

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, FEBRUARY 28, 2017- 7:30 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:30 p.m. with Selectmen Troy E. Garron, Thomas Millias and Kim R. Roy 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 Agenda for Tuesday, February 28th, was unanimously approved without revision.

MINUTES

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

- Executive Session – November 22, 2016
- Executive Session – January 10, 2017
- Executive Session – January 24, 2017
- Executive Session – February 14, 2017

AFFIRMED WARRANTS AND COMMITMENT

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

Payroll Warrant	# 74	\$ 348,283.02
Vendor Warrant	#75	\$ 171,847.78
Ambulance Commitment	# 2B	\$ 50,407.00

APPROVED WARRANTS AND COMMITMENT

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

Withholding Warrant	# 76	\$ 127,052.05
Vendor Warrant	# 77	\$ 290,781.87
Ambulance Commitment	# 2C	\$ 60.00

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

National Grid (service/concession stand).....	\$ 31.08
National Grid (service/Town Hall).....	\$ 1,623.57
MMMA (Seelig/monthly meeting).....	\$ 40.00
Lynch, Malloy, Marini, LLP (audit yr. end 6/30/16).....	\$ 5,000.00
Harry B. Harding & Son, Inc. (envelopes).....	\$ 148.60
The County of Ply. (contrib. to Ply. Cty. Ext. Coop. Service)....	\$ 150.00
Express Newspapers (ad/surplus vehicles)	\$ 21.50
Habeeb & Assoc. Architects (services/ school project).....	\$ 46,950.00
The Vertex Companies Inc. (services/school project).....	\$ 600.00

The Board acknowledged payment to the Treasurer for the following turnover(s):

<u>TURNOVER</u>	<u>AMOUNT</u>
2017-29	\$ 5.00

GENERAL MAIL / DISCUSSIONS

Water Department On-Call Proposal

Labor counsel has reviewed the proposal that the Water Department staff, in rotation, would receive an “on call” stipend for being available to respond to calls during “off hours”. He sees no legal problem with this. If this approved at Town Meeting Seelig suspects other employees who respond on off-hours will want a similar stipend. Garron said that they saw this years ago with the Fire Department. He is not for it and neither is Roy.

Silver Lake Land Public Hearing & Appraisal

The public hearing is scheduled for March 9th at 7pm in the Silver Lake Regional High School in the Large Group Room. The Town’s appraiser should have a report March 6th and once received Seelig will distribute. Plympton has indicated that it will contribute to the cost (\$1,800).

Alcohol Licensing Procedures

Several weeks ago there was a new story about the ABCC overturning a suspension of an alcohol license by a South Shore community with the ABCC finding that the community’s disciplinary procedures were unwritten and not formal. Seelig checked with ABCC and was told that they did not have a model or expected to produce one. Seelig has contacted some of his colleagues and received copies of several from their towns which cover disciplinary matters along with other aspects of alcohol licenses. Copies have been given to the Police Chief as well as the Board for them to review. Seelig would like to bring back a draft for the Board’s next meeting.

Outdoor Entertainment Zoning Amendment

The Planning Board held a public hearing on February 23rd on the proposed change to allow for outdoor (and indoor) entertainment in the A/R district by special permit with the Board of Selectmen. There is some opposition to the measure because, special permit or not, abutters to some potential sites are concerned about how these events might be detrimental to their properties and to their lives.

A question came up as to whether concerts, etc., would fit under “outdoor entertainment” in the use list or whether they would better fall under either:

- Retail or commercial businesses with drive-through, drive-in or open-air sales or operations and the appurtenant buildings or structures or
- Open air business/outside sales – (Not allowed in the A/R)

The definition for *open air business/outside sales* is a temporary business conducted in the out-of-doors not requiring an enclosed sheltered structure and the concerts would certainly be temporary and without a structure.

Seelig has asked land use counsel for advice and will review it with him. He also said that we may have to pass over the Article if there is a grey area.

New Officials Finance Forum

The forum will be May 31st in Worcester; registration by May 22nd.

Recycling Abatement

The Board was informed that a resident called about his recycling bills dating back to 2011 totaling \$326. He said he has a business to which he brings his trash and recycling and said that the first year of the recycling fee he was told that he did not have to do anything if he did not want to pay his bill and the Town has not publicized the need to request abatements. He is going to file for abatements for the previous years even though the Board approved a January deadline.

SCHEDULED APPOINTMENTS

Karen Trudeau/Principal Assessor – Proposed PILOT Agreement – 69 Summit Street

The Principal Assessor, Karen Trudeau, was in this evening to go over a proposed PILOT agreement between SunConnect MA12 LLC and the Town for property at 69 Summit Street. She has worked with the Building Inspector on the electrical and building permit fees and Town Counsel on the agreement. There is a Surety (\$70,000 bond) in place for decommissioning fees in case the solar farm needs to be torn down. Trudeau continued to say that the Town will receive \$24,699 (includes the land and the solar array on the land) each year for twenty years.

Garron asked if there were any models and Trudeau said that she has talked with other towns about their projects and she said yes and the town has done one on Monponsett Street. His farm will be on a 10 acre parcel of land creating 1.26 megawatts.

Millias asked how many panels and she said she was unsure but the site plan shows it.

Garron asked if the \$70,000 bond changes at all and Seelig said there is a provision stating that the amount of the Surety will increase 2% should the CPI (consumer price index) increase.

