

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, MARCH 29, 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.

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 29th, was unanimously approved without revision.

The Board of Selectmen thanked all our public officials for all their help rescuing the gentleman who was buried in a ditch and wished him well.

AFFIRMED WARRANT

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

Withholding Warrant # 86 \$ 123,923.94

APPROVED WARRANT

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

Vendor Warrant # 87 \$ 337,055.82

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

National Grid (service/concession stand).....	\$ 29.80
National Grid (service/Town Hall).....	\$ 1,371.04
Cushman Insurance Group (premium audit).....	\$ 715.00
Matthew Bender & Co., Inc. (MA law books).....	\$ 195.10

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2016-40	\$ 5.80
2016-41	\$ 209.00

GENERAL MAIL / DISCUSSIONS

MEMA Snowstorm Grant #2

Moved by Garron and seconded by Millias, the Board unanimously voted to have the Chair, Kim R. Roy sign the MEMA grant for snow removal from the January 26-28, 2015 blizzard.

MEMA/Snowstorm Grant #3

Moved by Garron and seconded by Millias, the Board unanimously voted to have the Chair, Kim R. Roy sign the MEMA grant for snow removal (roof) at the Halifax Elementary School from the January 26-28, 2015 blizzard.

Officer Herbert Wiltshire Retirement

Officer Wiltshire has submitted a letter stating that he will retire on January 1, 2017. Roy said the Board wishes him well on his retirement and that they are happy for him.

After School Program Contracts

Moved by Garron and seconded by Millias, the Board unanimously voted to sign the Afterschool Sportsmanship Program contract and the Afterschool Program contact.

Jennifer Harmon-Choate Kennel License Increase

Seelig wanted the Board to know that the ZBA will hold a hearing this spring on a request by Jennifer Harmon-Choate to increase the number of litters allowed per year from 26 to 52 and to increase the number of adult dogs allowed on the property from 50 to 100. If the Board has any comments, they should touch base with the ZBA. Roy suggested that the Board of Selectmen go for an on-site visit.

Regional Dispatch

Moved by Garron and seconded by Millias, the Board unanimously voted to authorize Charlie Seelig on behalf of the Board of Selectmen to sign a letter to Frank Pozniak of State 911 Department indicating that Halifax is interested in continuing to plan for a regional dispatch center with Duxbury.

SeeClickFix Mobile App

SeeClickFix allows residents to use their mobile phone to report problems or send in complaints to municipal officials. We have been using the app on a free trial basis. Seelig is finding that the residents have not really been using it as they use Halifax Locals email, phone, walk in and mail as a source for complaints/issues here in town. The annual cost is more than the cost of the website where he sees a fair amount of traffic therefore he plans on ending the program when the trial period is over.

Table-Top Exercise

The Plymouth County Regional Public Health Coalition will be running the above exercise in Randolph. The Board of Health Agent hopes that representatives from Fire, Police, CERT, CoA and the Elementary School will attend.

John Peck - Multi-Family Development

John Peck Has asked for numerous variances as he wants to build eight buildings (2 units each; total of 16) on the land between Mutual Bank and the current Nessralla farm-stand. This is before the ZBA and if the BOS has any concerns, the meeting is April 11th. Seelig said that he will need to do some research to check for any easements, drainage etc.

Fieldstone Farms Horse Shows

Attorney Mayo has analyzed the matter and recommended that the Board meet with Mr. Clawson. Mr. Clawson would have to make a request for specific changes in the consent agreement. The Board could review the requests (seeking advice from all departments including the ZBA) and then agree, disagree, or come to some other decision. Any agreement that was reached would still require approval of the courts. Roy thought that was good getting Attorney Mayo's input because now we know where it lies.

Mr. Clawson was in the audience therefore it was discussed that he would come in on April 12th at 7:45 p.m.

SCHEDULED APPOINTMENTS***Robert Bergstrom – concert – Fieldstone Farm***

This is the third meeting that the BOS has had with Mr. Bergstrom regarding the music event he would like to have at fieldstone Farms. Roy asked about the progress he has made on planning this event. Mr. Bergstrom began by saying that he knows security is a main thing and has reached out to a friend who is good with this sort of thing and he is going to talk with Chief about. He said that the staging, bands, promotions will be done by Mustard Seed Promotions but he is the one who will be doing the security, fencing, clean-up and the go to guy for keeping everything going.

