

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, OCTOBER 9, 2018 - 7:30 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:30 p.m. with Selectmen 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.

AFFIRMED WARRANTS AND COMMITMENT

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

Payroll Warrant	# 29	\$ 366,730.88
Withholding Warrant	# 30	\$ 140,958.56
School Warrant	# 31	\$ 186,483.52
Vendor Warrant	# 32	\$ 70,543.85
Ambulance Commitment from 9/1/18 – 9/27/18		\$ 201,079.00

APPROVED WARRANT AND COMMITMENT

Moved by Garron and seconded by Roy, the Board unanimously approved payment of the following warrant and commitment:

Vendor Warrant	# 33	\$ 1,447,390.49
Mobile Home Park Fee	# 10	\$ 5,160.00

APPROVED SELECTMEN BILLS

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

MMA (meeting/Seelig/10-18-18).....	\$ 40.00
Attorney Lawrence P. Mayo (legal/September)	\$ 518.75
Brooks & Derensis, P.C. (legal/September)	\$ 1,175.00
Michael Gilman Esq. (legal/September)	\$ 385.00

MINUTES

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

Regular Session – June 26, 2018

Old Colony Planning Council

The office has received a memo from Old Colony Planning Council asking if any member of the BOS would like to serve as a signatory member on the Old colony Metropolitan Planning Organization. Neither Roy nor Garron were interested.

GENERAL MAIL / DISCUSSIONS

Cultural Council FY2019 Grant

Moved by Garron and seconded by Roy, the Board unanimously voted to have the Chair, Kim R. Roy, sign the Cultural Council grant agreement with the State.

Recycling Abatements – Received after Deadline

Both Garron and Roy hated to deny the requests but they need to be fair to the requests that have previously come before them that they denied.

Moved Roy and seconded by Garron, the Board unanimously voted to deny the requests for abatements for Bill #642, #2226, #526, #337, #2063, #2192 and #1019 based on the fact that they were received after the deadline date.

Reappointment – Tim Watts – Taunton River Stewardship Council

Moved by Roy and seconded by Garron, the Board unanimously reappointed Tim Watts to the Taunton River Stewardship Council, term to expire October 1, 2020.

OCPC Route 106 Corridor Study

A representative of OCPC met with representatives from the Town last week about problem areas on Route 106 in Halifax. Seelig believes that most of the issues that we have discussed over the years were discussed. One of the challenges is that making improvements tends to take several years and the Town needs to put up the initial planning.

Pasture Lane

In connection with this subdivision and trying to have the road completed, the Planning Board and the developer still have not met. The next attempt will be on October 18th.

Lining Thompson Street

The Board has received a complaint from a resident in Middleboro about the lack of traffic lines going down Thompson Street as it is difficult for the senior population living at Oak Point. The line work was completed last night.

Open Meeting Law Complaint

Gordon C. Andrews has filed a complaint with the Zoning Board of Appeals alleging that the ZBA improperly went into executive session on July 9th (lack of a roll call vote and a conflict of interest for Kozhaya Nessralla due to his interest in the matter under discussion – Halifax v. Bergstrom (Mudfest). Seelig has provided guidance to the ZBA about this matter and the ZBA will meet before the 14-day period to respond has expired. Andrews wants it required that the ZBA attend an open meeting law and ethics program. The Board does not have to take any action. Seelig is going to try and have a workshop on the open meeting law.

Finance Committee Applicant

Adrienne McDougall was unable to meet with the Board tonight because of a scheduling conflict. She will meet with the Selectmen on October 23rd.

Elevator Maintenance Contract

The Board needs to affirm the contract between the Town of Halifax and United Elevator. This will have to be done on October 23rd seeing as there is a conflict of interest for Selectman Roy.

Police Chief

Chief Broderick has given notice that his last day as Chief will be November 1st. Roy has enjoyed working with him and wishes him nothing but the best.

Moved by Garron and seconded by Roy, the Board unanimously voted to send Chief Broderick a letter thanking him for his service.

Dog Incident

A dog has bitten an individual on or about October 1st. A hearing will be on October 23rd.

Monponsett Pond

East and West Monponsett Ponds are now open.

Police Chief Assessment Center

The Five candidates attended an assessment center on October 6th all passed. The Board has information from the assessment center and can choose to interview all five candidates or a subset. During this the discussion the BOS should refer to the candidates by number.

Roy thought that it was in their best interest to interview all of them and Garron agreed. She suggested interviewing three on Wednesday October 17th and two on Thursday October 18th.

Moved by Garron and seconded by Roy, the Board unanimously voted to interview three of the candidates on Wednesday, October 17th and the remaining two on Thursday, October 18th.

SCHEDULED APPOINTMENT**Jaclyn Conley & Andrew Stalker – recycling abatement denial**

Jaclyn Conley and Andrew Stalker came in this evening to ask the BOS to overturn their abatement denial. Roy said that from looking at the paperwork the office received their abatement request on September 7th and that the envelope that it came in was not post marked, which she was baffled by. Conley did not understand it either because she said she mailed it.

McSherry pointed out that it didn't have "Brockton" stamped on it as mail usually does. Again Roy said that it is strange because there is always some kind of a stamp on the envelope so there is no proof it was here before the deadline. Conley said she knows she sent it prior the deadline.

Stalker said that it was in the mailbox on the 4th and he knows that because his father passed the next day and remembers doing it. Roy asked if he mailed it at the Halifax Post Office and he said put it in his mail box with the flag up.

