

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, MARCH 8, 2016 – 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 and Thomas Millias present.

Chair announces that the meeting is being taped.

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, March 8th, was unanimously approved without revision.

MINUTES

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

Regular Session – August 11, 2015
Regular Session – January 26, 2016
Regular Session – February 23, 2016
Executive Session – February 23, 2016

AFFIRMED WARRANTS AND COMMITMENTS

Moved by Millias and seconded by Garron, the Board unanimously voted to affirm approval for the payment of the following warrant and commitment:

Vendor Warrant	# 78	\$ 316,340.93
Ambulance Commitment	# 2D	\$ 36,796.00

APPROVED WARRANTS AND COMMITMENTS

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

Payroll Warrant	# 79	\$ 324,276.10
Vendor Warrant	# 80	\$ 76,505.47
School Warrant	# 81	\$ 256,341.71
Withholding Warrant	# 82	\$ 119,812.12
Ambulance Commitment	# 2F	\$ 39,079.78
Mobile Home Park Fee	# 3	\$ 5,160.00

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

W.B. Mason Co., Inc. (ink cartridges)	\$ 181.56
National Grid (Town Hall)	\$ 1,992.10
National Grid (Concession Stand)	\$ 26.14
Chubb and Son (Police/Fire Accident Insurance)	\$ 10,310.00
Halifax Postmaster (stamps)	\$ 73.88
Deutsch Williams Brooks DeRensis & Holland, P.C. (legal/February)	\$ 1,401.20
Michael C. Gilman, Esquire (legal/February)	\$ 4,714.00

The Board acknowledged payment to the Treasurer for the following turnover:

<u>TURNOVER</u>	<u>AMOUNT</u>
2016-37	\$ 2,500.00

GENERAL MAIL / DISCUSSIONS

Halifax Youth Soccer Association

The HYSA sent out a letter to a number of groups, including the Town, detailing the establishment of a volunteer program for their youth soccer players (ages 6 to 16) to work on various community projects. Seelig has forwarded the letter to the Beautification Committee with the idea that some of the players could participate in a clean-up day and will forward the letter to other departments. Roy suggested that they could help with a HOPS fundraiser event as they are always looking for help.

Autumn Lane

Attorney Mayo has written to Jake Development (the current owner) regarding the one remaining lot and the right-of-way and Marie Green (trustee of the Trust that owned the development before selling it to Jake Development and who might still have some obligations) about completing the work on the subdivision. He has given them until March 12th to respond. Seelig will update the Board again on March 22nd.

Alternative Sewerage Committee

The Board of Health has concluded that the Committee is no longer necessary. It a Town Meeting vote will be needed in order to disband the Committee since it was Town Meeting that created it. Seelig has put an article on the Annual Town Meeting. Garron asked if they have found solutions to the areas around the ponds and Seelig said that technologies have improved.

Chapter 70 Resolution

The Halifax Elementary School Committee voted last night to support a resolution proposed by the Suburban Coalition to fully fund the recommendations of the State Legislature’s Foundation Budget Review Commission’s Chapter 70 proposal (more money for everyone!). The School Committee asked that the Finance Committee and the Board of Selectmen also support the resolution. Cassey Hanson is willing to meet with the Board at a future meeting about the proposal and resolution. Roy attended the School Committee Meeting and thinks it is fine.

Moved by Garron and seconded by Millias, the Board unanimously voted to send a letter supporting the Chapter 70 Resolution.

Wage and Personnel Incentive Increase - Sandra Nolan

Town Accountant, Sandy Nolan has completed her course work in the Local Government Leadership and Management Program run by the MMA and Suffolk University. She is requesting approval from the BOS for a 1% incentive (education) increase through the Wage and Personnel by-law.

Moved by Garron and seconded by Millias, the Board unanimously approved a 1% education incentive increase for Town Accountant, Sandra Nolan.