A map was provided to the Board laying out where everything will be located. Roy asked who did the map and he said Scott Clawson. She said that she assumes that Muster Seed will have to come in and speak with the Building Inspector about the specifics of the staging because that is the area of concern for the Building Inspector. The Building Inspector was in the audience and she asked if that was correct he said that he has some reservations but he will let Bob finish and address them after. Garron asked if he would be getting adequate notification of the groups who coming and who will be doing the staging in case he wanted to do background checks on them to research if they had any incidents. He said absolutely and continued to say that Muster Seed are professionals in doing events and know all the rules and regulations of the towns.

Roy said that there may be concern for emergency vehicles access. She sees on the map there is an access road but in the case of an emergency there is one small area for emergency exit for people to get in and out at the same time. Bergstrom said there was a whole other side and Millias said that you still have to come in the same spot where it is a bottle neck then it flares out once you're in but there still is only one way out and it kind of looks like it would be one vehicle at a time. Bergstrom said that further down towards the parking lot is where they will be stopping vehicles to receive their tickets so it is not going to be back up at that spot.

Roy said that she has only been to the property a couple of times and asked if that is the only way out. Bergstrom said that tried it out and had two cars passing by each other and there is a two foot buffer where you can drive on the grass. Millias said in a controlled no stress atmosphere you can do that but should there be an event and everyone trying to get out at the same time that is whole different aspect. Bergstrom understood what he was saying and hopes that he would have enough staffing to direct people to the right places should this happen. Mr. Clawson said that the road coming in is 23 feet wide which is more than adequate for a big horse trailer and a car to drive side by side.

Roy mentioned that he had a list of potential vendors and she said that the Board of Health would have to be involved and he said that he spoke with her today. Roy asked if the list of the bands he provided were etched in stone and he said no that everyone is in a limbo mode at the moment. Roy said she did not know if there is ratio of patrons to staff members and if so she would like those figures. Bergstrom said that he can look into that. She continued to say that this is a great idea and supports it but the safety of the Town comes first and would like a much details laid out as possible. Roy wishes they could just do one day to see how it goes because if falls apart the first day then we are committed to a second day. She did bring that up to the chief and he did say that should the first day not go well this is a way of fixing it for the second day. She would like the sense that there is a true strong command for this event. Roy said that public safety, building and public health tare the three areas that have to be completely satisfied before this happens. Bergstrom said he totally understands that.

Building Inspector, Rob Piccirilli, wanted to bring up a few points. He is not leaning one way or another but there are some concerns that would come up in any situation Planning – whether a commercial building, subdivision or anything one of the key things is adequate access if there isn't adequate access it does not happen. To wrap your head around what he is talking about he gave the following examples: Walmart has a capacity of 2,800 people. They have two major egresses and ingresses and hundreds of parking spots. The Xfinity Center has a 19,900 capacity, sixteen parking lots, a staff of professional people and exits onto major roads. He continued to say the plan that was given to me, great, but it is only preliminary as it is not showing what buildings will be used; what buildings will be added, tents, membrane structures, capacity loads. Another key point he wanted to point out is the events (equine shows) Mr. Clawson does fall under an agricultural exemption but this concert event will not. In addition Piccirilli said some of the structures at Fieldstone he was not involved when they were put up so he does not know if they meet the State codes, again he would be exempt from that and from some zoning codes because it falls under agricultural. This is a different venue and will be held to strict regulations. Millias wanted to clarify that the property is zoned agricultural and Piccirilli said that was correct.

Bergstrom said that no buildings are going to be used. Again Piccirilli said he is requesting proof of adequate public access, an architect designing the layouts of the buildings, something showing what he has for standing, seating and lawn capacity, public and all this has to meet public safety.

Another thing he wanted to say is that it is hard to determine what this event will fall under; the closest thing he could determine at this point would be an *assembly use* of A5. Millias asked if this would be allowed in an agricultural zone and he said again this is preliminary.

