

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, DECEMBER 11, 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.

AGENDA

The Board unanimously approved the Agenda for Tuesday, December 11th.

MINUTES

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

Regular Session – November 5, 2018

AFFIRMED WARRANTS AND COMMITMENTS

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

Vendor Warrant	# 50	\$ 92,651.15
School Warrant	# 51	\$ 484,309.88
Ambulance Commitment from 11/19/18-11/25/18		\$ 18,148.00
Ambulance Commitment From 11/26/18-12/2/18		\$ 10,522.90

APPROVED WARRANTS

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

Payroll Warrant	# 52	\$ 378,022.35
Vendor Warrant	# 53	\$ 69,438.66
Withholding Warrant	# 53	\$ 142,158.83

APPROVED SELECTMEN BILLS

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

WB Mason (pens).....	\$ 13.74
KP Law, P.C. (legal/October).....	\$ 1,462.50
Attorney Lawrence P. Mayo (legal/November)	\$ 1,557.20
Brooks & Derensis, P.C. (legal/November)	\$ 1,160.00
Michael Gilman Esq. (legal/November)	\$ 616.00

GENERAL MAIL / DISCUSSIONS

2019 License Renewals

Seelig is recommending that the Board approve the common victualler's license for Subway of Halifax contingent upon Mr. Patel bringing in the paperwork. Next year he would like to bring up the subject of a late fee for the non-alcohol licenses whose paperwork is not brought in by a certain date.

In addition, there are outstanding issues for the following venues: Grille 58, Happy Dragon, Lyonville Tavern and The Tee Box. The Board can approve these licenses contingent on the Building Inspector and the Fire Chief signing of on their inspections.

Moved by Roy and seconded by Garron, the Board unanimously voted to renew the following licenses:

Alcoholic Beverage

Package Store (all alcoholic)

Evergreen Beverage Company
Halifax Lake Street, Inc.

Package Store (wine & malt)

Jenish Convenience, Inc.
Om Hari Corp. - d/b/a Lindy's General Store

Restaurant (all alcoholic)

Halifax Investments, Inc. - d/b/a Country Club of Halifax
In Season Restaurant, Inc. - d/b/a BR's Monponsett Inn

Class I

Halifax Mobile Home Estates Association, Inc.
Morgan Power Equipment Inc.

Class II

Alan's Automotive Service
Ali's Auto Repair and Sales
Davis Automotive
Ellis Auto Body
J&J Motorsports
Liddell Leasing Corporation
Pete's Auto Sales
RG Automotive Inc.
TLC Companies, Inc.

Class III

Steve's Auto Recycling

Common Victualler

Apollo Capital, LLC - d/b/a Famous Pizza & Seafood
Cape Cod Halifax, LLC - d/b/a Cape Cod Café
D's Grille 58 LLC - d/b/a D's Grille 58
Family & Friends Enterprise, Inc. - d/b/a Santoro's Pizza
Gen 2 LLC – d/b/a Dunkin Donuts
Halifax Investments, Inc. - d/b/a Country Club of Halifax
In Season Restaurant, Inc. - d/b/a BR's Monponsett Inn
Lily Café II, Inc. - d/b/a Happy Dragon Restaurant
Lyonville Tavern & Restaurant LLC - d/b/a Lyonville Tavern & Restaurant
Unit 5 Bar, LLC - d/b/a The Tee Box

New Year’s Eve – Extender Hours

In Season Restaurant, Inc. - d/b/a BR’s Monponsett Inn

Public Entertainment – Sunday

Halifax Investments, Inc. - d/b/a Country Club of Halifax

In Season Restaurant, Inc. - d/b/a BR’s Monponsett Inn

Lily Café II, Inc. - d/b/a Happy Dragon Restaurant

Unit 5 Bar LLC - d/b/a The Tee Box

Public Entertainment – Weekdays

D’s Grille 58 LLC - d/b/a D’s Grille 58

Halifax Investments, Inc. - d/b/a Country Club of Halifax

In Season Restaurant, Inc. - d/b/a BR’s Monponsett Inn

Lily Café II, Inc. - d/b/a Happy Dragon Restaurant

Lyonville Tavern & Restaurant LLC - d/b/a Lyonville Tavern & Restaurant

Unit 5 Bar, LLC - d/b/a The Tee Box

Moved by Roy and seconded by Garron, the Board unanimously voted to renew the following licenses contingent on the Building Inspector and Fire Chief signing off on inspections:

Alcoholic Beverage

General on Premise (all alcoholic)

