

HALIFAX BOARD OF SELECTMEN  
SELECTMEN MEETING  
TUESDAY, APRIL 10, 2018 - 7:30 P.M.  
SELECTMEN MEETING ROOM

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Meeting came to order at 7:30 p.m. with Selectmen Thomas Millias, Kim R. Roy and Troy E. Garron present.

The following business was discussed:

**PLEDGE OF ALLEGIANCE**

The Board as well as those attending tonight's meeting stood to recite the Pledge of Allegiance.

**AGENDA**

Moved by Garron and seconded by Roy, the Board unanimously approved the Agenda for Tuesday, April 10<sup>th</sup>.

**MINUTES**

Moved by Garron and seconded by Roy, the Board unanimously approved the following Selectmen Minutes:

- Executive Session – March 20, 2018
- Executive Session – March 27, 2018

**AFFIRMED WARRANTS**

Moved by Garron and seconded by Roy, the Board unanimously affirmed approval for the payment of the following warrants:

Payroll Warrant	# 87	\$ 350,305.72
Vendor Warrant	# 88	\$ 34,703.80
School Warrant	# 89	\$ 222,362.99
Withholding Warrant	# 90	\$ 126,170.07

**APPROVED WARRANT AND COMMITMENT**

Moved by Garron and seconded by Roy, the Board unanimously approved payment of the following warrants and commitments:

Vendor Warrant	# 91	\$ 115,843.48
Mobile Home Park Fee	# 4	\$ 5,160.00

**APPROVED SELECTMEN BILLS**

Moved by Garron and seconded by Roy, the Board unanimously approved payment of the following Selectmen bills:

CNA Surety Direct Bill (bond/B. Gaynor).....	\$ 100.00
W.B. Mason (markers & tape).....	\$ 6.54
KP Law, P.C. (legal/February) .....	\$ 240.00
Express Newspapers (ad/alum treatment/W. Monponsett).....	\$ 28.25
Attorney Lawrence P. Mayo (legal/March) .....	\$ 2,356.25
MIA Property & Casualty Group, Inc. (policy).....	\$ 384.00
Michael Gilman Esq. (legal/March) .....	\$ 220.00

**GENERAL MAIL / DISCUSSIONS****Marijuana Host Community Agreement - Hono East**

A firm called Hono East is interested in signing an HCA with the Town for a manufacturing facility (20,000 square feet) and a retail facility.

- They have not selected a location because they want to find out if the Town is receptive to the proposal before consulting various property owners;
- They have a draft HCA that includes a 2% Community Impact Fee instead of the 3% in the HCA agreed to with Four Daughters.

If the Board interested in pursuing this Seelig can:

- Set up a meeting with the firm (if the Board wants);
- After that meeting, set up a public forum similar to the one that was set up for Four Daughters;
- Take the Four Daughters HCA, revise it with information from Hono East, change the CIF to 3% and send it to Town Counsel for review.

Garron is not sure if he wants to get involved with another HCA seeing as we have one before us and is not interested in all in retail sales. Millias felt the same as Garron and is not for the 2% CIF.

**Complaint - Famous Pizza**

The Board has received a complaint from Jocelyn Lavelle who alleged that Nicholas Varvitsiotis, the manager, had left his Brockton business, Goodfellas Pizza, with unpaid rent of over \$100,000, unpaid vendors and employees, unpicked-up trash, and overdrawn bank accounts. She asked that the Town not allow the business to open in Halifax. Seelig has checked with Town Counsel and he agreed that any matters between Mr. Varvitsiotis and other parties are not something that the Town should play a role in. Millias agreed with Town Counsel.

**Unregistered Vehicle Permit Fee - Derek Dowding**

The Board had approved this permit on January 23<sup>rd</sup> for Mr. Dowding. He came to the office earlier this week to say that he no longer has the vehicle and does not need the permit (he never had picked up the permit). The Board was asked if they wish to still charge him the \$25 permit fee. Garron was okay with charging fee seeing as he really never used the permit.

**Linda Sluhocki Resignation - Finance Committee**

Moved by Garron and seconded by Millias, the Board unanimously accepted, with regret Linda Sluhocki resigned from the Finance Committee, effective April 1, 2018 and that a thank you letter be sent to her.