Streetlight for Monponsett Street (south of Palmer Mill Road)

Last month there was a car crash on Route 58 and a conversation was on Halifax Locals about whether a new streetlight was needed. Posters were directed to the Highway Surveyor and the Board of Selectmen but no one has contacted the office. Seelig notified the Traffic Study Committee about the issue and Chief Broderick mentioned that there were four accidents at this location during the past year; two of them were due to reckless driving and a third may have been due to the weather. He felt that if the rest of the committee has any interest they could meet (no one else has shown any interest), but he was not convinced that a new light was necessary.

Millias is sorry that there have been accidents in that area but felt there were other areas in town that were in need of a street lights. Garron said that he goes with the Chief's opinion.

Halifax Trails

A new site plan has been approved for the development, with the original lot lines waived by the Planning Board and now it is going through ZBA. He hopes that they can move forward with the project once approved.

SCHEDULED APPOINTMENTS

Scott Clawson – Fieldstone Farm Horse Shows

Roy began by saying that the Board would like some clarification and a discussion about Mr. Clawson following the rules of what his permit is for. It is the Boards understanding that he has more shows than what his permit allows. Seelig said Mr. Clawson is requesting to increase the number of multi days shows allowed than what is in the consent agreement from a couple of decades ago for his 2016 shows. Roy asked if he has always followed the amount of shows allowed and Seelig said that there have been discussions in the past and adjustments have been made based on the consent agreement.

Phil Taylor, Mr. Clawson's Attorney, said that Mr. Clawson would like to work with the Board of Selectmen to make some changes. The consent agreement was done twenty-three years ago and in in the past twenty-three years equestrian events have changes, his property has grown as well as the area. With that being said they are here this evening to have a discussion about making some changes to the shows.

Millias said his understanding is the reason this all came about is because we suddenly realized that Mr. Clawson had advertised dates that were not actually in the original consent agreement. Millias asked if this was correct and his attorney said yes and no.

Attorney Taylor said that Mr. Clawson wanted to make these changes and right now he does have some dates that he has set forth and what we are hoping to do is work with the BOS and come up with a long term solution and make adjustments to what is in the consent agreement. They understand the original proposal had some extra dates, which are his desired dates for this year.

Millias asked proposal or advertised and asked if the additional dates were advertised. His attorney said that he thinks he has been telling people about the additional dates however we recognize that... Millias then said that he believes they were advertised on the website and that he is not trying to beat him up about this but just wants to put it out there that one of the reasons we are having this conversation is because the BOS became aware that there were additional dates advertised than what is allowed in the consent agreement.

Attorney Taylor believes that it is the BOS they should be having this discussion with about changes and does not think the Zoning Board has the authority over the issues and that it is the BOS. The ultimate process can be worked out with town counsel but the more important question is trying to work out an agreement.

Millias asked if they were looking for the BOS to support or rule on this because in his opinion he does not see the BOS ruling on this as he does not think it is their jurisdiction because the original consent was from the ZBA. Attorney Taylor said that it is not from ZBA as they were not involved. What brought about the consent agreement was a Building Inspector's enforcement action that went to the court and as part of the resolution a consent agreement was entered into over an unrelated disagreement between the town at the time. The reason he feels that the BOS is the proper Board to go through is because they control all litigations of the town and this was a consent agreement was done through the court therefore any changes will need to be done through the court. So whatever is worked out can be approved by town counsel and then determined the most appropriate way to present to the court for their approval. He added that another reason why the ZBA would not be involved is because they are not looking for a variance or a special permit or appealing a Building Inspector's decision and we do not fit in with any of those categories.

Roy asked if that was Attorney Mayo's thoughts also and Attorney Taylor said that he is not going to speak for Attorney Mayo but he thinks he understands why he believes it went to the BOS. Seelig said that Attorney Mayo did not disagree with Town Counsel Spinale's opinion (from 1998), which Spinale wrote it should be referred back to the ZBA. Seelig recommended that the BOS refer the matter to ZBA and if town counsel advises otherwise that that is fine. Attorney Taylor said that he is not aware of the bases of that opinion but would happy to speak with Attorney Mayo about that.

