

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, OCTOBER 23, 2018 - 7:30 P.M.
SELECTMEN MEETING ROOM

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.

MINUTES

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

- Regular Session - August 4, 2018
- Regular Session - August 28, 2018
- Regular Session - September 11, 2018
- Executive Session – July 24, 2018

AGENDA

Roy wanted to say that HOPS members will be coming in at the end of the meeting to talk about prepping the playground so it will be ready for the build in the spring

With the above additions, the agenda for Tuesday, October 23rd, was unanimously approved.

AFFIRMED WARRANTS AND COMMITMENT

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

| | | |
|------------------------|-----|---------------|
| Payroll Warrant | #34 | \$ 364,071.64 |
| Payroll Warrant | #34 | \$ 122.88 |
| Vendor Warrant | #35 | \$ 581,589.97 |
| Withholding Warrant | #36 | \$ 139,548.92 |
| Ambulance commitment | | \$ 201,079.00 |
| from 9/24/18 – 10/7/18 | | \$ 23,999.00 |

APPROVED WARRANT AND COMMITMENT

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

| | | |
|----------------------|-----|--------------|
| Vendor Warrant | #37 | \$ 98,605.01 |
| Ambulance Commitment | #10 | \$ 10,016.00 |

APPROVED SELECTMEN BILLS

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

| | |
|---|-----------|
| National Grid (service/concession stand)..... | \$ 63.84 |
| National Grid (service/Town Hall)..... | \$ 827.18 |
| W.B. Mason (ink cartridge)..... | \$ 21.91 |
| Matthew Bender & Co., Inc. (MA law books)..... | \$ 266.10 |
| Charlie Seelig (reim. breakfast & lunch/Assessment Center)..... | \$ 100.00 |

GENERAL MAIL / DISCUSSIONS

Recycling Abatements – Received after Deadline

Moved Garron and seconded by Millias, the Board unanimously voted to deny the requests for abatements for Bill #2573, #2286 and #1345 based on the fact that they were received after the deadline date.

MEMA

Moved by Millias and seconded by Garron the Board unanimously affirmed the Chair, Kim R. Roy, signing the MEMA Grant for the Hazardous Materials Emergency Preparedness.

Site Plan Review

The site plan is for Cled’s Tree Service, 450 Industrial Drive. This was previously approved in 2016, but the business wants to install a 500-gallon above ground diesel tank. Seelig is checking with the Fire Chief to see if the business will need a flammable storage license. No action is needed from the BOs unless they have questions for the Planning Board.

Surplus Equipment – Selectmen’s Office

Moved by Garron and seconded by Millias, the Board unanimously declared the following piece of equipment surplus:

- 1 AT&T Answering Machine #1710 (broken)
- 1 Royal 420 Typewriter (transferred from Veterans’ Office)
- 1 Secretarial Chair (broken)
- 1 17" LCD Computer Monitor LG L1718S-BN (broken)

8 & 16 Cedar Street

Letters have been sent to Lawrence & Joy Marble from Building Inspector for building code and zoning violations for the above properties. There is an appeals period for each letter. Seelig will get san update for the Board at their meeting on November 27th.

Parking Ban

For the Boards information as well as the public’s, Seelig mentioned that the annual overnight parking ban notice has been sent to the media outlets as well as Fire, Police and Highway. The parking ban is in effect from November 1, 2018 to March 31, 2019.

Police Station HVAC Project

Two copies of the contract (\$37,500) with Healthy Air Solutions are ready. We are waiting for confirmation from Scott Materna that the Board should sign them.

Highway Barn Garage Doors

Waiting to hear from Scott Materna whether to re-bid this contract as the Town did not receive any bids on the first go-round.

Police Station Sally Port Roof

Two copies of the contract (\$19,990) E5 Builders are ready. We are waiting for confirmation from Scott Materna that the Board should sign them.