**Beautification Committee Dumpster Request**

The Committee would like to have a 10 cubic yard dumpster brought to the Town Hall parking lot and place it near the small dumpster during the pick-up week (April 22-28) so that individuals participating in the pickup will have some place to bring the trash bags. Garron asked if there was room to place it there and if we talked with the maintenance department. Seelig said that there is room and maintenance has not been informed. Seelig is concerned that someone will dump stuff in it. Millias hates to say no seeing as we have volunteers who are willing to do the work. Seelig will ask the police to keep an eye on the dumpster.

PILOT - Solar Field - Summit Street

SunConnect, the firm that was to build the solar array on Summit Street, wants to revise the PILOT for this project to reflect what it sees as changes in the cost of building the field and the revenue projections. They are looking for a PILOT that is about 1/3 the value of the original PILOT. The Principal Assessor and Town Counsel received the proposal in the last few days. Seelig recommends holding this to April 24<sup>th</sup> to get their comments.

Recycling Compactor Grant

Moved by Garron and seconded by Millias, the Board unanimously voted to have the Chair, Thomas Millias, sign the Sustainable Materials Recovery Program Grant for Drop-Off Collection Equipment & Education Materials.

Ann Marie Reed – Long Term Trailer Permit

Ms. Anne Marie Reed has not been in to drop off an application for long-term trailer permit. The short-term permit issued by the Building Inspector expires on May 13<sup>th</sup>. McSherry calla Ms. Reed to follow up on the letter that was sent her and Ms. Reed said she was overwhelmed due to the fire damage to her home and said she would ask “American Mobile Homes” – the company that she is renting the trailer from – to send in the application. McSherry has talked with American Mobile Homes today and the company said that it would be in on tomorrow to start the permit process.

Elm Street Parcel - Fish and Game

The office is to hear from the Inspector General’s office as to whether Seelig needs to go through a formal bidding process for a transfer to the State.

Monponsett Pond/Aluminum Sulfate Project

DEP is okay with a change in the 319 grant to allow the money to be used for further aluminum sulfate treatments instead of the design of a pump system. Seelig is in the process of going out to bid for a 10 g treatment this spring.

**SCHEDULED APPOINTMENTS**

**Davis Automotive – continuation of revocation hearing**

As of 4 p.m. today, Ms. Davis has not made the necessary payments. Seelig recommends revoking the license, effective Wednesday, April 25<sup>th</sup>, unless Davis Automotive pays sufficient funds to bring it back on schedule for the payment of back taxes.

Moved by Garron and seconded by Millias, the Board unanimously voted to revoke Davis Automotive’s Class II license and Fuel Storage license effective April 25, 2018.

**GENERAL MAIL / DISCUSSIONS (CONTINUED)**

Renewal Fuel & Gasoline Contract

Move by Garron and seconded by Millias, the Board unanimously voted to continue the contract with Noonan Brothers Petroleum Inc. for the delivery of premium, unleaded gasoline and diesel fuel to the Town of Halifax for the period July 1, 2018 to June 30, 2019.

Animal Control Officer Reappointment

Moved by Garron and seconded by Millias, the Board unanimously voted to reappoint Noreen Callahan as the Animal Control Officer, term to expire April 30, 2019.

Summit Street Soccer Fields

Dick Steele said that he had no concerns with Halifax Soccer placing a floodlight over the parking lot, replacing the wood rail fence with a chain link fence, stoning the parking lot and placing concrete parting stops down the center. Seelig is recommending that the board approve the above mentioned projects.

Moved by Garron and seconded by Roy, the Board unanimously approved Halifax Youth Soccer's request to do the above mentioned projects at the Summit Street soccer fields.

Wage and Personnel Board - Selectmen's Representative

Moved by Garron and seconded by Millias, the Board unanimously voted to appoint Kim Roy as the Board of Selectmen's representative to the Wage & Personnel Board.

Quarterly DUI Reports

No establishments in Halifax were on the quarterly report (October 2017 to March 2018).