Unit 5 Bar LLC - d/b/a The Tee Box

Restaurant (all alcoholic)

D’s Grille 58 LLC - d/b/a D’s Grille 58

Lyonville Tavern & Restaurant LLC - d/b/a Lyonville Tavern & Restaurant

Lily Café II, Inc. - d/b/a Happy Dragon Restaurant

Moved by Roy and seconded by Garron, the Board unanimously voted to renew the following license contingent on Mr. Patel bringing in his paperwork for his renewal:

Common Victualler

Man – Mohan Corporation - d/b/a Subway of Halifax

Diane Ruxton – Resignation – Finance Committee & W&P

Diane Ruxton has resigned from the Finance Committee effective immediately due to changes in her work schedule. This also means that, effectively, she has resigned from W&P as the Finance Committee’s representative. Melinda Tarsi of the Finance Committee will fill in for her in that role.

Moved by Garron and seconded by Millias, the Board unanimously accepted, with regret, the resignation of Diane Ruxton from the Finance Committee and the Wage and Personnel Board, effective immediately and to send her a letter thanking her for serving.

407 South Street

Town Counsel and the Treasurer-Collector are working with the family of the resident to facilitate the move-out. This may take a couple of months. No action needed from the BOS.

Ambulance Abatements

Moved by Roy and seconded by Garron, the Board unanimously voted to approve Ambulance Abatements for the following months:

September 2018	\$ 92,305.24
October 2018	\$ 51,377.03
November 2018	\$ 121,362.84

SCHEDULED APPOINTMENTS**Police Chief Chaves - Civil Service List**

Chief Chaves began by saying that after thirty-two years of service to the Town of Halifax, Officer Briggs will be retiring on December 31st, 2018. With that in mind he asked the Board to provide a letter of conditional employment to Andrew Lyczynski, who was appointed as a Permanent Intermittent Officer March 2018. Chief Chaves further said that in the short time with the Department he has provided exemplary service and the chief is confident Lyczynski will continue to do that and be an asset to the Department. He will be going for a physical at the end of the week and he is looking to send him to the academy April. The Chief also wanted to request that the Board call for a PI List from Civil Service this is to fill in Lyczynski's vacancy as well as cover the vacancy of Thomas Hall who will be retiring in January or February of 2019 and Burt Gaynor who will be retiring later in 2019. After these two guys retire this will leave this will leave him with two PI one being Officer Jennifer Keegan and Richie Crespi who will be graduating from the academy in February.

Moved by Roy and seconded by Garron, the Board unanimously appointed Andrew Lyczynski Halifax as a full-time Police Officer for the Town of Halifax contingent upon him passing a physical and Physical Abilities Test (PAT) and successful graduation from the Police Academy.

Moved by Garron and seconded by Millias, the Board unanimously authorized the calling of a part time Reserve/Intermittent list from Civil Service, to fill up to five (5) openings.

GENERAL MAIL / DISCUSSIONS (CONTINUED)**Computer Network at COA**

During the past year, the Council on Aging has had more IT problems than probably all the other departments. The primary reason is that the network, the physical and electronic "wiring" between computers, the computers and the outside, and the computers and the Town Hall, has always been a bit fragile. It works much of the time, but the reliability is not the level of getting "dial tone" when picking up the phone and it needs to be that reliable. In order to do that, it needs a new physical wired set-up, a new centralized server, and a new connection to the internet. The estimated cost, with a contingency, is about \$8,000. This is not in the IT budget therefore Seelig is going to meet with the Finance Committee next Monday to request the money from the reserve fund. He does not want the COA to have to wait until July or August of 2019 to get these problems solved.

Moved by Garron and seconded by Millias, the Board unanimously voted to allow Seelig to move forward with working on getting the computer situation straightened out for Council on Aging.

Safe Routes to School Grant

The Town has an opportunity to apply for a grant through the Safe Routes to School program. As the Highway Surveyor has an estimate to extend the north side sidewalk on Plymouth Street to the far (west) end of Cranberry Drive, Seelig would like to recommend to the Board that the Town apply for this project. He has notified the Traffic Safety Committee but not heard anything for or against it.

Garron asked if it is from one end of Cranberry Drive to the other and Seelig said yes.

Millias then asked if they have squared away the crosswalk situation and Seelig said he will check with the Traffic Safety Committee.

Surplus Equipment – Fire Department

Moved by Millias and seconded by Garron, the Board unanimously declared one (1) Savin 9021d Copier surplus.