Open Meeting Public Documents Complaint

The Zoning Board of Appeals acted last week in response to Gordon C. Andrews' complaints about open meeting law and public documents. The ZBA re-did its executive session that it held on July 9th concerning Mudfest, this time specifying why it was going into executive session, holding a roll call vote to do so, and then re-discussing the matter in executive session with any votes coming via roll call. For the meeting on August 13th, the ZBA revised its minutes for the open session and the executive session (Amanda Estates) to include a list of relevant documents for both sessions. Mr. Andrews had requested a copy of the documents that Attorney Saillant had reviewed with the ZBA in executive session and I denied the request. Seelig is working with Arlanna Snow about the actual written response to Mr. Andrews.

Stop Signs at Circuit and Laurel

Seelig is waiting to hear back from the Highway Surveyor about the status of the stop signs. OCPC has provided some traffic count data and the 85th percentile speed was 30 mph or 29 mph on both streets. The traffic counts were low, under 100 each day for each way and for each street.

Harvest Lane Retention Area

The Board had received a complaint about the condition of the Stormwater retention area at the Summit Street end of Harvest Lane. Seelig has forwarded it to the Highway Surveyor who said he would include it in the project list.

Police Chief

Police Chief Broderick has given his official notice that his last day of work will be November 1st. The Board should appoint an interim Chief to cover the period between November 1st and when the new Police Chief is sworn in. Roy said that Broderick is willing to stay if they need him during the transition.

License Fees

One of Seelig's colleagues out west ran/compiled a survey of alcohol license fees. Halifax is in the middle. He is not contemplating recommending any increases as it won't be material for the Town's budget.

SCHEDULED APPOINTMENTS

Evergreen-Twin Lakes Liquor & Davis Automotive - Continuation of revocation hearings

Evergreen Beverage -Twin Lakes Liquor

Mr. Murphy is now behind schedule on its payments for back taxes. Seelig is recommending that this hearing be continued to Monday, November 5th at 9:45a.m.

Davis Automotive

Ms. Davis is now behind schedule on its payment for back taxes. Seelig is recommending Recommend that this hearing be continued to Monday, November 5 at 9:40a.m.

Moved by Roy and second by Garron, the Board unanimously voted to have Seelig contact both business owners and that revocation of their licenses will be November 5th at 9:45 a.m.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

School Building Project

The punch lists are being developed and checked off. Door replacement continues and will continue sporadically until it is completed in December (various doors needed to be ordered again to meet the Town's requirements). The window and siding work is completed (aside from the punch list). Next meeting is October 25th at 3p.m.

Roy asked about the gutters and Seelig said that Lambrian got the material and it has been installed. Millias said that it was his understanding that they were done well and that they check them out at the meeting on the 25th.

IT Grant Contract

Moved by Garron and second by Millias, the Board unanimously voted to have the Chair, Kim R. Roy, sign the Community Compact/IT Grant program for GIS work.

Police Chief Decision

Roy said that they had some really great candidates and personally she is struggling between which candidates would be the best pick.

Millias said that this is a very monumental decision because it has a great impact on the whole community. Any one of the four candidates we interviewed has the potential to do the job but comes down to is who will assimilate the quickest, and who can take over and not cause a lot of commotion. He is recommending Mr. Chaves as he will be a great fit to the department and thinks after having been involved in hiring and interviewing people over forty years he has a good sense of this particular candidate and feels he will do a good job.

Garron said that it is the personality and the way one enters a room that gives you the feel for the person not what is on paper because anybody can put anything on paper. Garron said all four candidates had the mechanics but Mr. Chaves brings with him experience as well as the personality and thinks it will be a smooth transition.

Roy concurs with both of you on Mr. Chaves. It really was a tough decision as she had two people she kept going back and forth with. The vision of the Board was that whoever is going to be the next leader of the police department needs to fit in with the guys and the guys need someone that they could look up to and respect. Lt. Chaves has a way about him and what got her was the first thing he said was "The Golden Rule"; treating others the way you want to be treated and that really struck her. Integrity is important to Mr. Chaves and we want a leader that we can proud and one who gets excited about being out on the streets. She continued to say that on paper he has so many accreditations and done so many things and understands that some people may be a little nervous about somebody coming from such a large city and adapting to our small community but he has reassured us that he wants to be part of a small community and make a difference. He is interested in creating different programs for our children and seniors alike. This has been tough finding a fit for the department and someone with the right personality but she felt Mr. Chaves was that person.