**SCHEDULED APPOINTMENTS (CONTINUED)**

**Kimberly Mahoney – continuation of dog hearing**

*Garron:* Have you had the opportunity to revisit the location?

*ACO:*

Every time that I'm working I swing by. And when I was driving here this evening that's the only time I saw a person outside of the residence so I have not seen that dog. We have no reports of the dog being loose or any complaints about the dog so I'm happy.

*Roy:*

But we also have no verification that that dog is under the supervision of a trainer to work on its aggressive behavior. Maybe this is ... oh hi. Come on up. ya come on in the front. Thank you.

*Millias:* Where are we at since we last saw you.

*Mahoney:*

I got the dog licensed and vaccinated but I haven't done the kennel. Its seems to be much ... a big process and not that I won't but I'm not planning on staying there like I said and I've been doing nothing but looking for a place to move to so. I was hoping that I already have some place by now but I don't yet. But I take her out. I'm the only one that takes her now. I just take her out and wait with her the whole time. It's been working fine since she's been quarantined so.

*Millias:*

Just to be clear you do have a kennel but we just don't have it covered is that where we're at?

*Mahoney:*

It's fenced on three sides and the third side kind of leads into the rest of the backyard. It's kind of on the side yard. So it does completely block her from going towards the street and she's on that chain. It's a chain ...

*Millias:* Should she get off the chain she could get onto the street.

*Mahoney:* Not with me standing there but

*Millias:* No no no

*Mahoney:* If I left her outside

*Millias:* I just want to be clear about where we were at that's all.

*Mahoney:* Okay.

*Roy:* Is the dog wearing a muzzle each time you bring her out?

*Mahoney:* In the day time ya not at night just because at night she's out and right back in.

*Roy:* The ...

*ACO:* Where do let her roam?

*Mahoney:* Where do I let her roam?

*ACO:* Ya where do you let her roam cause do let her on the side yard or ...

*Mahoney:*

I take her with the leash out the front door to the side clip her on the chain and then I take her back the same way.

*ACO:* Okay

*Roy:* This Board had ordered that the muzzle be on the dog at all times when it was outside.

*Mahoney:*

Right. Ya like I said the only reason why she'll sit there and she'll try and pull at it while I take her out so at night when there's no body like in front never going to be walking by I just didn't think its.

*Roy:* No the dog should be wearing muzzle at each time it is outside of your house.

*Mahoney:*

It's just ... the only reason like I said it's just when she goes out she rather mess with that then go to the bathroom and then she ends up not going and she'll wait but I'll keep it on her at night too if you want.

*Roy:* That's what I wanted.

*Millias:*

These are the conditions that we set and especially where you haven't met some of the conditions this is a condition you can meet. I understand it's annoying to the dog but what we're trying to do here is prevent having to go further and order something that in nobody really wants to order and that's where we're at you got to help us here.

*Mahoney:*

It's just a matter of her using the bathroom and she'll hesitate and wait until she just can't hold it anymore. It's just ...

*Garron:*

But the sad part about it Kim is that even if you moved to another location and hopefully if you do you'll make sure there is secure place to put it in but if the dog should get out again at another location and bites somebody else then you got double the problem. Then the next move is to have the dog put down.

*Mahoney:* Right

*Garron:*

And you don't want to do that. That's why we are trying to give you the simplest process to follow to prevent us having to go that last step.

*Mahoney:*

I agree. I understand. I just like I said it's if you were there with the dog I think a little bit different.

*Garron:*

Ya no see the thing is the dog got to be trained to go the bathroom with muzzle on and everything else because if it should get away from you for some reason you slip and you let the chain go the dog doesn't got the muzzle on and goes and bites somebody then you become financially responsible and you don't need another headache.

*Mahoney:* I agree. It was stupid on my part. I'll make sure it's on her at all times.

*Garron:* And you're not stupid.

*Mahoney:* I know.

*Garron:*

The concern for the dog is admirable but right now what we're trying to do is to keep from making that final decision so please work with us.

*Mahoney:* I will.

*Millias:* Were you able to get any training for the dog is that anything that's a possibility.

