

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, MAY 3, 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 recorded by Abe Neal from the Plympton/Halifax Express.

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, May 3rd, was unanimously approved without revision.

MINUTES

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

- Regular Session – March 22, 2016
- Regular Session – March 29, 2016
- Regular Session – April 19, 2016
- Executive Session – April 12, 2016

AFFIRMED WARRANTS / COMMITMENTS & BILL

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

Withholding Warrant	# 95	\$ 125,779.24
Vendor Warrant	# 96	\$ 115,517.78
Ambulance Commitment	# 4A	\$ 6,641.00
Ambulance Commitment	# 4B	\$ 908.61
Ambulance Commitment	# 4C	\$ 51,443.00
Payable to: The Commonwealth of MA		\$ 195.00

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	# 97	\$ 336,784.12
Vendor Warrant	# 98	\$ 41,916.97
School Warrant	# 99	\$ 159,143.04
Withholding Warrant	# 100	\$ 124,970.65
Mobile Home Park Fee	# 5	\$ 5,160.00

Moved by Millias and seconded by Garron, the Board unanimously voted to approve payment of the following Selectmen bills dated May 3, 2016:

National Grid (service/concession stand).....	\$ 38.67
Halifax Postmaster (300 forever stamps).....	\$ 141.00
W.B. Mason (tabs).....	\$.36
Municipal Licensing Corp. (P. McSherry/meeting 6/7/16).....	\$ 30.00
Matthew Bender & Co., Inc. (MA law books).....	\$ 120.43
Michael Gilman Esq. (legal/April)	\$ 440.00

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2016-43	\$ 60.00
2016-44	\$ 80.00
2016-45	\$ 1,682.00
2016-46	\$ 100.00
2016-47	\$ 1,200.00
2016-48	\$ 56.30

SCHEDULED APPOINTMENTS

Scott Clawson – Fieldstone Farms– Horse Shows/Consent Agreement

Mr. Clawson and his son, Shawn Clawson both were here this evening to finish discussion with the Board regarding the additional shows he would like to have at fieldstone Farms. His attorney was not available this evening so Clawson is going to speak on his behalf the best he can. Roy asked what has happened since the Board seen him last (BOS meeting on April 19th). Clawson said he believes his attorney sent proposal to Attorney Mayo for his corrections and added that he has not seen what was sent. Roy said that was correct and Attorney Mayo said that it was not unreasonable to request an open fire. Mr. Clawson said that he seen that on the ZBA’s agenda and was not sure where that came from. Roy thought that they had a discussion about it and Seelig said he thinks the discussion about the open camp fires is in relation to the recreational vehicles and the overnight. Clawson said that he does not think it is necessary and his son (Shawn) agreed and added that he thinks they would enjoy it if allowed. Seelig asked if he was saying they do not need this. Roy said before he answers this if he says no he can’t come back and say he wants it. Clawson said they really have not had it but feels comfortable allowing it. Roy said that the BOS has to allow it. Seelig said if we get to the point of the new consent agreement a stipulation can be no open fires. Clawson then said he is not sure if he feels comfortable having it on the property and said no one has had that before.

Roy said that Attorney Mayo suggested that certified copies of books/records of all horse entered for purposes of ensuring compliance with and enforcing the agreement be available if the BOS wants to see these records. Seelig said no one comes now to check. Scott said the way it was set up before they could not do that but with the new system they are setting up they will be able to get a list of horses entered off the computer. Roy said that this is ensuring that that board can come down there at any time to see if the records are correct and he said absolutely and continued to say that every show has a list of horses that or entered. Previously we would not be able to, but the way we are going to do it, you will.

Roy said another suggestion from attorney Mayo was staging the increase in horses for example from 350 to 550 for the next two or three years so the town can see how the operation, traffic flow etc. goes then increase to seven hundred and Clawson said he did not have problem with that. Roy then asked at this time he still wants to ask for 700 horses and Mr. Clawson said yes and that he never really has had 700. He explained that the May show brings in about 500, June show 450 and this has been consistent over the last five/six years and does not see it changing dramatically. He also said that the August show brings in 500 to 600 horses. Shawn asked if the 700 was horses on the show grounds at one time and Clawson said that is how many horses that can be entered. Shawn added that there are never 600 horses on the grounds on any particular day.