Moved by Roy and seconded by Millias, the Board unanimously voted to sign the PILOT Agreement with SunConnect MA12 LLC and the Town of Halifax contingent on the vote at Town Meeting.

Ellis Auto Body Site Plan

Ellis Auto has a site plan review for a 50-foot by 50-foot storage (vehicles and parts) on the property at 822 Old Plymouth Street. The proposed building meets all zoning requirements (no special permits or variances needed) and the Planning Board is welcoming comments until March 16th. Seelig did not know if the parts will be sold or just used for the repair of the vehicles. He will ask Zoning what Mr. Gentile's intent is for the building.

Heron Road Acceptance

Rick Springer has requested the acceptance of Heron Road. The Board would have to waive submission dates, etc. and would have to have two hearings (informal and formal). Roy asked if they have waived submission dates before and Seelig said yes. Seelig will start moving on setting up the hearing for March 28th.

Pouring License Early Sunday Opening Article

A petition Article to accept MGL Chapter 138, Section 33B to allow for sale of alcohol on premises starting at 10 a.m. instead of noon will be on the ATM warrant.

South Coastal Legal Services

The office has received the petition Article for \$3,500 from the above agency. The Article will be on the ATM warrant.

MSBA School Repair Project

The proposal has been approved. Next step is presenting the Article at Town Meeting on March 7th.

Audit Engagement Letter

Moved by Roy and seconded by Millias, the Board unanimously voted to authorize the Chair, Troy E. Garron to sign the Audit Engagement Letter.

Surplus Vehicles

Listed below are the vehicles that were bid on, the amount and who were the highest bidders:

1999 International	\$4,100	Andrew McRobb, Gloucester, MA
2007 Dodge Charger Police #1	\$1,625	Chris Sullivan, Allston, MA
2007 Ford 500	\$2,275	John Lewis, Randolph, MA
1997 Ford F350 Dump	\$1,125	Brian Davis, Rensselaer, NY
1991 Ford F350 Dump	\$1,350	Phil Medeiros, Raynham, MA
2007 Dodge Charger Police #2	\$1,525	Henry Statkiewicz, North Attleboro, MA
2000 Ford F150	\$ 320	Elliott Rowlands, Bridgewater, MA
1991 Chevy K2600	\$ 320	Elliott Rowlands, Bridgewater, MA
1995 Ford Econoline	\$ 290	Elliott Rowlands, Bridgewater, MA
2003 Dodge RAM3500	\$ 450	Amry Conliffe, Jamaica, NY
1978 Chevy C30	\$1,700	AL Conte, Hamburg, NY

Seelig recommended that the Board award the contracts to the above bidders.

Moved by Roy and seconded by Millias, the Board unanimously voted to award the contracts to the aforesaid bidders.

Burrage Pond Elm Street Access

Chris Kasmarek has contacted Jason Zimmer about this project and requested that he replace the large boulder in the wall and at the end of Kasmarek's fence to keep traffic out of Kasmarek's property (ATVs are going through his property). Garron asked if they should send a follow-up letter and Seelig no.

Dog Bite Incident Tarawood Kennels

The office has received reports and photographs of severe bites to an individual who was visiting at Tarawoods Kennel on February 19th. Seelig is recommending that a hearing be held. A hearing will be scheduled for March 14th.

Library Surplus Materials

The Library would like to have all books and associated materials (CDs, DVDs) withdrawn from the collection and donated to the Friends of the Library for their sales.

Moved by Roy and seconded by Millias, the Board unanimously voted to approve that the old books and associated materials be withdrawn from the collection donated to the Friends of the Library.

Library/Wage and Personnel/Classification and Compensation

The Library Director wrote to the Wage and Personnel Board with her concerns about the current procedures regarding classification of employees. She wrote that requests should be “on those rare occasions when job responsibilities have significantly changed to justify a higher grade”. She feels that guidelines should be incorporated into the by-law as to what are the requirements for each grade.

Recycling State Grant

Moved by Roy and seconded by Millias, the Board unanimously voted to have the Chair, Troy E. Garron sign the Sustainable Materials Recovery Program Grant.

Classification and Compensation Study Contract

Employees are completing job description surveys and communities have been contacted about wage levels. Don Jacobs will be meeting with Wage and Personnel to give them an over-view of what has been going on.

Open Special Town Meeting Warrant - May 2016

Moved by Roy and seconded by Millias, the Board unanimously voted to open the warrant for the Special Town Meeting to be held on May 8, 2017 and to close the warrant on March 21, 2017.

Bond Release

Moved by Roy and seconded by Millias, the Board voted to release the \$5,000 bond that was issued by Blue Diamond Equipment Company LLC for a trench permit at 2 Walnut Street.

EXECUTIVE SESSION

Moved by Roy and seconded by Millias, the Board voted as follows to enter into Executive Session at 8:10 p.m. to discuss Patrol Officer negotiations:

Troy E. Garron - Yes

Thomas Millias - Yes

Kim R. Roy - Yes

Garron announced that no statement would be made at the end of the Executive Session and the Board would not reconvene in open session.

Moved by Roy and seconded by Millias, the Board voted as follows to come out of Executive Session at 8:39 p.m.:

Troy E. Garron - Yes

Thomas Millias - Yes

Kim R. Roy - Yes

MEETING ADJOURNED

There being no further business, moved by Roy and seconded by Millias, the Board unanimously voted to adjourn the meeting at 8:39 p.m.

Kim R. Roy
Clerk
/pjm