Moved by Millias and seconded by Garron, the Board unanimously voted to appoint Lt. John Chaves as our new Police Chief.

Moved by Millias and seconded by Garron, the Board unanimously gave permission to Roy to contact Lt. Chaves about his appointment and contract negotiations with him.

Free Cash

The amount came in at \$1,052,431 for the General Fund. Garron thanked the town accountant (Nolan) for her efforts. Seelig said that Nolan and Adduci both have worked very hard and that Adduci has been pursuing the foreclosed properties here in town.

Monponsett Inn

While there have been postings about the Monponsett Inn being sold, the Selectmen's Office has not received any correspondence or inquiries about the transfer of the various licenses.

Board of Health – French/Dutch Door

Seelig asked if this was discussed at the meeting he was not in attendance for and Roy said that they turned it over to the Building Department. Seelig said that he will talk with them.

Incident Training

Seelig said that another session was conducted last week and he will probably do a follow-up with particular buildings and office. He is also working on trying to get a guest speaker on the topic.

SCHEDULED APPOINTMENTS (CONTINUED)

Steve Hayward & Sue Johnston - long term solid waste/recycling strategies

Seelig said that during the last year both the trash and recyclables market has had some dramatic changes. The changes are not just affecting Halifax but also cities and towns across the country where we all are having problems disposing recyclables to the point that in some communities are being asked to spend more on a long-term basis for recycling than for trash. He wanted to have this discussion because he did not want people to be surprised if they see significant changes in how we finance the programs and how we deal with those materials. Seelig said that China, a big buyer of American recyclables, is saying if you want to give us the glass and the paper and everything else, we will take it but cannot be contaminated and needs to be separated and if China does take contaminated recyclables then we will need to pay them a lot more money to deal with it. He asked Sue and Steve to come in to get the Board up to speed on the subject.

Johnston began by saying that they have people opening the bins to pull the plastic bags out and they are trying to keep the recyclables as clean as possible because the cleaner it is the better it is to process. She turned the discussion over to Todd Koep as he more knowledgeable on this and can explain it better.

Koep said that this actually goes back almost twelve years ago when China said start cleaning up your act or we are not going to take your material, so have been warned for a long time. China has been taking in about forty percent of the world's recyclable material so it is not just us or the country; it is the entire world that has been put on notice. He continued to say that China's air and soil have become so contaminated they would only accept point one percent contaminated recyclables. They have loosened up regulations to point five percent; however our mills can't even deal with that.

Koep further explained that our curbside stuff gets separated at the *merfs*. Ours are very old, and unfortunately the private industry has not invested in the local *merfs* as much as they should have. The contamination rate on the residential level is pretty bad but said that Halifax is very clean compared to most of them.

It is not that China is not taking material it's that they will not take it if it's contaminated so now China is sending inspectors out here to inspect every single load that goes in the shipping containers on the boat to China.

Every load will be torn apart to see what's in there, and if it doesn't inspect, it stays there. So then what happens is the stuff didn't pass inspection now gets put through the system again and now that material that you were once paying \$20 a ton to get rid of is now \$90 a ton because it is being run over the belts two and three times to clean it up that meets China's standard and that's why the rates are going up because it is a very labor-intensive business.

Koep said this is not just affecting Halifax or the State it is affecting the entire world. So what they're working on now is getting Nine Dragons, major Chinese paper company, will add recycled pulp production lines at two U.S. virgin fiber mills and the majority of the recycled pulp output will be shipped to China for internal use at Nine Dragons' paper mills. He added that plastics are a big issues because China does not want them anymore but what you can do is go on the website 'recycle smart ma.org' and type in any product; cans, jars, plastic jugs batteries etc. and see if it is recyclable or not.

Koep said that it is going to take some time for us to fill the infrastructure here and get it back up and running as a lot of mills went out over the last 25 years because China was buying this stuff for such a premium.