*Mahoney:*

I ... the last person that I spoke with about that was my boyfriend's friend John. He said he's friends with a guy that worked for I want to say Five Circles or something like that and he was supposed to call him and that was two weeks ago and they stopped working together since then so I just forgot about it to be honest I wasn't thinking about that.

*Roy:*

I don't think you want me to speak tonight. I don't think you want me to speak because when you came in here a month ago we tried to explain to you how serious the situation was I'm sorry it was over a month ago correct. When was the date of the first hearing?

*McSherry:* February 27<sup>th</sup>.

*Roy:*

Okay so on February 27<sup>th</sup> we met with you and we explained to you how serious the situation was and as Troy explained to you we could have easily made a motion to have the dog euthanized but we wanted to give you the opportunity to prevent that from happening and that included a few steps. To make sure that the kennel was secured. We recognized there's been bad weather so we can easily be a little lenient with you on that. To ensure that the dog has a muzzle on at all times as it leaves your house and when there are guest in your house that are not familiar with the dog. Had you been adhering to that one?

*Mahoney:* Ya

*Roy:*

But you hadn't been adhering to it one hundred percent cause in your own words you just admitted that it kind of an inconvenience to do it at night.

*Mahoney:* It was ...

*Roy:* Did you not just say that?

*Mahoney:* Yes yes

*Roy:*

Yes you did. We also encouraged you to obtain a trainer to work with this dog because it has showed such aggressive behavior such aggressive behavior that was the reason you gave us that you had not had a rabies vaccination done on the dog or brought it to the vet because you were nervous in your own words you said this about bring the dog around strangers and other dogs. So if you have a dog that is exhibiting those sorts of behaviors we told you in order to keep the dog alive that you would need to get a plan in place to have the dog trained to work on the aggressive behavior.

*Mahoney:*

I didn't know that part was mandatory. I thought it was ... I didn't have a paper or anything saying like this is what you have to do. I thought it ....

*Garron:* did you receive a letter from the Board?

*Mahoney:* No I didn't get anything.

*Garron:*

You never received a letter from the Board laying out what your responsibilities were with the dog.

*Mahoney:* No

*McSherry:* I did send a letter and I never received it back. I sent it the very first meeting

*Seelig:* Pam, While you folks are talking I'll make a copy of it.

*Roy:*

We're trying to give you an opportunity and as I said to you the first time we met with you this is a pretty aggressive dog. You have a lot going on in your life and we wanted to give you the opportunity to be able to put the dog in a place that he could live among others. That hasn't happened.

*Mahoney:* Like I said

*Roy:* What do think ...

*Mahoney:*

I didn't know that part was mandatory but I've been trying to move and that's the only thing that's been keeping me from doing anything. It's just I've been that's all my focus has been on is trying find a place.

*Millias:*

Rentals are tough. They're tough in this area in bad times never mind in good times. Finding a rental property is going to be a real process. I wish you good luck with it. But in the meantime and to Kim's to Mrs. Roy rather point about the weathers been pretty tough for everybody in terms of the kennel and I understand that there's expense involved and with the trainer there's expense involved but we can't go on indefinitely with this. I don't want to put this dog down just on principal but if we have to do we have to do it. I'm inclined to give you a drop dead one week to get a letter from the trainer that says that trainer has been engaged by you to work with the dog. Somebody and not just a friend but somebody who actually does this and a commitment that you are going to get this kennel done within the next seven days or so. And if you can't do that then we're going to have to do something drastic. I'm trying not to be hard here but ...

*Mahoney:*

I also thought that I wasn't supposed to take her out of the house for four months so that's ... four months isn't up yet so that another thing that's been stopping making appointments because the only thing I was told I could do was take her to vet.

*ACO:* True

*Millias:* Okay

*ACO:* True

*Roy:* That's because she didn't have a rabies shot. That's why she's quarantined for so long.

*Mahoney:* I didn't know that was the reason.

*Roy:* Ya if she had a rabies shot then she wouldn't be quarantined for so long.

*Millias:* Where are we at with that now?

*ACO:* We as far as I know it's going to be five of June.

*Millias:* That long okay.

