

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

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

**SCHEDULED APPOINTMENTS**

**Michelle McIntyre – police officer swearing in**

Roy stated that the Board is very proud of her and wanted to congratulate her on completing the academy. They are also glad that she is going to be part of our community.

The Town Clerk, Barbara Gaynor, swore in Ms. McIntyre. She then was pinned by her grandfather and pictures were taken with members of the police department and her family.

**AGENDA**

The agenda for Tuesday, July 10<sup>th</sup>, was unanimously approved.

**MINUTES**

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

Regular Session – April 25, 2018

**AFFIRMED WARRANTS**

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

FY2018 Vendor Warrant	# 119	\$ 513,916.46
FY2019 Vendor Warrant	# 1	\$ 1,159,315.32
FY2019 Vendor Warrant	# 2	\$ 214,109.60

**APPROVED WARRANTS AND COMMITMENT**

Moved by Millias and seconded by Garron, the Board unanimously approved payment of the following warrants and commitment:

FY2018 Payroll Warrant	# 120	\$ 125,664.31
FY2018 School Warrant	# 121	\$ 307,832.16
FY2018 Vendor Warrant	# 122	\$ 51,942.29
FY2019 Payroll Warrant	# 3	\$ 121,205.36
FY2019 Vendor Warrant	# 4	\$ 1,279,459.84
FY2019 Withholding Warrant	# 5	\$ 82,461.60
Mobile Home Park Fee	# 7	\$ 5,160.00

**APPROVED SELECTMEN BILLS**

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

Halifax Postmaster (stamps).....	\$ 281.80
Pamela McSherry (petty cash).....	\$ 50.00
Miia Property & Casualty Group, Inc. (policy/FY2019).....	\$ 192,931.00
Chubb & Son (special risk policy/FY2019).....	\$ 29,438.00
Express Newspapers (ad/auction items).....	\$ 66.00
Attorney Lawrence P. Mayo (legal/June) .....	\$ 593.75
Brooks & Derensis, P.C. (legal/June) .....	\$ 3,593.51
Brooks & Derensis, P.C. (legal/June) .....	\$ 1,727.36
Matthew Bender & Co., Inc. (MA law books).....	\$ 535.61
CNA Surety Direct (bond/McCarthy) .....	\$ 600.00
Town of Duxbury (dispatch services).....	\$ 135,000.00
South Coastal Counties Legal Services, Inc. (services/FY2019).	\$ 3,500.00
KP Law, P.C. (legal/June).....	\$ 2,320.00
KP Law, P.C. (legal/May).....	\$ 2,115.00
KP Law, P.C. (legal/March).....	\$ 607.50

**SCHEDULED APPOINTMENTS (CONTINUED)**

**Richard Harrison – extension of unregistered vehicle permit**

Mr. Harrison came in this evening get an extension on his unregistered vehicle permit. Millias asked for how long and he said until he sells the property or finds some where to put it.

Roy stated that personally she did not like the look of where the fence was that is blocking the vehicle.

Seelig ask what has he done to find a new location and Harrison said that he has looked into a storage facility and he has a couple of his buddies that he can ask if they are willing to let him store it at their place. He added that several people are looking at the property and he hopes it will sell and then the vehicle would be gone within the six months.

Roy asked Garron and Millias their thoughts and Garron said he would like to see something definite but understands the situation and has no problem extending it for six months. Millias agrees with Garron about extending it for six months but will not be inclined to extend again. He added that the fence does look odd and wished it was up sooner. Harrison said that the truck is sentimental to him and would like to restore it and added that it was in several movies.

Moved by Garron and seconded by Millias the Board voted as follows to grant a unregistered vehicle permit to Richard Harrison with the following stipulations:

- maximum of one (1) vehicle including unregistered, unplatd and uninspected
- permit expires six (6) months from date issued (expires: January 9, 2019)
- vehicles must be hidden by a fence
- property must be kept in good condition and free of debris at all times

Kim R. Roy	-	No
Troy E. Garron	-	Yes
Thomas Millias	-	Yes

**GENERAL MAIL / DISCUSSIONS**Highway Improvement Contracts

Highway Surveyor Hayward explained the process of the below roadwork that will be done to some of the roads here in town and who was awarded the contract for each job. He also said that an explanation will also be posted on Highway's Facebook page.