Again he said the whole thing started with the Building Inspector but he does not think the Building Inspector would be the appropriate person to have negotiations with. Millias said that he is sure it was the Building Inspector because of the zoning enforcement aspect of it. Attorney Taylor added there wasn't a zoning issue that brought this about.

Roy asked if attorney Mayo had a copy of the judgment when they had this conversation and Attorney Taylor said that as far as he knows he had a copy. Seelig said he does have a copy and the Zoning Board of Appeals is one of the parties in the consent agreement. Attorney Taylor said that ZBA signed off but he does not think they were a party to the court case and said they are not opposed to having the ZBA's input but the one thing that has to be determined is who had the decision making authority and again this Board controls litigation so anything that has to be done through the courts goes through the BOS. Roy understood what Attorney Taylor was saying and asked if this is the reason they are before them because of the agreement and he said yes and there are limitations in the agreement that need to be addressed. Roy asked if Seelig notified Zoning that they were having this meeting and he said yes and have submitted a letter to the BOS.

Seelig read the letter from ZBA

Mr. Nessralla, member of the ZBA, asked if Mr. Clawson wanted to eliminate the whole decree or add more dates and his Attorney said one request is for more days.

Roy asked if there were abutters involved who may have weighed in on the limit of dates back in 1993 and his Attorney said he did not believe so and his reading on the consent decree seems to be concerns of overall safety; limiting the number of vendors; limitations of the show dates, which he is unsure of why. The size of the parcel could have been a concern to the town back when the consent agreement was made but it since has gone from thirty-seven to one hundred and sixty acres. He continue to explain that shows are changing and multi-date events are now being done as opposed to single-day events therefore they have to expand the dates to accommodate the multi-date events. They also are looking for and wanted it noted that if other events (weddings concerts etc.) wanted to come onto the property they could go through the regular process of asking the town for approval.

Garron said that we should have been having this discussion before he posted any dates and are now having it because the BOS called him on the dates as he was over the limit. His Attorney understood how the Board saw this and apologized to them but did say that he has had conversations with Mr. Clawson's about wanting to change this before this all came about. He thinks them being here about the consent agreement and him putting up the show dates happened simultaneously and said it is easier to cancel a show then it would be to put a show on at the last minute. He added that at this time Mr. Clawson has people asking about his show dates so he would like to move forward and let them know.

Health Agent, Cathy Drinan, asked if Mr. Clawson uses Town water for his shows and he said they use well water for washing the horses and Town water for human consumption. Ms. Drinan wanted Mr. Clawson aware that washing hands would be with Town water and Mr. Clawson agreed.

Mr. Nessralla asked if Mr. Clawson was asking for more shows and Roy said only the ones on the list. Mr. Clawson said that he would like a couple of days for a buffer but what they are asking for is thirty show days total from twenty five and eliminate the multi-day because they seem like they're all multi-days. He explained that ten years ago he use to have fourteen one day events and two or three multi-days.

The industry has changed so much that its actually less impact on the town having the multi-days versus those fourteen one day shows because for the one day shows people will be coming in and out the same day now when you have the multi-days you may have a small group that comes in on Wednesday and leaves on Friday and then a group that comes in on Thursday and leaves on Sunday.

Roy wanted to verify that when he was here two weeks to talk about the concert she had asked what he felt was the highest number of people he sees coming in out of that area and she thought it was over two thousand in a particular day. He said that was spectators. His attorney said one of his shows on an average day brings in about thirty five hundred and that the property has had events with more than that. The other thing he mentioned was when the multi-day shows were smaller there were many small trucks coming in but with the larger shows horses are sent by commercial ways so one trailer is coming in with twelve horses, not twelve trucks bringing in one horse. Mr. Nessralla said that any time Mr. Clawson came to the Zoning Board they granted it to him. His attorney said that he thinks what the issue is that input from multi-Boards might be required and does not want it to seem like they are trying to by-pass the Zoning Board. He continued to say that he is not sure what Attorney Spinale's opinion was back in 1998 but when he looked at it and from his involvement on being a member of the Zoning Board of Appeals, he does not see where the Zoning Board has the authority on this issue