Roy addressed another suggestion from Attorney Mayo which was to add the United States Equestrian Foundation as one of the associations under which the horse shows will run. Seelig said what this means is that the consent agreement supersedes any rules of the association.

Roy said that they need clarification regarding warm-up days and Seelig said to a civilian who is not in the business they might consider horses that come in a day before a show a warm-up day because horses are there and the facility is running hence the abutters are being affected days before the actual shows. Clawson said that a small number of people come in the day before a show and it usually is because they have to make two or three trips to get their horse situated. All the warm-ups run the first day of the horse show and the days prior to shows they may lunge or ride around the property to exercise their horses.

Seelig said that the agreement should have some definition that the days before a horse show be included for instance let's say for a multi-day show horses can be brought in one day before the show so if a show starts on Thursday they can bring in Wednesday but not Tuesday. Clawson said the problem with that is people come from all over the country because they may be at one show that ends on a Sunday and have to be out of there they may arrive at my place on Monday. He continued to say that there are a very limited number of people who do this but it happens frequently that he has people who call and say they have to come on a Monday. Seelig said it goes back to the abutter where there is activity going on days before the horse show and this is one of the reasons he suspects that in the existing consent back in 1993 he had warm-up days. If you want to say they are no warm-up days that is fine but you need to call them something and state how many days before a show you are going to allow horses to come in. It has to be clear for the Board, the abutters and everyone else. If it is no mentioned in the agreement the days that horses can be brought in then horses cannot not be brought in before a show.

Clawson said all shows are five-day shows as required by USEF so with the five shows he has, that brings it to twenty-five days and then he has a small two day show. He asked if he needed to increase the days to include the day horses would be brought in and Seelig said if he was going to have horses coming in pre-show he would want that in the agreement. Seelig is not saying the Board is going to say yes to the increase in days but the change needs to be in the proposal. Clawson would rather say that he is going to allow the horses to come in the day before an event.

Shawn said the warm-up to him is saying that we have facility set up for them but generally they are not set-up the day before but they can ride around the property but not go into a ring.

Seelig said as part of their request state what activities are and are not allowed during arrival day this way here if there is a complaint it is in the agreement.

Seelig said the Attorney Mayo suggested a gradual increase maybe start out with 550 for a couple of years then increase to 700 but Roy pointed out that one of the shows August show has 550 to 600 so this would be hard. Millias suggested incorporating language for that one show to have 700. Clawson said that he does not want to pose a conflict with the Board but in years to come his May show could reach 700 although it hasn't happened yet but he hopes it does.

Seelig questioned going from 4 multi-day shows to 10 and Clawson said he does not know why his lawyer did that but he would feel comfortable increasing to 6.

Maximum number of horses for one day shows from 175 to 350.

Seelig asked if it could be less and Clawson said it is the number of horses on the grounds versus entries. He said he does not do one day shows but he left it in there in case the option arises.

Eliminate requirement for roadside signage

Roy and Garron did not see this being an issue.

Increase the number of food vendors from 3 to 4 and non-food vendors from 8 to 12.

Clawson said that he would like to see food vendors at five to offer a variety (coffee, ice cream and brick oven pizza). He took the food building down and is now relying on food trucks. Roy asked if the BOH had any concerns and Seelig said no. Seelig said that they can tie in language that specifically says that it is the vendors', Clawson and horse show organizers responsibility for obtaining the permitting as we have had permitting problems before. He continued to say that the BOS holds everyone responsible and no one can point the finger at someone else. Also on the alcohol situation we have had two years in a row that alcohol was served with no license obtained and he might want to get the heads up from the Board of Selectmen on how they feel about alcohol being served.

Roy asked how many people attend and Clawson said the May show brings in about 500 horse and we typically say three people per one horse. We do not push the spectators. The show in August he does push spectators for that one as there is a lot of prize money, Olympic riders and NECN is there. So there are about 1,500 in May and June and then for the August show about 3,000.