- Highway Rehabilitation Corp. - Hot in Place Milling work
- All states Asphalt, Inc. - rubber Surface Treatment work
- Sealcoating Inc. - Crack Sealing work
- Sealcoating Inc. - Microsurfacing work

Moved by Garron and seconded by Millias, the Board unanimously voted to award the highway improvement contracts to the contactors listed above contingent upon the Highway Department having the necessary funding.

In closing Roy said that it is nice to see their Facebook page and the local businesses acknowledging the department.

674 Plymouth Street

The Health Agent visited the above property and found that someone (Ms. Haugh) was living in an RV on the above property. The Agent notified that person that she needed a permit from the Building Inspector to allow her to live in the RV on a short-term (60-day) basis. As of today, neither that person nor the owner of the property, Mr. Gordon Andrews (the elder), has requested the necessary permit.

If Haugh or Andrews obtains the permit (with the necessary sign-offs from the Board of Health and Fire Department) in order to stay on the property for more than 60 days, one or the other will need to apply for a long-term permit with the Board of Selectmen.

Seelig recommended that the Board request that the Building Inspector enforce the Town's by-law by a date certain, not later than July 24<sup>th</sup>.

The Health Agent also notified Seelig that 674 Plymouth Street appears to have an apartment or is a two-family. There is a question about whether the property has the necessary permits for the apartment/two-family which Seelig will investigate further. The Building Inspector has indicated a concern that the property owner may feel that there is a conflict of interest, real or the appearance of one, if the Building Inspector cites any possible violation of the zoning by-law.

Garron suggested that the resident be given ten days to process the necessary paperwork.

Seelig will contact the Building Inspector and the tenant.

Moved by Garron and seconded by Roy, the Board voted as follows to allow the resident ten days to process the necessary paperwork for a trailer permit:

Kim R. Roy	-	Yes
Troy E. Garron	-	Yes
Thomas Millias	-	Recused

Earth Removal Operation - Thompson Street

Gordon Andrews (the elder) had notified the Selectmen's Office twice within the last couple of minutes alleging a large earth removal project was occurring on Mr. Peck's property and that work had continued for a number of months.

Seelig has contacted Mr. Peck on both occasions and he indicated that some minor work, under the 1,000 cubic yard exception, has occurred especially with the construction of his new home on the property and sent him a copy of the application the first time and the second time he said he would send a letter to the Board explaining the situation and requesting some type of variance/waiver/exemption as he was doing a “little neatening up” of the retention pond on the property.

Today Seelig has received a phone call from “Joe” who said the earth removal operation was occurring today. He visited the site with the Building Inspector and confirmed that an earth removal operation was occurring and Mr. Peck was on-site. Mr. Peck promised to provide a note, which he has done. Mr. Peck’s note clearly indicates that the total project will amount to more than 1,000 cubic yards.

Today the office received another call complaining that a truck, possibly from this earth removal operation, almost hit one of his children on Thompson Street. He said he would attend the Board’s meeting.

Seelig is recommending that the Board notify Mr. Peck and state that that operations are to cease until either a) a permit is granted; or b) the Board determines that a permit is not required.

Seelig said that town counsel states that the BOS could issue a stop order and he could draft a letter and have it hand delivered by a police officer tomorrow. Roy said if he is in violation this would not be a good thing seeing as he serves on the conservation commission and asked if there was a chance he is not in violation. Seelig said he is not sure because you would have had a survey done before the start of work so that there is a starting point. If he wants to continue he will need to submit an earth removal permit.

Moved by Garron and seconded by Millias, the Board unanimously voted to send Mr. Peck a cease and desist order until such time it is determined how much earth has been removed.

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

#### **Walter Wunder – Alden Park – 1 day liquor license – Fieldstone Farms**

Mr. Wunder came in as he was looking for a one day liquor license to serve beer and wine at a horseshow at Fieldstone Farms on Sunday, August 19<sup>th</sup>. This request is the same as last year’s one day liquor license that was granted.

Seelig recommended that a stipulation be put on the license stating that none of the structures on the property, including but not limited to the two-story gazebo, be allowed to be used, occupied, etc. during the course of the entire event.

Millias stated that the property owner would also have to be notified of the stipulation.