Roy said the problem that the Board is having is that they have had handful of people who have missed the deadline and last year they kept moving the due date for abatements which caused problems. So it is about fairness; we have actually turned people down who have been late, and for us to abate your bill in this particular case when we have no real proof that it was submitted earlier, it's an issue for them.

Stalker understood how it could be an issue and asked if this was something he could take up with the postal service for perhaps dropping the ball on their duties and Roy she did not know.

McSherry said that the office received it on September 7th and the Post Office could have grabbed it on the 4th or the 5th but by the time it got processed and arrived here at Town Hall it would not have gotten here on the 5th and if they picked it up on the 5th we definitely would not got it on the 5th. And where it is not post marked we have no idea - so it could have been post-marked the 5th.

Roy said that was a good point and Mcsherry added that nine times out of ten it goes to Brockton so it would take a couple of days to get back to Halifax.

Conley said they put it in the mailbox thinking it would have been post-marked before the due date. Roy said they don't typically go by the post-mark it's not that it has to be post marked by the due date but needs to be in the office by the due date and unfortunately it was not.

Garron empathizes with them but explained that the BOS went through this last year where they kept changing the due date because they tried to accommodate the residents but it just kept going on and on. There have been 120-125 residents who got the paperwork in on time so it is not fair to them to say that we are going to give somebody else a break on it. He understands the circumstances but still the abatement did not get here on time.

Roy further explained that for the others that were late and have been denied the BOS would have to go back and say 'okay, well if it's only one day late' then we've moved the due date and then those people who were two days late they would have to do the same and then it keeps going on and on.

Conley said that they don't use recycling service and her fiancé father passed away on the due date so she knows for a fact that the request was sent prior to that because she wasn't doing anything the rest of that week, so it just seems kind of silly to her.

Roy said that the decision of the Board is to deny the abatement request and made the motion. McSherry said the abatement was already denied at their meeting on September 11th.

Garron said that he was sorry and that the BOS does not want to do these things. Roy said it is nothing personal; they are elected to make decisions fairly. Conley understood.

Roy said that this is really hard but if they do it for one then they open it up for everybody. She thanked them for coming in and wished them the best of luck.

School Building Project

The contractor is still working on the doors and punch list. There is still work to get done on the other elements, but things are moving along slowly. Next review session will be October 11th at 3pm.

Zoning By-Law Committee

Seelig is recommending that the Board do the following:

1. Instruct the Committee not to work on the sections of the by-law regarding multi-family housing until the Andrews v. Halifax matter is concluded as members of the Committee have interests in that court case.
2. Encourage the Committee to work on other sections of the by-law including the sign by-law (besides other issues, the Town needs to bring it into compliance with the recent Supreme Court decision regarding political signs).
3. Instruct the Committee that all members of the Committee should 1) receive a copy of the agenda at the time it is posted, and 2) be notified before the agenda is posted of the next date/time/location of the meeting so that if they wish to have items added to the agenda, that they have an opportunity to do so. The Clerk of the Committee has this responsibility.

Moved by Garron and seconded by Roy, the Board unanimously voted to have Seelig send a memo to the Zoning By-Law Committee regarding #1, #2, and #3 above.

ADA Self-Evaluation and Transition Plan

Seelig has applied for a grant from the State to fund an ADA Self-Evaluation and Transition Plan with the hope that such a plan would allow the Town to apply for further funding to make ADA improvements.

Mayflower Municipal Health Group

Right now we offer nine plans; three at what's called the traditional legacy that have very low deductibles and co-pays but it's a higher premium plan; one a little bit below that with slightly higher co-pays so the premiums are a little bit lower. Then there is something resembling what is called the Bench Mark plan meaning that we have a plan that equivalent to the most popular State plan, which has even higher deductibles and co-pays but lower premiums.

What has become the trend during the last few years is the much higher deductible plan (\$2,000 for individuals or \$4,000 for family) so the higher the deductible the lower the premium (15% lower than our most popular plans).

The Mayflower Municipal Health Group is likely going to offer a high-deductible plan for Fiscal Year 2020 but there are a couple of caveats to this: the plan is structured so that the Town would have to pay 50% of the deductibles, so that a \$2,000 deductible would be funded half by the employee and half by the Town.

Roy said that it will be complicated to keep track of the policy and Seelig said that is one piece of it and then what you end up with the equivalent of a health savings account in that the employee can put money aside, tax free, for those health expenses against the deductible that is a permanent account. Back twenty, twenty-five years ago, the first HSA's were fiscal year and they ended on June 30th and for a lot of plans employees would have to spend it down so that they would not lose the money that they put away because the funds cannot be carried forward.

Seelig said all those things bring complexity and more work for the Treasurer's Office. So as much as it might be nice to offer a plan, there is the down-side that it would take more work by the Treasurer's Office. Seelig has talked with Adduci and Cole and right now given the hours that Cole has available she probably could not handle an additional plan of this complexity.

Seelig brought up the point that more of our population are retirees and are taking Medicare and there is a lot more work with the retirees but this is even another step beyond that. No decision is needed by the Board tonight but at some point Seelig is going to bring the Treasurer's Office to talk with the Finance Committee and the BOS about the pros and cons.

Selectmen's Association Meeting

The Board was reminded that the above meeting will be on October 20th.

MEETING ADJOURNED

There being no further business, moved by Garron and seconded by Roy, the Board unanimously voted to adjourn the meeting at 8:10 p.m.

Thomas Millias
Clerk

/pjm