Roy asked Garron and Millias if they wanted to talk about alcohol and both said yes. Roy asked has there ever been an incident with the 3,000 attendees where alcohol was served and Seelig said not that he has been aware of. Clawson said that it is only at one particular event in August where alcohol is served. This is a private function where people pay for tickets to attend this function. It is about 350 people. It is served not sold in a 2-3 hour time frame. Roy said so this is basically open bar where they are not paying for it and Clawson said correct. Roy asked is it all you can drink and Clawson said I guess one could drink a lot. She then asked if they are TIPS certified. Clawson said that he will make him come get the permit and Roy added that previously Seelig said that the responsibility for all permitting lies on him. Clawson said they told him they had the permit because the cater the year before did not do it correctly either he misrepresented himself or he was misunderstood when he went to the BOH and asked if there was any other permits he needed. He should have known he needed the alcohol but where he was not selling the alcohol maybe ...

Roy said for the last two years this has happened without incident. So no alcohol will be served in May or June for patrons only in August for the 350 VIP event and Clawson said correct. Garron asked when Roy said without incident did she mean accidents and she said yes and also people getting rowdy and police were called.

She then stated that he must have some type of security at the shows and Clawson said that there is security for the horses but for the people no because it is not that type of crowd where security is needed. She then asked if this event requires a police detail.

Burt Gaynor was in the audience and said when Roy said without incident, alcohol is being served without a license so there is an incident. Seelig said we are not issuing a permit for alcohol but in the future if someone comes for a one day permit the Board of Selectmen could put various stipulations on the permit such as police detail. Gaynor stated that there have been two times where alcohol was served without permits and now he wants to increase the number of events which will increase the problem. He added that we are creating a problem before taking care of the existing problem and in his opinion this is something the BOS should consider.

Garron thinks the problem was the person who was serving the alcohol did not go through the proper procedure to get the permit. Gaynor agreed with Seelig saying that somebody has to be held responsible and pointing the finger at the next person does not hold anyone responsible. Roy understands what Gaynor is saying and wanted him to know that this has been addressed many times with Mr. Clawson in past meetings and the BOS has explained the seriousness of this. Clawson asked if the person will have to meet with the BOS and Roy said absolutely and he too will be reprimanded. Roy stressed that he (Clawson) has to take responsibility for this because it is his property and he needs to make sure all his vendors are doing the proper thing. He understood what Roy was saying.

Millias asked if people bring alcohol to his events and Clawson said a few do. Seelig did say that people can consume alcohol on private property. Millias asked if this makes him a host/responsible party. Roy suggested that he might want to check with his attorney, as you are responsible for those who drink on your property.

At this time Roy opened it up to the audience

Dan Bosari – 175 Aldana Road

Mr. Bosari said regarding beer vendors on agricultural/conservancy zoned property stating that open sales and opened businesses are not allowed under this use and asked if the original agreement was that part of it or was it something the town added. Seelig said the number of vendors is regulated by the consent agreement in other words the number of vendors in the consent agreement supersede the Town by-laws. If there are changes in the consent agreement then this will have to go back to the courts and have them sign off on it.

Mr. Bosari then brought up the concert the BOS was thinking about letting Clawson have on his property asking if that would be under this agreement and Seelig said no that the consent agreement is limited to the horse shows. Roy wanted people to know that the BOS are not moving forward with the concert.

Mr. Bosari asked if the Board of Selectmen is okay with individuals bringing alcohol on the property and Roy said they need to see if the BOS have a say in that. Garron pointed out that if someone is in a trailer and drinking they are not out in the public and said at camping grounds it is all right to have drinks and Gaynor said that there probably are stipulations at camp grounds and again said in his opinion the present problems should be dealt with so that things do occur in the future. Roy said we had problems with vendors serving but this is private property where people may be able to have coolers with alcohol and the Board might not have a say in it. Gaynor said that the BOS might want to check with the police chief and maybe ABCC where it is a paid event and in his opinion it makes it different than going to someone's house and having a beer at cookout versa an event you are paying for admission even though it is private property it opens up whole different...

Clawson did say that a small number people do bring in coolers and have beer and wine, but this has been going on for twenty years and he has never had any problems. He is there during these events and said the little amount of alcohol that is there and there have been no incidents.

Mr. Keogh – 35 Plymouth Street

Mr. Keogh asked if there was anything that protects the abutter regarding the level of order that is allowable or if there were any EPA requirements. Roy said that was a different topic and before moving forward asked if anyone else had questions about alcohol being served at the event. No other questions were asked.

Roy asked what his concerns were and Mr. Keogh said he lives right near the farm that if they are going to be an increase in the number of horses he imagines the smell will increase and asked if there was any way to control it.