*Roy:*

Ya so if you had been able to keep her up on her inoculations and she bit a dog I believe the normal quarantine period is ten days. Am I wrong on that?

*ACO:* Correct. That's correct

*Roy:*

But because the dog was not vaccinated that's why that period is longer. And to Tom's point I mean I don't particularly want to order the dog be euthanized but if I have to make that decision to protect the residents of Halifax I will make that decision and I won't take ownership of that responsibility it would be your responsibility because we gave you an opportunity and you didn't do what we asked you to do. Again as I said earlier I understand the kennel thing I totally get that and we could be more lenient about that but the fact that you sit here and say ya know it's kind of inconvenient to have this muzzle on her at night.

I would think that you would want to do everything that you could to be able to keep this dog alive. And I recognize that you have a lot going on in your life and I said to you, you have a lot going on to have this responsibility of this dog being so aggressive. But we wanted to give you the opportunity to get the things that you need to get done in order to keep the dog. So I don't really know what we should do cause I feel like even if we gave you the date I don't know that you could make it.

*Mahoney:*

I take the responsibility of the dog and that's... I take her outside myself and I know she won't take off with me and that's the only reason I didn't put the muzzle on at night and I don't want you to put the dog down it's my dog it's the kids dog.

*Garron:*

Okay we have a eight o'clock and I know this could continue on cause it seems like we're going in a loop at this point in time.

*Millias:* Do you want to make a decision here?

*Mahoney:*

Can I take her out of the house? If I can I'll make the appointment tomorrow to have her seen by a trainer.

*Millias:* How do you feel about that Noreen?

*ACO:*

Right now she's on quarantine which she is correct. I do have a recommendation for a trainer who is very good with aggressive dogs. I can give you that as an option to look at one of these.

*Roy:* Do they go to the house Noreen so she doesn't have to being the dog out.

*ACO:*

I'm not really sure on how it goes but they've had good success with it and I would think they would be able to. Maybe that might help you out a little bit. I'll give you this ... it's a ... do you have access to the internet.

*Mahoney:* Yes I do.

*Garron:*

All right what I was going to suggest rather than one week maybe two weeks to see what goes on to see if started follow through with this.

*Millias:* I do want to commend you on one thing though your honesty.

*Mahoney:* Okay

*Millias:*

Because you could have told us that you did have the muzzle on at night. For that I appreciate it.

*Roy:*

No I ... I appreciate that too and I don't mean to be so difficult with you but we have to be difficult and we have to strong about this because if something else happens it's on us.

*Millias:* It's on us.

*Mahoney:* I agree. I get that too. Like I said it's just it's not ...

*Roy:* You're overwhelmed.

*Mahoney:* Ya

*Roy:*

By your current situation and for that I feel sorry, really. I know you're overwhelmed and I know you probably love the dog but you're overwhelmed.

*Millias:* And the kids love the dog and that whole emotional wrap up.



*Roy:*

It's difficult I'm sure and we don't mean to be difficult with you but I feel like I have to be to get you moving on it.

*Mahoney:*

I'll just ... I'll have it done. Like I said I just don't want to buy all the stuff then have to take ...

*Roy:*

No again I'm not ... I told you from the beginning I'm understanding about the kennel the thing that bothers me is the muzzle and I do appreciate your honesty but you should have been doing it and the other thing is even making one phone call to talk to a trainer or something to help work with the issue of the aggression. That's why I'm upset.

*Millias:* You need to work with us so we can work with you.

*Roy:* Yes

*Millias:* This is what it is coming down to.

*Mahoney:*

Like I said I didn't know I wasn't cooperating because I thought she was supposed to be like at home not ...

*Millias:* I probably misspoke on that part cause I ...

*Roy:* No but trainers go to the house

*Mahoney:* Right. All right I 'm going to call this place.

*Roy:*

Trainers can go to a house. I've had a trainer come to my house when I had an dog that I adopted that I didn't realize was aggressive until I got him in the house.

*Millias:*

And we appreciate the fact that there's expense involved in this but that's part of being the dog owner and you took that on when you took the dog.