Seelig was concerned with how Halifax is going to deal with this and Johnston said she does not know if eventually they are going to have to raise the recycling fee. She said that the center will be getting a compactor by the end of October beginning of November so we will be saving a ton of money because normally the containers that we pull out are about two hundred tons, costing \$182 to pull them out.

Roy thought it would be a good idea to have the financial team or Nolan involved to look at the trends of the costs.

Garron said that we hope the citizens will dispose of their recycles in the proper manner and bring them they are cleaned. Johnston said that the compactor will be in view of the attendant and the problem with the containers is that they are out back out of view.

Roy said that they will have to get word out to the residents to remind them that why it's important to clean the recyclables. She said that we have to keep in mind that every year we have more recycling abatements as people are using private haulers resulting in less income. Johnston said that the signs that they have displayed around town have definitely helped.

Roy said this was very informative and thanked them both for coming in.

Erika Azuma - dog hearing

At 8:15 p.m., in accordance with MGL Chapter 140, Section 157, Roy opened a hearing to address an incident where a dog owned by Erika Azuma, bit/scratched an individual as they were patting her dog. The hearing was held at the request of the Board of Selectmen.

The following individuals were present and sworn in by Notary Public Pamela J. McSherry:

| | |
|-----------------|-------------------------------|
| Erika Azuma | Dog Owner 54 Lake Street |
| Pam Azuma | 11 North Wind Drive, Plymouth |
| Noreen Callahan | Animal Control Officer |

Roy: Alright, I'm gonna first ask Noreen to explain what she knows about this incident.

ACO Callahan:

Basically on the 9/30/18 at approximately ten o'clock we had a report there was an incident on Lake Street. The dog owner's boyfriend was walking their Lab-type dog. He was on a leash and he had a gentle leash collar – it appears to be a muzzle to the victim, the victim said that she walked up and her and her boyfriend walked up and asked permission to pat the dog.

It was a young dog; it was under a year old, so she said while she was bending down to pat the dog the dog lunged at her. Supposedly in an aggressive manor. It hit her head, she said that it may have scratched her cheek with its canine. She really wasn't sure what happened. When I interviewed, what's his name, Morgan, Morgan Burkhardt who was walking the dog, which is her boyfriend, he stated that the dog did jump up, she had sunglasses on that were knocked off so...

Roy: Oh that could have cut her.

ACO Callahan:

That could have possibly – so basically what happened is no report was made to the police, animal control, or anything.

Garron: Hospitals?

ACO Callahan:

There was no – she did not go to the hospital at the time of the incident when I interviewed her.

Roy: Okay, so ...

Garron: And how long after the incident was that?

ACO Callahan: That was 10/1, so it was a couple of days.

Garron: A couple of days?

ACO Callahan: A couple of days after.

Roy: So how did you become aware of this incident?

ACO Callahan:

This was through the Board of Health, they received, well actually it was the Clerk's Office who received two long-winded phone messages saying that his girlfriend was bitten.

Roy: Okay

ACO Callahan:

And that he only wanted owner information that was that was basically it. He didn't want to make notification to the Board of Health or to Animal Control or they just basically wanted owner information of the dog.

Roy: Thank you. Pam – we notified the victim to be here this evening?

McSherry: Oh I did yup.

Roy: And you have signed

McSherry: Well I don't send her certified, I only send... but I did send it.

Roy: Okay perfect.

McSherry:

I said her presence where she wasn't requesting it her presence wasn't mandatory in order for action to be taken, but you may attend the hearing.

Garron:

Did he or she the suppose victim – question the individual who was walking the dog as to who he was or where the dog lived or anything of that nature at that time?

ACO Callahan:

No not at that time. I think the boyfriend was bent on, he said that I already notified Morgan and Morgan and ...

Roy: Okay I understand, so have you visited with the dog – what is your impression of the dog?

ACO Callahan:

I didn't visit with the dog, Brian Kling the Animal Inspector when he was quarantining their dog you know, but it sounded like a big goofy dog to me,

Roy: Okay

ACO Callahan: That's the indication I got – he's big, he's husky and high strung.

Roy: And what kind of a dog is he?