Shawn said that he does think they are going to see much of an increase in the smell because the manure is trucked off the property daily. Millias asked if is stored on the property for any length of time and Shawn said less than a few hours. They muck their stalls which then go to the dumpster and once it is full it is trucked out of there. Roy asked if any other neighbors smell the manure. Clawson said it is 2,000-3,000 feet away from the nearest neighbor where the manure is stored. Roy questioned that if a dumpster is full and it is 2:00 pm is it removed and Shawn said yes.

Seelig asked about the shrubbery and Clawson said the shrubbery that was put in 30 years ago is maintained and very well groomed.

Seelig said that there has been a complaint about the trash being along fence and suggested maybe put in a stipulation that trash be picked up on both sides and Clawson was fine with that.

Seelig said that the consent agreement is only for the horse shows and went on to say that if he wanted to do a concert on his property it would be an entirely separate thing and the zoning by-law would supersede the consent agreement.

Seelig mentioned Clawson's request for an increase from 5 to 25 overnight vehicles. Roy thinks that they can talk briefly about this then open to the abutters. Millias said that the property is huge and does don't think twenty-five vehicles would be noticeable. Clawson said they asked for twenty-five just in case they ever got to that point and is just giving him a buffer so he would not have to come back every year and take up the Board's time. Roy explained that the Board will base their decision on the twenty-five.

Gaynor said in the original agreement there was consideration for the abutters as trucks were not allowed to come in before 5 or 6 am and were coming in and out all hours of the day. He asked if this is something that this Board has considered. As he mentioned before if you increase the horses, you will increase the traffic flow. Shawn said big vehicles generally come in the day before or the day of show and stay parked until the last day when they are ready to leave. He does not think they can deny access to the property for people in their personal vehicles who are checking on their horses and that is one of the reasons they would like to have twenty-five vehicles so that instead of staying at a hotel and have to drive back at midnight they can stay on the property.

Millias asked if there was any feedback from abutters and Seelig said very little only from Mrs. Reilly regarding the trash but did suggest that they revisit the time vehicles are allowed to come on and off the property.

Roy asked Garron if he wanted to weigh in on the camper issues and he said the whole idea of having people remain on the property cuts down on the flow of traffic as long as they are not going to be playing loud music or having campfires. He added that there already is a stipulation of times of vehicles going back and forth so maybe keep that time frame or lighten it up during the summer months.

Clawson said back in 1993 when the agreement was established diesel trucks were louder and now they are much quieter. There are shavings deliveries that come in 2 or 3 in the morning and he has not heard them and does not think other people have heard them. The air brakes are much better than they were years ago. They only come in to drop off their horses and leave for 3 or 4 days and then come back the last day. He added that years ago horse trailers only carried 2 or 4 horses but now trailers can carry 15 horses so there are less vehicles coming onto the property. Personal vehicles do come in and out all night to check on their horses so allowing more camper spots will eliminate a lot of that night traffic.

Roy said that previously they talked about music/radios and asked if there were any comments from the abutters. Mr. Borsari asked if no radios were in the agreement. Roy said they can put that in because she knows that was important to him. She continued to say said people are there to check their horses and not there for a BBQ. They can sit outside but music cannot be played. Clawson said they are half mile from anyone's house and does not understand why someone cannot have radio on as everyone listens to music whether they are riding in their cars or working in the yard. Roy said then let's talk about time that the music goes off. Clawson asked if they were talking about loud speakers and Roy said if you are going to have twenty-five campers we have to be mindful of the neighbors that after a certain hour they don't have to listen to the music because sound does travel.

Mr. Bosari stated that any given time he can sit in his backyard and hear a car going down Rt. 106 and hear the base from the radio. Roy asked Mr. Bosari if he has been bothered by any loud noises and he said no, it has been very faint. His concern is the increase in horses and in the shows and it would seem more appropriate to do ten vehicles then twenty-five and that if it a security is an issue why not hire more security and Clawson said he does have security but the owners want their own security watching over their expensive horses and said twenty-three years ago we did not have multi-day shows as the industry is geared to the multi-day shows.