*Mahoney:* Right

*Millias:*

And unfortunately you have to bear that burden and I do feel for you. I understand trying to find a place take care of kids work take care of the dog. I get how overwhelming it can be to Mrs. Roy's point but you're in for a penny you're in for a pound and I hate to use those old expressions and you're in all the way here. You're going to have to do ....

*Mahoney:* I'll call one tomorrow.

*Roy:* Unless there's a ... ya

*Garron:*

I move that we allow two weeks time to see any progress as far as training and kennel repair work since the weathers supposed to be a little bit better over the next couple of weeks. Hopefully spring will be here and you'll be able to get a little sunshine.

*Roy:* Are clear what's expected of you in the next two weeks?

*Garron:*

And you now have the letter because that was thing that surprised me cause we always send a letter out but we'll ...

*Mahoney:* It probably got sent my house ....

*Garron:* We'll accept you didn't receive it.

*Roy:* your mail is screwed up ya

*Garron:* or your mail could have changed but you have it now you know what to expect.

*Millias:*

Unfortunately the next time around is going to be a tough decision and its going to get named.

*Roy:* Yes

*Mahoney:* I understand that.

*Millias:*

So the heats on you and I apologize to that to the extent that I need to apologize to you for it but we're going to do what we have to do.

*Mahoney:*

And just before we finish in two weeks you guys meet again?

*Millias:* Yes

*Mahoney:* On Tuesday night. I work every Tuesday if I get all this done which I will can I ...

*Garron:* Put it in writing.

*Mahoney:* Put it in writing and send it to the meeting.

*Roy:*

We need to verify with the trainer that ... so you need to send Noreen the trainer's name so she can verify that it's in place.

*Millias:* Ya that's probably the best thing to do is contact Noreen, if Noreen is okay with that.

*Garron:* Thank you.

*McSherry:*

So you guys okay with the kennel it's the muzzle thing and the training, contact a trainer. Is that correct?

*Roy:* Yes

*Garron:* I moved it

*Roy:* I'll second it

*Millias:* All those in favor

*Millias:* Aye

*Garron:* Aye

### **Keith Akers – Franklin Street Solar Array**

Keith Akers from Syncarpha Capital and Mike McGonigle from Coneco Engineers & Scientists came in tonight to discuss the plans for a solar field off Franklin Street.

Mr. Akers began by saying that in August 2016 the Planning Board approved the site plan for the project. Originally they wanted to build this project under the former Aspect Two Program but it got put on hold until the appropriate time, which is now seeing that the Articles are being proposed at the Annual Town Meeting. He continued to say that they are here to tonight to re-introduce the project, give the Board an overview of it and answer any questions they might have. Furthermore they have been working with Assessor's Office to get a PILOT agreement in place before Town Meeting.

Seelig said that if everything is done by May 14<sup>th</sup> in terms of an agreement for the PILOT, then Town Meeting could vote to authorize the Board of Selectmen and the Board of Assessors to negotiate the PILOT.

Akers said that they will be working closely with the Principal Assessor and their attorney is going to look over the Town's previously approved PILOTS just in case they have any questions/comments about anything. Using the documents already approved makes everyone's lives a whole lot easier.

Millias suggested that they talk with the Building Inspector/Building Commissioner about the fees for panels because that may have changed since that original project was negotiated. Akers appreciated his advice.

Garron asked who will be the representative for the project and Akers said it would be him – he would be happy to take phone calls and answer any questions. He continued to say that they are trying to make this construction process as smooth as possible and then after construction it will be just the maintenance of the site.

Millias asked how many panels would there be and Akers said right now they got seven thousand but they might come down to get higher efficiency panels.

Akers added that the project will take about five months but it might be done sooner as they go up pretty quick and hopefully will go “live” in July.

Millias that asked if they would have to de-forest the site and Akers they will have to clear eleven and a half to twelve acres, give or take. McGonigle said that approximately sixty-one acres will be untouched.

Akers asked what would be the worst case scenario and Seelig said if we weren't able to get a contract done for the PILOT by May 14<sup>th</sup> then we could have a special town meeting the last week of August or the first week of September and present it in then.

Akers said that he appreciated the opportunity to come and talk with them and the Board thanked them for coming in.