Moved by Garron and seconded by Millias, the Board unanimously voted to issue a one-day liquor license to Walt Wunder of Alden Park Restaurant, 160 Colony Place, Plymouth, MA; with delivery of beer & wine on Sunday, August 19, 2018, serving of beer & wine on Sunday August 19, 2018 between the hours of 12:00 p.m. and 5:00 p.m. and disposal/removal of the beer & wine on Sunday, August 19, 2018.

The following stipulation was also put on the license

No structures, including but not limited to the two-story gazebo, for which the Halifax Building Commissioner has not issued a certificate of occupancy and/or a certificate of completion, shall be in use for any reason during the day of the event associated with this one-day liquor license.

**GENERAL MAIL / DISCUSSIONS (CONTINUED)**

Site Plan Review – River Street Solar Array

Comments for the above project need to be submitted by July 25<sup>th</sup>.

Land Use Counsel

Given the several cases involving several of the land use departments, Seelig has sent a note to the departments asking them to provide him with a list of matters that they are currently in consultation with land use counsel, reminded them that Kopelman and Paige is the Town's land use counsel for all new matters in the future, reminded them to notify him about new requests for land use counsel, and asked them to coordinate their requests so that firms are not being approached by several departments about one issue (with repeat questions).

Fitzgerald Family Fund Gift to the Beautification Committee

The Beautification Committee is in receipt of a \$500 donation from the Fitzgerald Family Fund from Thomas Fitzgerald.

Moved by Garron and seconded by Millias, the Board unanimously voted to send a thank you to Mr. Fitzgerald for the donation.

Ambulance Abatement

Moved by Garron and seconded by Millias, the Board unanimously voted to approve Ambulance Abatements for May 2018 in the amount of \$26,532.58.

Union Contract Amendments

The Board has signed the amendments to the contracts for FY2019 wage increases for Highway, Sergeants and Firefighters.

Unregistered Vehicles

A letter sent to Athena and David Dufresne of 65 Colby Drive concerning unregistered vehicles on their property. Seelig will check the property again on July 24<sup>th</sup>.

Auditing Firm - Powers and Sullivan

Moved by Roy and seconded by Millias, the Board unanimously authorized Seelig to sign the contract for auditing services between the Town of Halifax and Powers & Sullivan, LLC.

Financial Advisors - Hilltop Securities

The Town's new advisor, Hilltop Securities, has sent a report of the review they did on the Town's debt holdings, schedules, etc. Seelig has kept a copy for the Board to use as a reference.

**SCHEDULED APPOINTMENTS (CONTINUED)**

**Fire Chief Viveiros – new ambulance billing proposal**

Chief Viveiros said that when he met with the company that was hired to look at Plympton one critical thing that was brought up in regards to Halifax doing in house ambulance was there is no back up plan if the one person who knows how to do this is no longer there. So knowing that there is a big learning curve the chief decided to look at other billing companies. He has reached out to two companies; Comstar Ambulance Billing & Coastal Medical Billing, and he asked them to give him some projections based on our call volume, ambulance rates and demographics.

Both companies were fairly close and Comstar estimated they would have collected \$675,000 for FY2017 and Coastal medical billing came back estimated 655,480 FY2017. Halifax collected roughly 430,000 in FY2017. He questioned the difference and asked what is Halifax doing wrong and both companies said that we are not doing anything wrong and the difference is that the billing companies have access to the insurance companies and that a lot of people are opting for a less expensive insurance plans with large front end deductibles. Viveiros said that we do not have any way of knowing how to manage those deductibles and the billing companies are able to watch when those deductibles hit and hope that they hit someone else other than the ambulance bill. He continued to say that we bill out our bills rather quickly and the insurance is saying okay Halifax Fire you own that first \$1,500 of the deductible and then a lot of people don't end up paying their deductible. His understanding is that the billing companies' numbers are significantly different because they have the resources to watch and manage the deductibles.

Millias asked what the cost of the service was and Viveiros said the estimates are between 3.5 and 4 percent. So in doing some quick math and using their lower number of the \$655,000 and then \$225,500 difference Halifax took in and based on the 3.5 percent roughly we would be paying them \$20,000 but keep in mind that we still would potentially increase our revenue by \$205,000. Millias said that would be correct but only if those numbers are correct and Viveiros said right he has no idea and assumes the estimates are high from them but even if the estimate was \$100,000 too high we still are making \$100,000.