Millias asked if the reason it went to the ZBA was because the decision of the Building Inspector/Zoning Officer was appealed to the Zoning Board. Attorney Taylor said he believes the process was the Building Inspector filed the action that brought him into court to enforce the building permit issue and then believes that all the multi boards provided some input. He also thinks back then the BOS controlled who can and cannot use town counsel. He believes that the Building Inspector brought this enforcement act to the BOS to prosecute. Roy and Millias said that would be true and Garron said he did and continued to say that he was sitting on this Board when the decision was made and said it was brought here but because the Building Inspector was involved in it ZBA were the ones who took it to court with the Building Inspector and they were part of the litigations.

Mr. Clawson wanted to comment regarding the posting of his shows; he said that he has asked this question to Charlie and Millias many different times and got different answers on what direction to go. He then asked his own counsel which direction to go so it's not like he has been trying to avoid this. Roy said lets figure this out where it really belongs as we all are very confused. Clawson's Attorney is thinking maybe a joint meeting between ZBA and Board of Selectmen.

Millias said the whole question here is that we need to decide who had jurisdiction and should contact Attorney Mayo to know where we are with this and get his thoughts.

Attorney Taylor said that is not the way the process would work and explained that the Building Inspector wrote up a violation, which was not complied with, so he went to court to enforce his order. He believes the court document was signed by all the participants (Board of Selectmen, the Building Inspector and the Zoning Board of Appeals) who had some input.

Millias said his first thoughts were that somebody had to have appealed something and his attorney said not necessarily. Roy then said seeing the way the way they do things here she would have to agree with Millias.

Attorney Taylor said what Mr. Clawson should have done then if he had an issue with the Building Inspector's order would be to appeal it to the ZBA. Millias said that is probably how it went because that is the only way he can see how ZBA got involved and Attorney Taylor said no that he believes they got involved as they went to the Building Inspector and said we want to have some input as we have some other issues going on at this property.

Roy said that at this point they need to figure out how to resolve it. She does not know if it means having Attorney Mayo see where it falls whether it is with the ZBA or the Board of Selectmen or a joint meeting. She does not think they can vote on anything until they know who has the authority to vote on it and his attorney said they are not asking the BOS to vote on anything tonight.

Mr. Nessralla asked if ZBA would be eliminated and Seelig said that is a possibility in the sense that if town counsel felt that the BOS was the sole board to make this decision then ZBA would not have a separate decision to make. He thinks that the BOS would be within their rights to consult with any and all departments, boards or committees including the ZBA but the final decision would be the BOS. Town counsel might feel it's the ZBA decision to make or that both boards might have to make decision.

Seelig said that he has two other concerns one being the original request for this year shows which was for six multi-day shows and twenty-six one day shows but he heard tonight for the first time that he wants to bump it up to thirty. His attorney said not for this year and said that maybe they should have a conversation of getting a separate event permit for those additional days outside the consent agreement.

Garron asked about serving alcohol and Seelig went on to say that the last two summers alcohol was served at events and the vendor did not get the necessary permit. Seelig said in 2014 when we found out alcohol was served Mr. Clawson was told about it and he said that they would get the necessary permits the next year but in 2015 they didn't. Mr. Clawson said that he was told by the vendor it was taken care of. Attorney Taylor apologized and said that Mr. Clawson will make sure that it is taken care of this year if that vendor wants alcohol. Roy said that she hopes so because that would be "strike three".

Garron asked that they go back and research the minutes to see how the decision came about and Millias added and see who has the jurisdiction. Seelig said that BOS will consult with town counsel to see which board should make the decision and what the process would be.

Mr. Clawson asked if he should sit down with the ZBA and go over the issues and then come back to the BOS and both Millias and Roy said lets figure out first who has jurisdiction. Millias wants to review the history because he is determined to figure out why it went to ZBA as something had to have been appealed.

Attorney Taylor asked if there were minutes reflecting this issue could he also have copies and also asked if town counsel could reach out to him and maybe they both can come to a consensus or a better understanding of everyone's position.