Cemetery – Unclaimed Graves

The Cemetery Superintendent would like the permission of the Board to pursue reclaiming graves that have remained unoccupied for at least seventy-five years under MGL Chapter 114, Section 10A. The Superintendent would have to make a diligent search to find the owner of the unclaimed grave and, if after claiming it, the owner was found, the Town would be required to pay the fair value of the permit at the time of taking (meaning the current price, not the original sale price).

Moved by Garron and seconded by Millias, the Board unanimously gave permission to the Cemetery Superintendent to pursue reclaiming graves that have remained unoccupied for a minimum of seventy-five (75) years.

Printing of the Town Report and Warrant

McSherry is ready to get a price from Harding Press for the printing of the warrant and report. No changes from previous years (150 copies of the report and 3,500 copies of the warrant, same sizes as usual.

Selectmen's Office Inventory

The office inventory list can be reviewed by the Board, should they want to, before being sent to the Town Clerk.

Surplus Equipment – COA Chairs

The Generations group would like the Town to declare 26 wood base maroon chairs without arms which it donated to the CoA years ago. It would then send a letter of interest to the Board committing itself to selling the chairs and using this money to purchase new chairs (with arms) for the COA.

Moved by Garron and seconded by Millias, the Board unanimously declared twenty-six (26) wood base maroon chairs with no arms surplus.

School Project – Doors, Windows & Siding

Seelig had hoped that the work on the doors would have been completed during the school vacation week but the shipment of doors is delayed again until January 17th. Seelig is not sure why it is delayed. He then said that Steve Theran (Vertex) had mentioned that we can have another meeting in December – right now we have one scheduled for January 3rd, but Seelig did not see the point of having another meeting when they are only going to say “the doors are going to be delayed.”

Roy asked if he thought they would not have them done by January 3rd and if not they could talk about other stuff. Seelig said they could do it.

Millias wanted to know where they were with the project and Seelig said everything is done except for the doors.

Garron asked if there is a safety issue involved and could they change the vendor. Seelig said no it is not a safety issue but just another delay for the project and at this point they cannot change the vendor.

277 Plymouth Street – Old BR’s Building

Heath Agent Cathy Drinan reported that there is one broken door and a number of broken windows at the above location. She would like the building torn down (Seelig is checking with Town Counsel about that), but in the meantime, he recommends that the Board send a letter to Cumberland Farms (the current owner) requesting that all the doors and windows be boarded up.

Moved by Millias and second by Garron, the Board unanimously voted to have Seelig send a letter to Cumberland Farms asking them to secure the building.

Cancer Presumption – Unfunded Mandate

The MMA has written a letter of support to Seelig’s earlier letter to the State Auditor’s office asking that the new cancer presumption law for firefighters and police officers be declared an unfunded mandate.

EXECUTIVE SESSION

Seelig stated that the Board will vote to go into Executive Session to hear a grievance from Steve Waterman who is a community member and an employee at the Halifax Highway Department. This grievance falls under the State Laws regarding exemptions for executive session which includes collective bargaining and also grievance hearings. Steve Waterman would like to go into Executive Session therefore there needs to be a motion under those stipulations and a roll call vote.

Moved by Garron and seconded by Millias, the Board voted as follows to enter into Executive Session at 8:07 p.m. to discuss collective bargaining grievance hearing:

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

Moved by Millias and seconded by Garron, the Board voted as follows to come out of Executive Session at 8:35 p.m. and reconvene in public session:

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

Seelig said that the grievance was filed by Steve Waterman who is a member of the Highway Union and an employee of the Highway Department. The grievance concerns the decision made by the Highway Surveyor not to grant him Heavy Equipment Operator pay. It had been heard by the Highway Surveyor, the union appealed the decision to the Board of Selectmen as it is their right, and the BOS had a grievance hearing in the Executive Session. The Board upheld the Highway Surveyor’s decision not to grant the HEO pay so it denied the grievance, everything on that will be on the record at that point, that’s it for right now.

Abe Neal, reporter from the Plympton/Halifax Express, asked when will the minutes of your Executive Session be released and Seelig when the minutes get done.

McSherry stated that once a year Seelig goes through them to see which ones can be released and Seelig said that is correct but if there is a specific request then we would open them up, but first the Board has to approve the minutes, the earliest they will approve the minutes would be January 8th which is their next meeting.

Roy asked if the Neal should ask us anything about what happened in the Executive Session do they answer seeing as they have not been released and Seelig said the BOS does not have to answer any questions they don't want to.