### **GENERAL MAIL / DISCUSSIONS (CONTINUED)**

#### Contract Negotiations

Seelig informed the Board that all four unions have signed off on a 2% wage increase and that both the fire and police chiefs are also all set.

#### Chapter 90 Article

Seelig said that we might have to pass over this Article because he does not think the House and Senate will come to an agreement.

#### Warrant

Seelig stated that for the most part the Finance committee has made recommendations but they were not printed in the warrant because the warrant went off to print before the recommendations were made.

#### Zoning By-Law Committee

Millias asked Seelig if he reached out to Alan Dias regarding the Zoning By-Law Committee and Seelig said that he has contacted the boards & committees but has not heard back from anyone.

### **SCHEDULED APPOINTMENTS (CONTINUED)**

#### **Warren Gardner – Multiple Unregistered Vehicle Permit**

Mr. Gardner is here this evening to request a multiple unregistered permit.

Roy questioned the amount of vehicle he is requesting (15) as she felt it was a lot and Gardner said that he put that figure in because sometimes he will get a truck or two but there could be less than fifteen. She then asked that there could be fifteen at some point and he said yes.

Garron asked if the property was zoned industrial and he said yes.

Millias asked what else was he doing in that building and Gardner said him and a buddy at one time was doing auto body – they would help one another out. Millias was concerned about the property becoming a salvage yard and both Mr. & Mrs. Gardner said that they do not want a junk yard and Gardner said sometimes if he sees a truck that will match his he will grab it and take parts from one vehicle and put on the other.

Garron asked how many vehicles does he have on the property and is he using all these vehicles for his own purpose or is he selling parts. Gardner said right now probably eight or ten and as for the parts he uses a lot of them for himself and whatever he does not use he gets rid of.

Roy said that she noticed in the file the Planning Board recommends that the BOS don't make a decision until the Planning Board can review the request. Seelig said that was correct -the Planning Board did not have quorum at last Thursday's meeting.

Garron said that if Gardner is selling the parts then would he be looking at a Class II license. Seelig said the question would be what is the purpose of the vehicles being there is - are you selling the parts, are you selling the vehicles, or is this all your personal stuff. Gardner said that most of it is his personal stuff and has bought vehicles to rehab one of his older trucks. Garron asked what he does with the trucks once he rehabs them and Gardner said he drives them.

Millias asked if he had unregistered vehicles for the winter months and Gardner say he does take them off the road in the winter. Seelig then asked Gardner how many working vehicles does he have and he said maybe seven or eight trucks that are registered.

Millias said based on the fact the Planning Board would like an opportunity to review it, and he would like to drive by and take a look at the property he thinks they should put off issuing the permit until their next meeting. Garron also said that he cannot make a decision this evening.

Garron asked how long has he been there and he stated fifteen-sixteen years and added that he has cleaned the property up over the last couple of years.

Seelig said that the BOS can put him in for April 24<sup>th</sup> at 8:15. Seelig then asked what would be the longest period of time any unregistered vehicles would be there and Garner said it depends, probably a year or so.

Millias asked if he was the only one that does the mechanical work and he said that he does his own stuff.

Garron asked if anyone else was doing this type of stuff on the property and Gardner said no. He then asked if there other vehicles beside his there and he said that his cousin's dump truck is there just for the winter. Millias asked if it was registered and he said that he will be re-registering it again in the spring – he does the same thing as Gardner does – they help one another.

Millias said that they can resolve this at their next meeting and asked Gardner if he could do a quick walk through at the location so he knows what they are talking about and he said that would be fine.

Moved by Garron and seconded by Roy, the Board unanimously voted to continue the hearing to April 24<sup>th</sup> at 8:15 p.m.

### **GENERAL MAIL / DISCUSSIONS (CONTINUED)**

#### **Dog Park**

Roy said that she went to the meeting two weeks ago and they met with the Kingston dog park people and they got some great ideas. Sue Vogt is going to pass over the Article at Town Meeting.

Then after Town Meeting they are going to meet with the Park Commission, Youth & Recreation, the Water Commissioner and Highway to get the pros and cons about the park and the location. Garron mentioned that they will need to talk about who is going to maintain it and Roy said they do recognize it cannot be with town funds.