Viveiros said that two years ago they looked at the ambulance rates to do the additional staffing and he had projected that we were somewhere in the \$600,000 range and now he is learning why we are not and it because we do not have the ability to manage the deductibles and some of the other collecting things they do. He did say that Halifax is not aggressively billing and going to collection agencies because they do not want people to refrain from calling for an ambulance.

Roy thinks it is worth trying and the worst case scenario is if it doesn't work out then we bring it back in house.

Seelig recommends that we do a three year contract but let there be options for the second and third year so we can see if the numbers come out to what we thought they would be and if so we then can continue with them for the second and third year.

Roy asked if Nolan (town accountant) had any questions. She asked if they are going to be paid by a percentage of the revenue that is brought in or would we still budget the amount and pay them out of the ambulance billing budget because the ambulance revenue is not in a revolving fund. Viveiros believes they take the money out of what they collect.

Seelig said as the bills come we need to remit to them a certain percent. So let's say we collect \$100,000 and they are collecting 4 percent we will send them a check for \$4,000. Viveiros thinks the money goes to them but is unsure how it works. Nolan is concerned about that concept because that money should be coming directly to the town. She would like to know more as to how they will be billing the town. She thinks we should receive all of what they collect and that we should budget what we pay them even though we don't know exactly how much it would be. Viveiros asked when would we pay the billing and Nolan said they would bill us monthly, quarterly or whenever the receipts come in. She continued to say that we should not be taking from the revenues to pay the billing company because we are not set up to do that and explained that the ambulance revenues are deposited into the revenue account and then go into the general fund. She will make some calls to see what other towns do. Viveiros said that he can send an email out to the local chiefs to see how they handle this.

Viveiros said the line item for ambulance billing will not be reduce by that much because the biggest portion of that money goes to pay for the software. With that being said he stated that there will have to be a conversation about keeping the patient care part of the software and getting get rid of the billing portion.

Roy said that a few years back we outsourced our ambulance billing and then when Chief Carrico came in he was the one who started doing it in house.

Viveiros said there was an email circulating among the Plymouth County fire chiefs asking who is using who for ambulance billing and very few departments are doing it in house and have outsourced it. He stated that there was only one company that one chief was not happy with but other than that they all were very pleased of how it is done.

Millias stated it appears they all on board with this they just need to figure out the details.

Moved by Garron and seconded by Millias, the Board unanimously voted to allow Chief Viveiros to move forward on this proposal.

**GENERAL MAIL / DISCUSSIONS (CONTINUED)**

Trafficking in Forced Services

The MA Attorney General sent out a mailing with posters, etc. about labor trafficking, basically forced labor without meeting the laws and regulations concerning work in MA and the United States. Seelig has sent copies of the information to the appropriate departments.

Resignation - Erika Rossini - Wage and Personnel Board

Erika Rossini has sent in a letter of resignation from the Wage & Personnel Board effective July 1<sup>st</sup>.

Moved by Garron and seconded by Millias, the Board unanimously voted to send Ms. Rossini a letter thanking her for serving on the Board.

Line Item Transfers

Moved by Garron and seconded by Millias, the Board unanimously approved the following line item transfers:

FROM	TO	AMOUNT
Insurance #01-193	Law #01-151	\$ 3,492.73
Town Buildings Wages #01-197-5110	Town Building Expense PM #01-197-5290-0004	\$ 4,000.00
Treasurer Clerical #01-145-5113	Treasurer Tax Title #01-159	\$ 800.00
Highway Wages #01-420-5115	Gas & Oil #01-471-5410	\$ 8,811.59

Bow Street Property Donation

Seelig has not been able to act on this but hopes to before July 24<sup>th</sup>.

Council on Aging/Pope’s Tavern Project

Official publication of in the invitation for bids is tomorrow July 11th. The pre-bid conference is on July 25<sup>th</sup>; sub-bids due August 1<sup>st</sup>; general contractor bids are due August 8<sup>th</sup>.

Police Chief Assessment Center

The bid deadline is July 26<sup>th</sup>.

### Surplus Highway Equipment

The bid deadline for various pieces of equipment at the highway department is July 27<sup>th</sup> at various times.

### Site Plan Review - Above Ground Storage Tanks - Highway Department

Comments need to be submitted by July 19<sup>th</sup>.

### Burrage Pond - Town Owned Parcel - Sale of Land – Elm Street

The check for \$197,500 has been delivered and deposited.

