallmus by saying that other committees such as the School Committee should be connected with, as it would help her and others at the school (Principal and Head Custodian), identify who at the school would be responsible for roles outlined in the policy.
 - d. No vote was taken, but it will be reviewed at the next Select Board meeting, offering time for amendments to be made.
6. Town Administrator Report:
 - a. Bolton reported active preparation for the upcoming Special Town Meeting (STM) on October 17th, including advertising early voting hours starting at the Shutesbury Elementary School and continuing at Town Hall on October 19th.
 - b. Bolton stated the Recycling Committee will display toters and have flyers available for residents to view at the Special Town Meeting.
 - c. Bolton stated the Town received the Technical Assistance Grant.
 - d. Bolton stated she applied last week for just over \$100,000 worth of Green Communities Funds, which would provide weatherization, lighting, and heat pumps.
 - e. Bolton stated employee job descriptions have been returned, and the Personnel Board will review revisions at their next meeting.
7. Bolton stated she is going to put on her thinking cap and try to look at how the Town can modernize their fuel storage system and potentially make it more secure.
8. Bolton also wants to put out a call for volunteers for the Town's "Shutesbury Cares" Vulnerable Resident Registry. This is a community led program to match volunteers

with at-risk residents (elderly, living alone, or dependent on powered medical devices) for pre-storm check-ins.

The Board took a brief pause of their meeting until 6:00 pm

9. 6:00 PM Nuisance/Dangerous Dog Hearing-
- a. A formal dog hearing was conducted pursuant to Massachusetts General Law Chapter 140, Section 157, regarding a complaint about a dog named Roxy owned by Kristin Mattocks at 85 Leonard Rd.
 - b. The hearing was opened at 6:00 pm.
 - c. The Select Board administered the Oath to all parties present and testifying: “Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?”
 - d. The Select Board listened to the Complainant, Christine Marglin, 102 Leonard Rd state their case including testimony.
 - e. Marglin stated an attack happened earlier in the year, around early spring, where her dog was very quickly attacked on her property and then gathered by a dog walker.
 - f. Marglin stated another attack occurred on June 8th where her dog “Lucia” was viciously attacked by a canine “Roxy” owned by Kristin Mattocks.
 - i. Marglin stated she almost reached her driveway when the neighbor’s dog came racing up the road to them and began a sustained, extraordinarily vicious attack in which Lucia, her dog, was badly injured and almost killed. Lucia had severe injuries requiring sedation, stitching, antibiotics, and painkillers. Veterinary cost approximately \$800.00. Recovery took 2-3 weeks.
 - g. Marglin stated one more attack occurred after that June 8th incident on September 2nd. This time Roxy, initially on a harness, slipped free and attacked Lucia again. Veterinary cost approximately \$200.00. The owner did not pull the dog away and instead told Marglin to pick her dog up and run.
 - h. Marglin stated the peaceful enjoyment of the property has been disturbed. She fears the dog so much, and she is truly afraid. She fears walking on Leonard Rd.
 - i. Stephen Marglin stated these attacks were extremely traumatic to both Christine and the dog. He thought the first attack was going to be a one-off situation. He also stated he attempted to contact Mattocks to confirm rabies vaccination but received no response at the door, resulting in a precautionary rabies shot for Lucia.
 - j. Officer Kyle Dragon stated he is filling in for the investigating officer who is on leave currently. Dragon asked if the first, initial attack was ever reported, and Marglin stated no, only the September 2nd attack. Dragon stated that he confirmed the dog was vaccinated and is a black and white pitbull type terrier dog residing at 85 Leonard Rd, named Roxy. He stated Roxy was not licensed with Shutesbury at the time of the incident. Dragon also confirmed the incident did indeed occur and that the board had complaint statements and injury photos on file.
 - k. The Select Board listened to the Dog Owner, Kristin Mattocks of 85 Leonard Rd, state their case including testimony.

- l. Mattocks stated it is true that they did have a dog walker earlier this spring when the first incident occurred, and that she gave them specific instructions on where to walk the dog, specifically not the orchard. She was unaware the walker had taken Roxy onto the complainant's property.
- m. Mattocks described the June incident where she stated she was across the street at the neighbor's house and had just finished walking her dog on a leash. She stated they made it back to her home, where Mattocks opened the door, and Roxy heard something, prompting her to slip her collar and run down the driveway, down the road, and attack Marglin's dog. She agreed that had happened and was a serious attack. Mattocks stated she offered and paid the \$800.00 veterinary bill promptly upon receipt. She was never informed about the second \$200.00 medical bill, so she was unaware that the dog went to the vet.
- n. Mattocks stated the incident in September; her dog started her walk on a harness but slipped her harness at the end of the driveway. Her dog did not have a collar or leash on. She ran down the road and attacked Marglin's dog. Mattocks stated all she could do was jump on her dog Roxy in the middle of the road and restrain her while the attack was happening. She stated Marglin was yelling "Somebody help me," but was not taking any action in regard to moving or grabbing her dog.
- o. Mattocks stated she would willingly pay for the second vet bills, now that she is aware of them.
- p. Mattocks stated through DNA testing she has found that her dog is not a pit bull but is an Australian Shepherd dog with a territorial demeanor. She stated over the years she has found the dog has become more aggressive and unfriendly to certain people.
- q. Mattock's vet put Roxy on Prozac and recommended canine behavioral therapy. Mattocks brought her dog and they had a \$250.00, 2-hour assessment conducted with a pet behavioral therapist. She stated she has since kept her dog in the yard (only with an individual accompanying her), does not walk her on the street, puts her in a four-point restraint harness and a muzzle, all recommendations made from her pet behavioral therapist.
- r. Mattocks stated she is trying her best to fix things in all the ways that have been recommended to her.
- s. Kim Callicoatte stated all dogs and parties involved are traumatized. She stated her dog's going to have a very limited life and her and Mattocks have to change their dog management ways as owners of the dog.
- t. Officer Dragon stated when he met Roxy, he didn't sense any aggression. Roxy was nervous though.
- u. Chair Makepeace-O'Neil entertained a motion to close the hearing.