E. Azuma: He is actually I did a DNA panel on him

Roy: Oh you did. Okay.

E. Azuma: I'm a veterinarian technician

Garron: Oh

E. Azuma:

He came back as a little bit German Shepherd, Staffordshire Terrier, Golden Retriever, and what is the last one, and Great Dane and a Lab.

Roy: Okay and so tell us about the temperament and what do you think happened.

E. Azuma: 55:54

So my boyfriend is unfortunately sick with a stomach bug right now like I just got home from work not too long ago – I'm totally in scrubs. I was like why aren't you out of bed? You have to get out of bed. But when, I was actually outside we were working on our house that day, when Morgan came back and he was like Bane just jumped at this lady's face and he was like knocked her sunglasses off" and like he was like they just 'oh, don't even worry, he's a puppy, don't worry' and then they went their separate ways. Nothing was said about anger, nothing was said about like any viciousness, because he's a big puppy he's like I'm going to jump because I love you. And when he told me this I didn't even think twice about it and I was like aw Bane. Like he's a big goofy dog, of course he did that.

Roy: How old is Bane?

E. Azuma:

He just turned a year old, actually when he was on quarantine he turned a year old and his day care was going to throw him a birthday party.

Roy:

Well I'm sure he'll understand. I'm sure he wasn't looking at the calendar. So you've had Bane for how long?

E. Azuma:

We got him Christmas of last year as a Christmas present. We adopted him from a Rutherford County Humane Society and as I know his litter was abandoned in a house down in South Carolina.

Roy: That's okay, I don't need to know that. My question for you though is since you've received the dog and you are a Vet Tech then I'm sure you had plans on training your dog not to jump up on people.

E. Azuma: Yup

Roy: So what have you done since this?

E. Azuma:

So he goes to (inaudible) which I have information right here, which has a trainer on staff there that we have been working with.

Roy: When did you start that training?

E. Azuma:

I started that training I started taking Bane to (inaudible) in February and of course he's a dog, he has those moments where he's gonna be excited and jump, out of excitement, and I don't know what happened.

Roy: And so typically he will correct himself if you witness that?

E. Azuma:

Yeah, so he usually steps back and sits down, and then he listens. We have a gentle leader harness on his muzzle because he's a strong dog and he pulls and that helps us walk him easier.

Roy:

Okay, so I would suggest that when you or your spouse takes the dog for a walk and somebody asks to pet it, that you would make sure that the dog is sitting before you do that. So how often does he attend training?

E. Azuma:

He goes twice a week. To this day care facility which has a trainer on staff but we haven't done training, we did like initial training that February with him, but he knows a lot of commands and he listens very well.

P. Azuma:

I had hip replacement surgery in May and I baby sat him a lot over the summer and he listens. When you say 'sit' he knows the commands. He just gets excited.

Garron:

I just have one other question for you Noreen: did the individual who was supposedly scratched or bit, whatever, did she kneel down to see this dog, did she lean over?

ACO Callahan: She said she bent down to pat the dog.

Millias: My first thought is it's never a good idea to go and pet a dog that you don't know.

P. Azuma: He's a big dog, too

Millias: I don't even see that as a good idea in any stretch.

ACO Callahan:

My thought was she thought the black thing was a muzzle. She referred to it as a muzzle.

Millias: So she figured that no matter what she would be fine.

ACO Callahan:

Right, and is the dog's friendly. I mean you'd be leery right then and there I mean and if it's a big puppy, you know there's a possibility they're going to jump.

Millias:

And that's what they do. But as far as we know we don't have any verification of any puncture wounds or any of that kind of stuff.

Garron: Any hospital bills?

ACO Callahan:

No. The victim lives ... it was supposedly their first date, the victim lives in Quincy, so after the phone interview I heard no more from her.

Roy: Okay

ACO Callahan: Or the boyfriend that lives on Lake Street I believe.

Roy:

Okay, so I would suggest that you continue with the training and again my suggestion to you would be that when you take the dog for a walk and you make sure that somebody approaches the dog sits all those wonderful things.