Robert Bergstrom – Concert – Fieldstone Farm

Mr. Bergstrom began by saying that previously it was put out as a huge event but has since been down-sized. He plans on having eight sales vendors. Roy asked if it was still going to be two days and he said yes. It was asked why did it change and he said it took on a life of its own and he panicked and felt it needed to be toned down. The reason for the two days instead of one is because some people work on Saturday and some on Sunday therefore giving them the opportunity to attend whatever day works for people.

Millias asked how many people did he think and he said about five thousand each day.

It was then asked about security and Bergstrom said that he will have his staff as well as the police.

He was asked he thought it could get out of hand and Bergstrom said he thinks the attraction will be an easy crowd as it's not going to heavy metal but older stuff therefore a more mature crowd.

Millias did say that this could take on a life of its own and Bergstrom said that he will have as many police officers as needed. Millias then said he will need a *very* detailed plan, which Bergstrom said of course and understood Millias' concern. He added that he is still going to go with Mustard Seed Promotion.

Roy asked if he was still looking at the same dates and he said yes because those dates are available. She then asked if he could research this little more such as how much security did the event in Philadelphia has. Millias asked how everyone would get out and Mr. Clawson said at his horse events he has close to three thousand people leaving and there are no issues. Bergstrom said that he is going to post when the bands go on this way here, people can come in when their favorite(s) band come on and added that he still thinking about pre-sale tickets.

Garron asked if he talked with the Plympton Chiefs and Chief Broderick said that he would notify them. Garron then said the only reason he is contemplating this is because he has done good at your other events. Bergstrom thanked him and said that he likes to keep it simple.

Roy wanted him to think of the Country Fest in Foxboro, which brings in a lot of security.

Bergstrom said that Mr. Reardon from Zeus Marine 1 has not been excluded. Roy did point out that Mr. Reardon never contact the Police Chief or Board of Health like he was asked to do. Millias added or the Building Inspector.

It was discussed that Mr. Bergstrom would be coming back in on March 29th at 7:45 to meet with the BOS.

Health Agent, Cathy Drinan, was present and said the Board of Health has large outdoor event check list, which Mr. Clawson and Mr. Bergstrom are aware of.

Seelig said that if the Chiefs and the Board of Health say yes then there needs to be a complete plan from Mr. Bergstrom for the Board of Selectmen to review on March 29th. Roy asked if the abutters should be invited and Seelig said he has invited them to the past meeting and this one but can send out another letter. Seelig said that the Town is concerned about it being a safe event.

Garron said that you need to take into consideration the heat.

Millias asked if the Marshfield Fair grounds were still an option and Bergstrom said he did not know. Millias said that concern is people getting in there and asked if you were to go with alcohol and were they going to search vehicles?

Bergstrom said that events are hard to control but he has great people to help him and the Chief's insight.

Clawson if they could contain the alcohol purchasers in one area that would be good. Both Roy and Millias said alcohol is a concern.

Clawson's Attorney said that Millias mentioned security and asked if he had something in mind and he said no but just wants it taken care of.

Chief Viveiros asked if he says five thousand will it stay at that and Bergstrom said yes. Chief Broderick said that this is a process and Bergstrom is going to have to get him and Chief Viveiros numbers for security.

Meal Tax – Finance Committee

Melvin Conroy, member of the Finance Committee, came in this evening to let the Board know that the Finance Committee has looked at the meal tax and they have voted to recommend it and would like the Board of Selectmen to present it at Town Meeting. He continued to say if approved it will generate \$70,000 - \$75,000 in revenue which will go to the Capital side of the budget. Roy thought that they should be open to where the money should go and Conroy said this is only a suggestion but the capital budget is shrinking and a lot of other towns have it go to capital. Roy said that is a good point but we need to be open-minded and that the decision does not need to be made this evening.

Conroy said the reason they had looked into it is because neighboring communities and are doing it and on a bill of fifty dollars thirty-four cents will be added to it. There will not be an extra burden put on the vendor as it is collected by the State and returned to the Town. Garron did say there is a small burden on the vendor. Conroy said they are not asking them to compete on an uneven playing field because other towns are doing it – on the burden part of it. He thinks it should come from the Board of Selectmen with the recommendation from the Finance Committee.