Roy asked how many campers do you have there now and Clawson said an average of five or six. For the August show a lot of people ask for it, he personally limits the number of campers and who they are. Mr. Bosari asked how many are allowed now and it was said five he then asked how come there is six and if changes to twenty-five how do we know there won't be thirty and said this is the problem. Millias said that was a valid point and Roy thinks it is reasonable not to do twenty-five and see how it goes.

Seelig said there needs to be a procedure in place for the Board of Selectmen to revert back to in case Mr. Clawson wants to make changes to the consent agreement in the future. At the same time there is the question of what happens if we have problems with the operations and we want to revert back the 1993 consent agreement. The Board would address the problem with Mr. Clawson and give him sufficient time to rectify the situation and if the BOS is not satisfied they could take further action. Roy explained that the BOS is making their decision on a specific number they decide on not one over or around. Clawson wanted to clarify that he is not doubling the amount of horses but changing the way they are counting the horses.

Millias asked how many sites does he have for hook-ups and he said five and said most of the campers are self-contained. Millias said they have to plug in for power and he said no. Millias then said so now you are saying generators as this brings up a whole new set of problems and Clawson said yes but generators are fairly quiet and he does not hear them from his house and he is the closest one. He said it depends on which way the wind is blowing. Millias said that this another potential for a source of noise and Clawson agreed.

Roy read a letter from Chief Viveiros and his opinion is that Clawson needs someone who is affiliated with the Department working on site who is an EMT. Clawson said the consent agreement says a First Responder and Roy said State law stating you need to have an EMT on site that is affiliated and cannot be someone who is not affiliated. Clawson said Sandy is going to work on this with the Chief. Roy said that the BOS is listening to the fire chief and going with his recommendation. Clawson said he understood this.

Seelig recommended that Clawson go back to his attorney and work through the agreement and go over everything that was discussed this evening and come up with a new draft of the changes he would like to see. He continued to say that next meeting for Board of Selectmen is May 24th and asked if a draft could be submitted to Board of Selectmen before then for them to review before the 24th and then from there they would make an appointment for a future discussion.

Monponsett Watershed Association

Mr. Collis, Halifax resident and President of Monponsett Watershed, was here this evening with members of the association to talk with the BOS about information they received about cyanobacteria in the lake. He began by saying that it is disturbing because it affects the public health in a way they were unaware of before. Mostly it has been physical contact with the water aspect such as don't swim or boat when there is an algae bloom but now new research has found that the cyanobacteria toxins can become airborne and travel quite a distance. Research shows it is a different toxin which is a neurotoxin called BMAA – no longer are you safe if you do not touch it but know it can be toxin if you breathe it.

Roy asked if they are sure it has been here and Mr. Collis said Cathy Drinan has testified before the Central County District Commission that the toxin has not been found yet but we have the potential because we have cyanobacteria but keep in mind that there is five hundred acres of water and only various spots have been tested. He continued to say that another alarming fact is these toxins become airborne in studies this neurotoxin can possibly contribute to ALS. This is alarming not only for somebody who lives right on the shores of the pond as research has shown that it can travel for up to eighteen miles away.

Millias asked if there were other sources for this bacteria or if it was just Monponsett and Collis said they pretty much have identified it from blue-green algae blooms and it could be from other ponds such as Furnace Pond or Crystal Lake (muddy pond). Roy said they don't have the same sort of blooms we have and Mr. Collis said he cannot speak for those bodies of water and does not know.

Mr. Collis said West Monponsett has been identified by the State as one of the impaired fresh bodies of water in the State. In 2015 West Monponsett was tested for one hundred seventy-five consecutive days and of those days one hundred thirty-three we were above the safe threshold. Millias asked if this has been confirmed or are we in the potential stage and Mr. Collis said UNH did a study that found people who lived near in those cluster of waters and have never swam or eaten fish from the lake wound up having ALS. Also researchers have detected traces of cyanobacteria in the patient's lungs. Mr. Collis said that this is new to the Monponsett Watershed, but it has been around a while. He believes that our State Department of Environmental Protection has known about this and we have not heard one word about this. Roy said that we need to prevent it from developing and talk about what we can do and Mr. Collis agreed and said we need to all talk about what we can do as a community can do about this.

Roy asked if there is anything different we can do besides what we have been trying to do the last couple of years and Mr. Collis said the Watershed Association needs the Town of Halifax, who has more authority then the association, not that the BOS hasn't but bang louder on doors in light of this research. He has spoken with Department of Public Health contact and asked if his department was going to respond to this new research and he was told it was on the list, he pretty much brushed it aside.