VOTE: Makepeace-O'Neil makes a motion to close the Dog Hearing at 6:47 pm, Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

- j. The Select Board deliberated in open session as to findings of fact.
- k. Makepeace-O'Neil went over her notes and the facts that were stated during testimony.
- l. Stocker asked Mattocks if Roxy has been spayed, and it was confirmed as "yes."

VOTE: Makepeace-O'Neil makes a motion to accept the findings of fact, Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

- m. The Select Board then reviewed definitions of a "Nuisance Dog" as well as a "Dangerous Dog," read by Bolton, to determine if the dog in question, in their opinion, meets the definitions of either.
- n. Officer Dragon clarified the legal definitions of nuisance dog vs. dangerous dog under Chapter 140, Section 136A, and explained that violations of either carry the same consequences (\$500 fine, seizure, and a 5-year ban on dog licensing in Massachusetts). However, a dangerous dog finding requires the board to adopt at least one verbatim statutory condition, while a nuisance finding allows more latitude for creative solutions. Dragon noted that a dangerous dog would be deemed unadoptable after seizure.
- o. Makepeace-O'Neil stated she felt the case cannot be dismissed based off of the facts that were presented, Stocker agreed.
- p. Makepeace-O'Neil stated based off of the state's definition of a dangerous dog, she believes the dog is dangerous. Stocker agreed based on the severity of the attacks and the risk to children and other vulnerable individuals.

VOTE: Makepeace-O'Neil makes a motion that upon investigation and hearing testimony, the Select Board finds that the black and white dog named Roxy, owned by Kristin Mattocks, is a dangerous dog based off the facts, Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

- q. Bolton read actions that could be taken as a result of a dangerous dog finding.
- r. Makepeace-O'Neil stated she commends the owners of Roxy for already starting the process.
- s. The Board and Officer Dragon discussed the differences of actions between a nuisance dog finding and a dangerous dog finding. Dragon stated the dangerous dog finding comes with having to choose at least 1 of the actions, and they hold more weight. There is less wiggle room and interpretation than a nuisance finding's actions.
- t. After voting on the status of the dog, the Select Board decided on actions to be taken by Kristin Mattocks for her dog.
- u. Conditions imposed:
 - i. Condition I (verbatim): The dog shall be humanely restrained; no chaining or tethering to inanimate objects.
 - ii. Condition III (modified): When removed from the premises, Roxy shall be securely muzzled and restrained with a device of minimum 300-pound tensile strength, not exceeding 6 feet in length. When outside on the premises of the owner or keeper, Roxy must be muzzled at all times.
 - iii. A written dog safety plan (incorporating training and safety measures) is to be submitted to the Town Administrator by October 27th at 5:00 PM.
 - iv. Roxy must be licensed with the town by end of the week.

- v. The \$200 veterinary bill to be paid through the Town Administrator's office by October 27th.

VOTE: Makepeace-O'Neil makes a motion that a plan is in place for #1 the dog to be humanely restrained, #2 when removed from premises that the dog be restrained with a 300 pound leash and muzzled, #3 when outside on the premises with the owner or keeper of the dog that the dog be on a leash, restrained, not to exceed 6 feet and be muzzled at all times, #4 that there will be a dog safety plan submitted by October 27th at 5pm, #5 that there will be a dog license within the week, and #6 that the veterinary bill be paid to Lucia's Owner through the Town Administrator, Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

- v. Bolton read off the entire statutory appeals process per Mass General Law Ch. 157D that included the following Notice of Appeal to Kristin Mattocks: "If you are aggrieved by this decision, you may appeal it to the District Court within 10 days pursuant to M.G.L c. 140, Section. 157."

10. Meeting Adjourned at 7:40 pm

VOTE: Makepeace-O'Neil makes a motion to adjourn the meeting, Stocker seconds. Roll call vote Stocker: aye, Makepeace-O'Neil: aye; motion carries.

Document and Other Items Used at the Meeting:

1. Meeting Minutes for 9/29/26 and 10/7/26
2. Policy #261013 Municipal Maintenance and Requests Policy
3. Dog Hearing Packet
4. Appointment Letters for the SES Decarbonization Procurement Selection Committee

Respectfully submitted,
Brennan Mailloux
Administrative Assistant
Town Administrator/Select Board

** A full version of the 10/13/26 SB meeting will be available to view on the Town of Shutesbury's YouTube page: <https://youtu.be/la2BmPcUcpw>