Moved by Garron and seconded by Millias, the Board unanimously voted to place an Article on the warrant for a Meal Tax.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Floodlight at Lindy's

The resident who complained about the floodlight across the street from Lindy's wrote again saying that the floodlight has created a negative impact for the residents in the area and that if it is needed, it needs to be installed in a way that does not affect the neighbors. Seelig is in contact with a representative National Grid who said he would be communicating with Lindy's about various options (strength of the light, color, location). Seelig does not know if this will be a site plan issue, but is waiting wait to hear back from National Grid before proceeding.

Years of Service Awards

Seelig provided the Board with a list of current, volunteer (or minimal-stipend) town officials who have served ten years or more in the same office and continue to serve now. The Board could hold a ceremony later this spring providing these individuals certificates of service.

Seelig is fine with whatever criteria the Board wants to use. Roy asked Seelig if there are people who have served on different committees should they be included and Seelig said if they served the town, no matter what Board of Committee, ten or more years, then they should be and it does not have to be consecutive.

Kyle Keogh Eagle Scout Ceremony

Award ceremony is scheduled for Kyle on Sunday, April 3rd at 1:30 pm at The First Church in Pembroke. Roy and Millias are unable to make it but Garron said he will be going.

Regional Dispatch

Fire Chief Nord has sent a letter following up on the visit to the Regional Dispatch Center in Duxbury by Halifax officials to. He did ask for additional information and if the Town was interested in pursuing this he asked for a letter of interest to partner and another meeting to define actual costs and inter-municipal agreements. Seelig said that they need a cost from Chief Nord. Roy said that she has met with Matt and the two Chiefs and they need to get the agreement from Chief Nord and once they do they each will take a piece of the agreement and review it and then bring it back to the BOS.

Pre-Disaster Mitigation Grants

Seelig has notified public safety and public works that applications are now available.

Ambulance Abatement

Moved by Garron and seconded by Millias, the Board unanimously voted to abate the following amount from the Ambulance Account:

February 2016	FOR	\$ 32,715.48
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Deagle Motorcycle Claim

The attorney for James Deagle's estate filed a claim (he was killed when a tree branch fell on him while he was on a motorcycle on Hudson Street back in September 2014). Seelig has sent this to the insurer and stated that no action is needed from the BOS.

Wage and Personnel/Work from Home Policy

Seelig is working with the Wage and Personnel Board on a work from home policy. He is not in favor of making this a by-law as it deals with the internal workings of departments but is recommending that it be a policy. For instance the Town's Wage and Personnel laws do not indicate when offices should be open, who should staff them, or where employees should do their work but on the actual issue, it would be likely that any approval of "work from home" would go through the Board of Selectmen as the Board signs all payrolls.

If the Board is not interested in having a policy established, it could stat that “work from home” is not allowed or could approve of such a policy but stating that this would only occur under extraordinary circumstances, with approval of the department head, a work plan set up to ensure that all work was being done and that job responsibilities were fairly distributed, etc. Seelig asked the Board’s thoughts on this.

What bothered Garron is that the policy was not in effect when such employee was hired and he is concerned with them bringing personal papers home. Millias said he was inclined to support it stating that they have sick and vacation time that can be used. Seelig said that he would pass this along to Wage and Personnel.

Road Acceptance - Two River Farm - Bourne Drive & Danson Lane

The Planning Board has approved the as-built, but deleted one or more concerns that it originally had. Seelig needs to set up a meeting with the developer’s engineer and the Highway Surveyor to ensure that he is fine with the items that won’t be included that were in the original plan. A public hearing will be set up for March 29th.

Dog Bite - 14 Deer Run Road

This incident was a dog-bites-dog (both dogs in the same household). Both dogs are licensed and up-to-date on rabies vaccination. The Board was asked if they wanted to hold a hearing. Garron did not see the purpose of a hearing seeing as it happened in the home.