Millias said this is an all or nothing situation here as we have to get other communities to take care of their lakes and ponds because we could fix our ponds but that does not mean anything if surrounding ponds don't fix theirs. Mr. Collis agrees this is a danger to any community and a huge problem.

The Monponsett Watershed Association recommends the following actions (Mr. Collis read them):

1. Regular State funding testing done all year long at Monponsett Pond.

He said because we have used member's funds the State should be funding the testing. The more data we get the more we can combat this problem. Roy asked how much would this be and he said he can get a dollar figure.

2. No diversion of water if the testing shows an algae bloom above the MDPH guidelines.

Mr. Collis pointed out that if there is no testing then division will/can still happen. #1 and #2 are linked.

3. No diversion after May 1st and fully open all gates in the Stump Brook Dam to promote natural water flow and combat stagnant water.

He said algae need nutrients, stagnant water and warmth. The reason we picked May 1st is because in the past May gets warm and algae starts to form. Central County Water District voted that Brockton was not to divert after May 1st and Brockton has not complied with this order.

4. Require coordination of discharge from the Winebrook Bog on West Monponsett and the opening of the gates of Stump Brook Dam throughout the year. Reports on coordinated discharges must be submitted to the DEP and/or the Central Plymouth Water District Commission.

Mr. Collis thinks the Board of Selectmen can communicate with Morse Brothers and Brockton in a letter to implement a policy for them to coordinate with each other.

Moved by Millias and seconded by Garron, the Board unanimously voted to send a letter to Morse Brothers to implement a policy to coordinate with Brockton they discharge from the Winebrook Bog on West Monponsett and the opening of the gates of Stump Brook Dam throughout the year.

5. Eliminate the use of phosphorus in fertilizer at the WineBrook Bog and upstream bogs that flow into West Monponsett Pond.

Ask Morse Brothers in the same letter to eliminate or reduce the use of phosphorus at the Winebrook Bog and Bog 19. Roy asked if Mr. Collis new of anything else the Morse Brothers could use instead of the phosphorous and he did not. He did say that it is a State law that no one is to use phosphorus on their lawns unless you are starting a new lawn (phosphorus was outlawed in 2013).

6. Stated funded aluminum sulfate treatments in Monponsett Pond to combat cyanobacteria that exists in the pond.

Garron asked if any research has shown what causes blue-green algae blooms and Mr. Collis said it is natural as it creates oxygen for life to form and we could not survive on this earth. It central part of nature but what we can do is lessen the concentration.

Moved by Millias and seconded by Garron, the Board unanimously voted to include in the letter to Morse Brothers asking them to review their policy on phosphorus.

Garron thinks a letter should be sent to the towns within the Plymouth County area that has water. Mr. Collis said that he could make a motion to the commission that the Board's letter goes the seven towns and the City of Brockton.

GENERAL MAIL / DISCUSSIONS

Zoning Board of Appeals - Harmon Kennel

The ZBA met on May 2nd to hear the request from Ms. Harmon to increase the number of dogs in her kennel. The hearing was continued until June 13th. Seelig think that that there are two central issues:

- Based on counts by various Town officials, Ms. Harmon is currently in violation of the restrictions placed upon her with the current special permit.

- That the Town needs to have a set of regulations or the equivalent for commercial kennels that makes the housing the care of the animals the top priority.

The Board may wish to work with the Board of Health, the Animal Control Officer, and Animal Inspector, along with the ZBA, in developing these regulations and have them apply to the issuance of any special permit (if one is issued). At some point, possibly through a by-law, the regulations should be enforced, with sufficient notice, for all commercial kennels so that all of them are treated in the same way.

Roy knows that the dogs will make good parents to breed and added that there were three neighbors present at the site visit about the barking.

Zoning Board of Appeals - Halifax Country Club Multi-Family Project

The developer keeps changing the proposal to the point that a new application will be required. Next expected hearing is June 13th.