Roy asked Bergstrom to have Mustard Seed contact the Building Inspector as soon as possible to talk about tents and staging. Bergstrom explained that there are two types of staging; pipe staging with platforms and ones that come in on eighteen wheelers, which are safer of the two because they are not assembled. Piccirilli said that if they are used to this then they know the specifications on them. Bergstrom said that Mr. Clawson has tents and Piccirilli said that the tents will need to have fire ratings on them and added that there are a lot to stuff that he needs.

Roy inquired about pre-sale tickets and Bergstrom said yes they are going to do that with a cap and any extra tickets not sold they will sell that day. She then asked if 500 tickets are available that day and more than that come what is his plan and he said put a “sold out” sign up out front and have staffing out there. She is concerned with back up of cars on Rt. 106. Bergstrom explained that a lot of people will not stay the whole day. He is publishing the times each band is playing with the hope that people will come a little before and stay a little after their favorite band performs.

Millias said personally and no reflection on him but he will need to be convinced as it is a lot of people, small town, limited resources, short amount of time to get it rolling and we need some definite details.

Garron asked about security and what type of system set up for supervising people. Bergstrom said that ninety-nine percent of the people will follow procedure but you will get that one percent who may not and that is where crowd control comes in. Roy brought up that Mr. Curran’s (security person) resume did not mention anything about doing concerts and wanted to know if he has experience with the ratio thing she mentioned earlier. Bergstrom said he has had some experience with crowd control.

Roy then ask about the alcohol and said she had a brief conversation with the Fire Chief about having a separate tent set up with personnel to help those needing medical attention as this event will be in the dead of summer and keeping people hydrated is important. Also maybe have someone man that tent in case patrons get upset.

Roy said that previously they talked about selling beer and wine in a designated area and taking it back to their seats and consume there. Bergstrom said that he is fine with having them stay in the area drink their beverage. Roy thinks by staying in that area encourages quick drinking and then they head back to their seats. Bergstrom said that this area was going to be in the back but now thinking about having it to the side so they could get a view of the performers and hear the music. Roy did not know which idea was best. He said he just received information about serving alcohol and still has to read it over. Roy pointed out that they would have to be TIPS certified and wanted to confirm that he did not have a request to the BOS for alcohol at this time and he said that is correct.

Garron asked what information he has gotten together and Bergstrom said potential parking, alcohol and crowd control. Roy then asked if he spoke to the fire chief and said he was there yesterday and said that he is going to have a walk thru and recommends that the Board also come. He added that there are crossroads to get out of the bottle neck area and the traffic can go both ways. Garron asked if has talked with anyone who runs the fairgrounds over at the Brockton Fair and Bergstrom said that he has touched base with people who have

thrown on bigger mudding events where they have bands, rock crawlers, mud drags and truck pulls and got their numbers as they bring in thousands of people. Muster Seed is taking over one area of the event and he will be concentrating on the crowd control.

Roy wanted to review what Muster Seed's role is, which is making the agreements for the entertainment. Bergstrom said that is correct and they will also be in charge of the sound system and the staging. Roy then clarified that he will be responsible for the food vendors, t-shirts vendors, security, public health and providing medical. He said yes and added he will be doing the trash (dumpster on site) and parking.

Millias asked by issuing a permit does the town take on liability and Seelig said we are always liable in a sense that anyone can sue us at any time. We need to make sure that they have liability insurance. Bergstrom said that they absolutely will have insurance. Piccirilli said he believes that under Mass General Law equine activity Mr. Clawson is exempt from being sued but with this event he thinks he would need to have another umbrella beside what he has for his horse shows.

Garron said that he needs something more concrete especially concerning security and the traffic because as the chief knows you need to have a lot of supervision to make sure the people you have put in place are doing their jobs. Also wants the staging secure. Bergstrom understood and said that he'll check out the ratio numbers.

Millias added that he should follow through with the fire chief regarding medical personnel as there probably is some kind of equation also. Chief Broderick said that he talked with fire chief and his idea was to bring in outside resources whether it is mutual aid or a private ambulance service. He said that at this time this is very preliminary and rough draft and these things take so long to plan because there is a lot involved. They need more details in order to get this going because it is coming quicker than we think.