Halifax in Lights Name Change

The Halifax in Lights Committee would like to change its name to the Halifax Fireworks Committee. This Committee was set up by the Board of Selectmen therefore the Board can make changes without going to Town Meeting.

Moved by Millias and seconded by Garron, the Board unanimously voted to change the name of Halifax in Lights to the Halifax Fireworks Committee.

Dog Bite/270 Wood Street

The Laliberte family wrote to the Board on their plan on restraining their dog Drew (the dog that bit the bicyclist). Seelig asked the Board if they approved the plan and Roy said she would like the Police Chief and the Animal Control Officer to look at it.

Elm Street Access to Burrage Pond

Seelig wanted to Board to know that Jason Zimmer of the Division of Fisheries and Wildlife wrote to say that the State was now more likely to put in a new access road along the south side of the fence that the abutter placed on the old access road instead of using the Town land to provide the access. He said that the overall cost of using the Town land plus the additional amount of construction costs were the factors in the decision. Seelig thinks the road will be put in sometime this year as it is not a hard thing to do. Roy thought that Mr. Kasmarek should know about this and Millias agreed. Seelig said he will contact him.

A-Plus Composting in Middleboro

DEP has issued a notice of violation of the consent order. The Halifax Board of Health has received several complaints and forwarded them to the Middleborough Board of Health along with DEP. Several Middleborough residents have been in constant contact with Cathy Drinan. Other than staying in touch with Middleborough and the DEP and forwarding complaints, there is no other action for the Town to take.

Monponsett Pond Algae Remediation

SOLitude Lake Management sent a proposal for algae remediation in West Monponsett Pond which includes three low-dose treatments (May 1st, June 10th, and July 20th.) Cost including monitoring, etc., is \$69,725. Seelig said the problem is the Town does not have the money. There is \$14,000 that could be used but time wise having an Article at Town Meeting is not going to work. Roy said that Capital Planning s trying to build it in the capital plan.

Surplus Vehicles Bidding

Because Seelig does not have the time, he is going to contract with a firm to sell the surplus vehicles. Seelig said that the town will set the minimum. Millias thought it was a good idea as he would like to move the vehicles. Roy suggested that we trade in the vehicles when we purchase new ones and Chief Broderick said that would work. Seelig will contact one of the firms.

Ambulance Fees, Licenses and Permits

Seelig will be asking the Collector-Treasurer to include a review of ambulance bills (along with taxes, motor vehicle excise, etc.) when signing off on permits and licenses. If an ambulance bill has been partially paid by an insurer, then the permit would not be blocked, but if no payment has been made, then it will be.

Snow Day

Moved by Garron and seconded by Millias, the Board of Selectmen unanimously approved Monday, February 8, 2016 as a snow day for Town Hall and Council on Aging employees.

Council on Aging Project

Notice for a “request for qualifications” for the architect appeared in the Central Register on March 2nd, in the newspaper on February 26th, and there will be a walkthrough on March 19th. The submission deadline is April 7th.

Recycling Abatement – Bill #2350

Moved by Millias and seconded by Garron, the Board unanimously voted to deny the abatement request for Bill #2350.

EXECUTIVE SESSION

Seelig stated that Board will need to go into Executive Session for collective bargaining.

Moved by Garron and seconded by Millias, the Board unanimously voted as follows to enter into Executive Session at 9:37 p.m. to discuss collective bargaining for Patrol Officers, Sergeants, Highway, Cemetery, Firefighters and Dispatchers:

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

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

Cover of Town Report

Moved by Garron and seconded by Millias, the Board unanimously voted to have the photograph of the *sunset* for the front of the Town Report.

Moved by Millias and seconded by Garron, the Board unanimously voted to have the photograph of the *cranberry bog* for the back of the Town Report.

Moved by Garron and seconded by Millias, the Board unanimously voted as follows to come out of Executive Session at 10:24 p.m.:

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

MEETING ADJOURNED

There being no further business, moved by Garron and seconded by Millias, the Board unanimously voted to adjourn the meeting at 10:24 P.M.

Thomas Millias
Clerk

/pjm