### Site Plan Review - 413 Plymouth Street

There is a proposed used car sales business for the Hollywood Classics site. The Planning Board is engaged in site plan review which the Board of Selectmen has already provided comments. There's an updated parking plan in the mail file if the Board wants to provide additional comments. The Class II license for the business will be before the Board either on July 24<sup>th</sup> or August 14<sup>th</sup>.

### Unregistered Vehicles

The office has received a complaint about two unregistered vehicles at 24 Cherry Street. A letter has been sent out today and Seelig will check again on July 24<sup>th</sup>.

### Fieldstone Farms Building Permits

Last month, the Building Inspector notified Scott Clawson that he had failed to provide the necessary documentation to use the structures that had been built on the property. Allegedly, some or all of these structures have been used. Seelig is recommending that the Board of Selectmen send a letter to Mr. Clawson as a follow-up to the Building Inspector's letter stating that failure to comply with the State's statutes and regulations and the Town's by-laws may subject him to fines on a daily basis along with whatever other actions the Town deems appropriate. Roy thought sending a letter from the BOS was a good idea. Millias asked if there was a clause in the consent agreement and Seelig said yes there is.

Moved by Garron and seconded by Millias, the Board unanimously voted to have Seelig send a letter to Clawson from the Board of Selectmen regarding the above issue.

### Hemp Production

According to State and Federal laws, hemp, while related to marijuana, does not face the same restrictions. The Town has received a query about hemp production in Halifax. Seelig's first read is that it is allowed in the agricultural/residential district, same as any other plant besides marijuana. Any facilities would require site plan review by the Planning Board. Seelig would like to check with Kopelman and Paige to confirm his thoughts.

### Junk Litter Complaint

The Selectmen's Office received a junk/littering complaint on June 29<sup>th</sup>, for 1 Spruce Street. The complainant mentioned that the residents had moved in recently, but left a number of items on the front lawn of the house despite weather conditions including pouring rain. Seelig visited the site on June 30<sup>th</sup>, and confirmed the situation and then visited on July 3<sup>rd</sup>, and most of the items had been removed except what he considered to be outdoor/patio/porch furniture. Seelig does not plan on taking any other action.

### Fire/EMS/Shared Services/Plympton

The Town of Plympton no longer is interested in shared services. They still will do mutual aid and combine training sessions. Roy said that Halifax wishes them well and that we are here for them.



Evergreen Tax Payments

The next revocation hearing will be August 28<sup>th</sup>.

Davis Automotive Tax Payments

A revocation hearing will be scheduled for July 24<sup>th</sup>.

Cranberry Drive Sidewalk

The office is waiting for comments from the Traffic Safety Committee.

Special Town Meeting

Moved Millias and seconded by Garron, the Board unanimously voted to open the warrant for the August 20, 2018 Special Town Meeting that will held at the Halifax Elementary School.

Zoning By-Law Committee

Seelig has sent out “doodle” poll to see when the members would be able to meet. He received one official response and one response in person. He is going to post the first meeting for July 23<sup>rd</sup> at 7pm and at such time the members can sort this out.

Computer Closet Meeting/Space Use

There’s been a suggestion about moving the computer equipment from the computer room into the basement of Town Hall, moving the copier equipment into the old computer room, and using the copier room for Collector/Treasurer staff. A meeting has been set up for July 23<sup>rd</sup> at 11am.

Road Cut – 288 Oak Street

Moved by Garron and seconded by Millias, the Board unanimously approved Permit #2018-50 issued to Columbia Gas of Massachusetts for a 4’ x 6’ road cut tie in & 4’ x 10’ road cut trench to install new service at the above location.

Affirm Line Item Transfer

Moved by Millias and seconded by Garron, the Board unanimously affirmed approval the following line item transfer:

FROM	TO	AMOUNT
Insurance #01-193	Selectmen Clerical #01-122	\$ 525.70

Live Entertainment – Ken Corti & Laurette Ryan

Moved by Millias and seconded by Garron, the Board unanimously approved Permit #2018-51 to Ken Corti & Laurette Ryan for live entertainment at 389 & 395 Holmes Street on Sunday, August 12<sup>th</sup>, from 3:00 p.m. to 7:30 p.m.

**MEETING ADJOURNED**

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

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Thomas Millias  
Clerk

/pjm