Roy then asked what if they wanted to answer a question would they be in trouble and Seelig said no because the decision has been made and then the minutes will become public record when they are done.

SCHEDULED APPOINTMENTS (CONTINUED)

Neil Potter - Syncarpha/Relay Power - Community Solar Initiative - Franklin St.

Potter began by saying that the Community Solar Project on Franklin Street was developed by a company called Syncarpha – they lease the land, do the permitting and actually build the projects. For any community solar project, half of the project is dedicated for commercial use and the other half (51% actually) is allocated for residential use. Relay Power, who is the marketing and sales team, is responsible for finding residents who would be interested in participating to save money on their electricity. They can enjoy the benefits of solar energy without having to install anything on the roof or their property. He continued to say that 80% of the studies say people support local clean power, but only 15% know what their options are. So, when a project is proposed in a town, they will go to the town and answers questions the residents might have and for those who are curious and might want to participate.

Garron asked how long has he been in business and where they out of and he said Relay Power has been around for about two and a half years and is a Massachusetts company based in Hudson that is employee-owned-and-controlled company.

Garron asked about any project to refer to and he said that they work with Syncarpha, who is the developer, and have done projects in Bolton MA and in Hancock Shaker Village.

Millias asked if part of their subsidies is predicated on participation and he said yes. Millias wanted to clarify that seeking out people and passing on savings is to their advantage as well and Potter said that was correct. Potter said that off the top, for any project, 51% has to go to residents so to make community solar work, they have to go out there and find residents to participate.

Millias then asked how much of a savings can a resident see and he said savings are about 10% off their electric bill. The process for the resident would be that they book a time to talk to one of our specialists, a thirty or forty minute phone call, where they go over the details of the program, answer all their questions and then evaluate their bill to see their annual usage; if they like what they hear we let them know that they you can subscribe to a certain amount of panels on this project in town and you will be facilitating that clean power and saving about 10% on your bill. Millias said which is about what it would cost you on your bill to pay into the program for subsidizing solar energy and Potter said there is not a 10% subsidy.

Roy said that the Board presented an article at Town Meeting for an electricity aggregation program and it passed. She expressed that it is hard to endorse a company because it is no different than them endorsing a pizza place – it is the Board being the buoy to sell his service and personally she did not feel comfortable with that. Potter said that residents are saving money, there is no sign-up fee and they are being educated on how the program works and if they are interested they can participate.

Roy understands that the residents would save money but then they will have other solar companies coming to them and then the Board becomes the marketers for the solar. She appreciates him coming in and talking about it but she wanted him to know up front it would be really hard for her to talk to residents about his company when she does not feel it is the Board's job to do that.

Garron asked how long of a term are the contracts if they were to sign with you can they opt out during that period of time and he said a twenty-year agreement. As for opting out this solar is portable unlike rooftop solar. The community solar program mimics rooftop solar but there is no installation on your property so the portability is actually an asset because if somebody is going to move they can take it with them, if they're moving into National Grid territory.

Garron so in essence you are using their dedicated lines to transport the electricity. Potter explained that if you have a system on your roof, very rarely are you going to be producing the exact amount that you are using at that time so because of net metering there are all those green electrons are feeding into the grid and basically they are going through your neighbors'. This is somewhat similar where the electricity that your account is attached to, that is being released into the grid and you are hoping to green the grid – reduce the need for that important dirty fuel. Millias commented that he was able to get the word “dirty” in there and Potter said that the vast majority of the electricity that we use in Massachusetts is ‘dirty’ it's from fossil fuels – we can produce electricity that is good for everybody and is clean.

Millias said there will be an issue in this area if the Pilgrim Nuclear Power Plant goes down and nothing goes in to replace it as it is going to be a lot of electricity and all these solar fields together really aren't going to match it.

Roy asked how does he market to the residents and he said a number of ways – our partnerships have been from municipalities, to non-profits, to large employers. What they have done with other municipalities is if the residents have questions there is a link on the town's website for them to click on to learn more. Another way is partnering with non-profits; they have partnered with a number of YMCA's community centers and part of the partnership program is that they can make donations to help raise money for different initiatives that organizations have. He further explained that lets say the YMCA is trying to raise money for a certain something and if their members are going to participate, Relay Power can make donations for everybody that takes action. As far as how this could work for the town it is going to vary upon what your appetite is. We could raise money to re-hab a park or to support some other initiative that the town has. Houses of worship are another one that we work with to help engage congregants. Large employers, they sometimes bolster their benefits packages.