Roy said that she loves the idea of providing entertainment for the Town but at the first meeting with Mr. Reardon she was blown away with his presentation. For her it is about organization and we really have not seen anything and now we just go in hands this packet yesterday and feel that it is not a complete package. She said the BOS needs to feel comfortable and she understands that this is the beginning stages but they have asked him to get them the information and has not done so. He needs to get his stuff together so that the next time he comes before them they all feel comfortable. She continued to say that Millias is a tough sell but for her personally, if he can't make her feel comfortable that he has command of this and ready to put this on then he is not ready to do this. Bergstrom said he has been communicating with lots of people trying to find out what duties fall with whom. She added that she is not warm and fuzzy about his security guy but if Chief Broderick meets with him and feels comfortable with him then she thinks the Board will feel comfortable.

Bergstrom said he is as far as he can go right now until he gets the okay from the town and said that he has people asking him if it is a go. Roy said the event is scheduled for mid-July so he would want to advertise by May 1st but before this can happen Mr. Curran needs to meet with Chief Broderick ASAP and Mustard Seed meet with the Building Inspector.

She imagines that this will need to be approved at the Board's next meeting on April 12th but she does not want to rush him. Bergstrom said he can get this together and the 12th works for him.

Millias said this is brand new and we are re-inventing the wheel for this event. Roy asked Mr. Clawson what his role was in this and he said he is providing the land and will help set up everything and make sure things are secure. He too has some concerns that he wants to make sure are addressed as there is a whole section of the barn that is completely off limits to any participants. He has walked the property a couple of times with Bob and they have changed up things.

Roy said that he'll have the next two weeks to think about the alcohol because this discussion will take some time because with alcohol comes more challenges. Mr. Clawson said that Roy brought up a good point about a designated area for consuming the alcohol and suggested having a group discussion with the Police Chief to see which the best way to resolve it.

Board scheduled to have Mr. Bergstrom to come back in on April 12th at 8:15 p.m.

Bergstrom said he understands the importance of all the Boards' concerns. Roy asked if he had any questions to the Board.

Roy asked about lighting of the facility and for patrons leaving and Mr. Clawson said that there is some lighting and they can bring in some light towers. Roy said that brings it back to the Building Inspector if you are bring in light towers you need to look at what are the regulations.

Street Acceptance public hearing – Bourne Drive and Danson Lane

Seelig said that we are holding a public hearing on the possible acceptance of Bourne Drive and Danson Lane. Seelig asked if any residents were here and none were present. Roy formally opened the hearing and said that this is the public hearing for Two River Farm and Bourne Drive and Danson Lane. Seelig said that this is the second hearing as there was we had preliminary hearing a couple of weeks ago that is part of the procedure of the town's by-laws. At the first hearing the Planning Board noted a few things but has waived them and the Water Department was concerned about the water gates at the intersection of Danson Lane and Bourne Drive as they need to be raised to grade level.

Brian Grading from GAF Engineering said that he was not aware of the water gates which he will following up on but knew about the top soil that needed to be put behind the berm, that is probably going to be done tomorrow.

Roy asked if they would still move forward with it and Seelig said that they can still present the Article at Town Meeting but if not completed, then it may not be accepted.

Mr. Grading said the Town's engineer, Merrill Associates, did their review and inspection of the roadway and came up with a short punch list. The only items to be addressed on the punch list were the catch basins did not have hoods in them and the top soil. Mr. Grading met with the Planning Board and discussed the hood issue and they were fine with how it exists now. He continued to say that he was not aware of the water gates so he will have to follow up on that. Seelig said that he can give him a copy of the Water Department concerns.

Garron asked if there was anything else from the BOS and Seelig said only that you agree to place the Article for Town Meeting and that there is still time for the issues to get fixed, and if not, we can pass over at Town Meeting.

Warrant Review & Meal Tax w/Finance Committee

Seelig began by saying that will be an Article at Town Meeting that will allow the Town to impose a meal tax. This tax will bring between \$70,000 and \$80,000 for the town. A majority of the communities have approved this and it will be up to Town Meeting to make that decision.

Roy stated that the revenue from the meal tax could go towards capital items or put in general revenue. She thinks that it should be used towards capital items because over the years it has been a challenge to do capital items. Millias agreed that the revenue should go to capital because we can always find money for operating, but not for capital items. Sandy said by having money coming into the Capital Plan, it will help us maintain the buildings and replace items.