### **SCHEDULED APPOINTMENTS (CONTINUED)**

#### **Bruce Cook – Crystal Lake Drive Property Dispute**

Mr. Cook, Esquire, introduced himself to the Board and gave the brief synopsis of why he was here this evening.

He began by saying that around 1920 his grandmother acquired land on Crystal Lake from The Monponsett Land Company. This company sold lots to people from Boston as vacation homes. Sometime later his grandmother let the lots go; the town would take the lots by tax title and then release them and then take them again and then release them – it was a way of saying you're going to lose the lots if you don't pay the taxes and the people didn't want them so they would not pay and just let them go.

Somewhere in the history of all of this a gentleman named Mr. Wesson has acquired a bunch of lots, which would effectively keep anyone from putting together a buildable lot. So now there are about fifteen acres that was woods and have remained woods. His grandmother for years paid taxes on property she didn't own. The former Town Clerk, Ruth Perkins, would send her the bills and she would pay them but never go to Land Court and actually put them in her name. Then during that process the town kept a number of the lots that they had taken by tax title and put them into town ownership.

Cook said that he has been bothering Mr. Seelig now for over thirty years saying this is the year he was going to do something about this and every year he forgets or does not get to it. So now he is here because he and his brother would like to get one buildable lot so they could put a family cottage on it as this was always a dream of his dad's. And if they come up with two or three other buildable lots they would be happy to sell them off to create a real community rather than this area be no-man's land.

He has found out that Wesson and the people he is financed by wants to subdivide the land, which most of it is his grandmother's, and sell it. So within the next two weeks he is going to file an action to *quiet title* of the entire area and stop Wesson from doing this and then hopefully talk to the town about how to make some of this unusable land usable and put it back on the tax rolls.

He said that he wanted to come in and talk with the Board about this rather than them receiving a letter from a lawyer. He wants to work with the town and see if they can figure out which lots were actually hers which weren't and those that were taken for taxes so that he could pay the taxes and get them back and if he needs more land then maybe acquire it from the town. Furthermore they are more than happy to discuss with the town about creating a certain percentage of the land for maybe low income or making it available to police, fire and teachers in the Town of Halifax on a preference basis. He is not sure how many lots are buildable as there are issues with some of them.

Millias asked about accessibility and Cook said that the street was a paper street for years so they have to figure out where the actual roads are and see if they have been abandoned and so on and so forth. The road is wide enough to pass but the question is whether it is in the right place and they are happy to spend the time and money putting it in the right place. He is not necessarily saying a paved road with curbs but something that the town can live and what they want.

Cook said that he just wanted to come in and introduce himself; reacquaint the BOS with this issue and figure out who he should be asking questions to.

Millias said he should start with Planning Board and Building Inspector but in addition to that, he suggested consulting with the Fire Chief because the regulations for access roads has changed over the last four or five years. He also said that the access roads are going to be Pembroke so he would need to deal with Pembroke as well.

Cook asked once he does his homework and gets everything organized, is there a way of submitting it the BOS to have them submit it to Town Counsel rather than filing some action and asking Town Counsel to respond? Millias asked what was the specific action he was talking about and he said to *quiet title*.

Cook stated Charlie Cousins has told him that he does not want it so he can have it if he pays the taxes. He is aware that they would have to pay the taxes and will probably have issues with Wesson and his group.

Millias said that he would have to establish what was taken, when it was taken and then there is the other challenge of where the roads and lots are. He added that at one time a cottage had burned down there and he tried to re-locate it and found it was built in the middle of the road.

Cook again said he just wanted to come in to let the BOS know his intentions and then asked if it was all right if he did anything in writing could he send it through to Charlie. Seelig said that he will pass it along to anybody who he thinks needs to see it. Cook said that would be great and thanked the Board for seeing him.

**MEETING ADJOURNED**

There being no further business, moved by Garron and seconded by Roy, the Board unanimously voted to adjourn the meeting at 8:55 p.m.

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Thomas Millias  
Clerk

/pjm