Millias: I just say 'no'.

E. Azuma: Ya

P. Azuma: It's safer.

Millias: Seems to be the most reasonable course of action.

Roy: Does that sound reasonable to you?

Garron:

I think with the continued training and not allowing people other than yourselves to pat the dog unless you know them, because it's dangerous to let a stranger come up, cause you don't know what they're going to do – they might hurt the dog. So you never know.

Roy: So I'd like a motion to take no action at this time.

E. Azuma: Thank you.

Garron:

Yeah, I think we ought to send a letter to her stating that she should walk the dog on a leash and then continue the training and everything that we said and keep that (inaudible).

Roy: Keep whatever that thing is on.

Millias: I'll second that.

Roy: All those in favor.

Roy: Aye

Garron: Aye

Millias: Aye

HOPS Playground Update

Jonathan Selig said that they are getting close to the finish line for the HOPS playground and at this time they would like to get the site as prepped as much possible before the winter. He understands that the kids are still using the slides and swings during the soccer games so they would not start anything until soccer season is over. He is looking for approval from the BOS to raze the current site so that when we do get the spring thaw they can hit the ground running.

Garron asked when they raze it is there going to be anything stuck out of the ground and will they be leveling it? J. Selig said that everything will be gone and yes it will be leveled.

He was also talking with Highway Surveyor Hayward about housing any of the equipment that is reusable and in good shape for the winter at the Highway Barn and wanted to run it by the BOS.

Another thing he wanted to mention is there is a lot of pea-stone over there and knows that Mr. Beaudry was interested in maybe using some of it around the school. So again, he was talking with Hayward and he was thinking maybe he could dump-truck it over, make a big pile over at the Town Barn. J. Selig said that they want to re-use whatever they can.

Garron asked when did he think he was going to raze it and J. Selig said around the middle of November when soccer is done. Millias said that would be a good appropriate time, and they would probably just beat the weather too.

As for the build J. Selig said they are looking around April vacation week but he still has to confirm with the company.

Garron asked ow long would it take and he said it is just a weekend; Thursday through Sunday. He then said that we will be on the hook to try to get it as prepped as possible and the construction is a supervised build, they'll provide four or five managers on site, and then there will be a strictly volunteer workforce – similar to what they did for the first HOPS.

J. Selig said money-wise they are at about \$216,000. Their goal originally was \$250,000 so they are still a little bit short but they can scale back on something to fit the budget. J. Selig this is where they stand and is asking the Board for permission to jump on prepping the area before the spring.

Seelig said that we will want the public to know about this and J. Selig said that they have a decent presence on social media so they will go on and let people will know their plan.

Moved by Millias and seconded by Garron, the Board unanimously voted to allow the razing of HOPS from after the fall sports have ended and the preparation of the area.

Millias asked if they were doing a wall or benches to raise more money and J. Selig said it is five benches about three feet high with no back to them. Sort of like the benches that are on the side of the hill. They also are going to sell bricks, which already they have sold a number of them.

The Board thanked him for all he has done for HOPS.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Bow Street Property Donation

Seelig is recommending that the Board provide initial acceptance of the Bow Street property donation from Paula Long. The lot is undeveloped and Seelig does not see any problems (hazardous waste, etc.) with it or any reason not to accept it. This still needs to be approved at Town Meeting.

Moved by Garron and seconded by Millias, the Board unanimously voted to tentatively accept the Bow Street property donation.

Stormwater Management

Today Steve Hayward, Cathy Drinan and Seelig met with the staff from GHD. The Town (as with all other communities) is under a federal mandate to reduce pollution from Stormwater. This will require a number of activities by the Town: changes in by-laws, specific schedules for storm sewer/drain cleaning, street sweeping, etc., review of construction plans, education for the public, businesses, Town employees, etc. Seelig expects that we will need another person in the Highway Department for some of this field work along with a newline item for expenditures plus a new revolving fund for charging fees for Stormwater review of projects. Nothing needs to be done today, but this will need to be part of the budget discussion on November 26th.

MEETING ADJOURNED

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

Thomas Millias
Clerk

/pjm