Melvin Conroy, member of the Finance Committee, thinks that when presented at Town Meeting the voters should know where it is going.

Seelig said previously it was mentioned having a public forum to have the restaurant owners come in about this meal tax, is this something you still want to do? Conroy said yes so that they are not blind-sided. Seelig will get a mailing out to the restaurant owners.

Board scheduled to have Meal tax forum on April 19th 3:00 p.m.

Special Town Meeting Warrant

(attached to these minutes is the STM draft handed out this evening)

- #1 dropping this article
- #2 To see if the Town will vote to transfer from available funds the sum of _____ for health insurance line item and the Medicare line or take any action thereon.
Sandy is working with Linda Cole. Thinking maybe heating oil seeing as there is an abundance.
- #3 dropping this article
- #4 To see if the Town will vote to transfer from available funds the sum of _____ for monitoring of invasive weeds in East Monponsett Pond or take any action thereon.
- #5 To see if the Town will vote to transfer from available funds the sum of _____ for remediation treatment of algae in West Monponsett Pond and any associated expenses or take any action thereon.
Sandy is suggesting combining #4 and #5
- #6 To see if the town will vote to transfer from available funds the sum of _____ for Town Hall electricity line item.
Checking to see if other departments have extra money
- #7 To see if the town will vote to transfer from available funds the sum of \$25,000 for the Unemployment Compensation Fund.

- #8 To see if the town will vote to transfer from available funds the sum of _____ to enlarge the doors at the Recycling Center.
Gerry is working on an estimate. Both the doors are old and need to be worked on. Raising one and replace the other. Going to work on getting grant.
- #9 To see if the Town will vote to transfer from available funds the sum of \$50 to pay an unpaid bill from the Commonwealth of Massachusetts for boiler inspections at the Halifax Fire Station or take any action thereon.
- #10 To see if the Town will vote to transfer from available funds the sum of \$348.24 to pay an unpaid bill from the Southeastern Massachusetts Resource Recovery Facility (*SEMASS* RRF) for trash disposal or take any action thereon.
- #11 To see if the Town will vote to transfer from Line XX (Silver Lake Assessment) of Article 4 of the Annual Town Meeting of May 11, 2015 the sum of \$312,457.35 to the Town's Stabilization (General) Fund or take any action thereon.
- #12 To see if the Town will vote to transfer _____ from available funds to Line XX (Town Report) of Article 4 of the Annual Town Meeting of May 11, 2015 to pay for the costs of the Special Town Meetings of _____ and _____ or take any action thereon.
This is because we had Special Town Meeting in the fall and one in January 2016
- #13 dropping this article

Annual Town Meeting Warrant

(attached to these minutes is the STM draft handed out this evening)

- #6 May want to increase reserve in case of filter failure
- #7 - 11 Union contracts
- #A5 dropping
- #A34 \$22,000 if we lease or \$48,000 if we purchase
- #A40 dropping
- #A42 merged into Data Processing
- #A42 dropping/merged
- #A43 dropping/merged
- #A46 dropping
- #A47 dropping
- #A48 dropping
- #A50 dropping
- #A51 dropping
- #A52 dropping
- #A53 dropping

- #A54 Cathy Drinan has gotten an intern
- #A55 moved to the Special
- #A57 dropping
- #A59 moved to the Special
- #A61 dropping/duplicate
- #A62 dropping/duplicate
- #A63 dropping
- #A64 dropping
- #A65 dropping
- #A66 dropping
- #B18 dropping
- #B19 dropping
- #B21 Seelig thinks this article is being dropped but is going to check.

EXECUTIVE SESSION

Moved by Garron and seconded by Millias, the Board unanimously voted as follows to enter into Executive Session at 9:30 p.m. to discuss contract negotiations for Highway/Cemetery, Firefighters, Dispatchers, Patrol Officers & Sergeants:

- 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 public session nor make any public comments.

Moved by Garron and seconded by Millias, the Board unanimously voted as follows to come out of Executive Session at 10:00 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 10:00 P.M.

Thomas Millias
Clerk

/pjm