Garron asked if he had any written material he could leave with them and Potter said he did not bring any with him but could follow-up with some emails.

Millias was leaning with Roy, he does not have any opposition to providing a forum but anything that looks like an endorsement from the town he would be reluctant to do for a lot of reasons.

Roy said we want to be able to provide a savings for the residents so that is why we did that electricity aggregation thing and it really was a tough decision on our part to go forward, but it was sort of a Town Meeting decision and Millias but they also are able ‘opt out’ too.

Potter said that he is for aggregation too, where it is green and that is an auto to opt in or out. His program is different - if someone is interested then here is a way to learn more.

Garron asked how someone would go about getting in touch with him and he said that they try to do everything digitally. With the different organizations they work with they make a customized URL web address and basically drive anybody that's interested to that, they can watch an introductory video, look at some ‘FAQ's’ and if they want to learn more from there they can click a button to select a time to talk to one of their specialists. Roy asked if they use Facebook as like a marketing tool as well and Potter said it really depends on the organization. It is great to be able to have a presence on Facebook but they gear more towards sending out emails.

Potter thanked the Board for their time and the BOS thanked him for making the long drive here.

GENERAL MAIL / DISCUSSIONS (CONTINUED)Child Passenger Safety Seat Grant

A grant in the amount \$3,500 has been awarded to the Fire Department. The grant will provide car seats to those in need and replace car seats that have been damaged in motor vehicle crashes. Firefighter Hogan led the work on the grant.

Moved by Garron and seconded by Millias, the Board unanimously voted to send a letter thanking Hogan for his efforts in obtaining this grant.

Cell Tower Zoning

A possible applicant for a cell tower at 285 Holmes Street (across from the entrance to Garden Road and the train station) has asked for a determination from the BI/ZEO as to the zoning of this parcel. The Building Inspector has determined that it is in the industrial zone and that this is allowed by a special permit (although it may also require various variances, etc.). This may be controversial as the zoning maps have been in error and shown this parcel to be zoned commercial. Piccirilli wanted the Board aware of this just in case residents are wondering.

Public Records Request #1

Ed Doherty has requested a copy of the meeting minutes from November 5, 2018, that included the Board's conversation with John Peck about earth removal permits. He believes that Mr. Peck has conducted earth removal operations without a permit.

On a side note, the Selectmen have not received any communications from Peck as a result of the Board's conversation with him. Seelig plans to follow up with Peck and ask him to file any necessary applications no later than January 8th.

Public Records Request #2

This request is from some outfit in Illinois (LocalLabs/Prairie State Wire) asking for election results. They were given the link to the proper page on the Town's web site.

Public Records Request #3

The Pioneer Institute in Boston asked for documents relating to how many unions there are for Halifax employees, how much time is used deducting and transferring union dues, the average salary of the employees doing so, whether the Town has collected agency fees (union dues limited to specific collective bargaining activities), and when the Town stopped collecting agency fees. The Pioneer Institute was given links on the Town's web site about various items but since, in some cases, documents did not exist (and the public documents law does not require that the Town create new documents), the Institute was told that the documents did not exist.

OUI Reports

While Halifax has had a "clean sheet" for several quarters, the Monponsett Inn showed up once for quarter 2 (April through June) and once for quarter 3 (July through September). The OUI reports are not sufficient to take disciplinary action (the statements by the vehicle drivers are not vetted), but the Board has, in the past, asked the owner/manager to meet with the Board to review the necessity for proper training, etc. Seelig can set something up for January 8th. Garron said no harm in asking them to come in. Seelig will send a letter to the license holder.

Surplus Equipment – COA Printer

Moved by Millias and seconded by Garron, the Board unanimously declared one (1) Samsung printer surplus.

Monponsett Improvements Association

The Association sent out letters to William Shaughnessy and Joseph and Tina Tonello indicating that the parties had initiated or caused unlawful encroachment on their property, a right of way on Lake Street between lots 1529 and 1530. This may be a re-start of the issues that came up several years ago. Seelig and the Conservation Commission were cc'ed on the notice but, as far as he knows the Town has no particular interest in the stub end of Lake Street aside from using it for emergency access to East Monponsett Pond. No action needed.

Holidays in Halifax Event

The BOS and Seelig wanted to give a shout out to everyone who helped make Holidays in Halifax a success.

MEETING ADJOURNED

There being no further business, moved by Garron and seconded by Millias, the Board unanimously voted to adjourn the meeting at 9:10 p.m.

Thomas Millias
Clerk

/pjm