Autumn Lane

Don Treannie of Jake Development had indicated to Attorney Mayo that the work on Autumn Lane would be completed by May 10th. Seelig doubts that this will happen as the Planning Board has invited him to meet with the Planning Board at the Board's meeting on May 5th to discuss Mr. Treannie's request that the requirement for an 18-inch berm be changed to a 12-inch berm. Both the Highway Surveyor and Merrill Engineering have approved the change, but the Planning Board feels that this change should be personally discussed with the Board.

Renewal Pool Table License - The Tee Box

Moved by Garron seconded by Millias, the Board unanimously voted to affirm approval the renewal of the Pool Table License issued to The Tee Box located at 284 Monponsett Street - Unit 205.

Pine Street Bridge

The State has found that a portion of the bridge is deficient. The Highway Surveyor has (or will) install jersey barriers to prevent travel on that portion and understands that repairs/renovation will be necessary.

Ocean Avenue - Boarded Up House

A resident on Ocean Avenue asked that the Town move ahead with the sale of the boarded-up house at 15 Ocean Avenue. It is in tax title and Seelig has notified the Treasurer-Collector about the resident's interest in having the house sold. In addition, she asked that the Town re-pave the roads and improve the infrastructure in the neighborhood. Seelig has notified the Highway Surveyor.

75 Hayward Street - Illegal Occupancy

The Zoning Enforcement Officer has notified the owner of 75 Hayward Street that the property is in violation of the Town's zoning by-laws as it does not have the necessary permits to rent units at this address. In addition he has asked that the owner bring the property into compliance no later than May 12th.

Recycling Abatement FY2016 – Bill #137

The resident is a business owner in East Providence and has given herself permission to bring her recyclables to the business. The Board questioned if she was really taking her recyclables to her business not saying that she isn't therefore decided to take this under advisement.

Opioid Forum

This forum will be held at the Kennedy Institute (next to the Library) on May 25th from 6pm to 7:30pm. Registration requested.

Line Item Transfers

Moved by Garron and seconded by Millias, the Board unanimously approved the following line item transfer:

FROM	TO	AMOUNT
Group Insur. Town Share #01-914-5637	Ply. County Retirement #01-911-5636	\$ 1,609.13
COA – New Computer #01-542-5421	Pope's Tavern Electric #01-529-5210	\$ 518.00

Overlay Surplus

Moved by Roy and seconded by Garron, the Board unanimously voted to request that the Board of Assessors approve the release of \$56,000 from the overlay surplus.

Regional Dispatch Meeting in Duxbury

A meeting is scheduled at the Duxbury Fire Station Duxbury on May 12th at 3:30pm. Roy is going and Garron said he will try and make it.

Monponsett Pond

The BOS has received a copy of the application from the Central Plymouth County Water District Commission to EPA for a coastal watershed restoration grant.

Equal Opportunity Employment Policy

The Massachusetts Commission Against Discrimination has updated the list of "classes" of people who might be discriminated against and therefore the policy needs to be updated. Seelig has brought that information up to date along with changing "Executive Administrator" to "Town Administrator". Copies of the updated policy were given to the Board of Selectmen for them to review.

Moved by Garron and seconded by Millias, the Board unanimously voted to make the changes to the Equal Opportunity Employment Policy.

Halifax Fireworks Contract

The Halifax Fireworks Committee has asked that the Selectmen approve the \$5,000 contract with American Thunder Fireworks. Seelig is concerned that the Town is expected to "provide supervision in the clearing of debris after the display".

It was months after the fireworks display during Holidays in Halifax that we found that no one (the committee, the company, volunteers) had picked up the debris and he had to ask the Highway Surveyor and Youth and Recreation for assistance before the soccer season began. Seelig would like a confirmation that someone will do the on-site clean-up and recommended the company because if there are any safety concerns dealing with fireworks debris he does not want volunteers handling this material. He will check with the Fireworks Committee to see if they have heard anything back from American Thunder regarding cleaning up after the fireworks display.

Unclaimed Property

There was a report last week on one of the local television stations about municipalities having unclaimed checks in the State Treasurer's office. It appears that Halifax has one unclaimed check worth about \$20K which is a missing payment from AT&T for lease of the cell tower. Seelig has applied for the money and a claim has been generated once he receives that paperwork he will sign and send back and wait for the check.

Water Tower – Painting “Halifax”

A resident wrote to ask if he could raise funds in order to have “HALIFAX” painted on the water tower. Seelig referred him to Keith Swanson and notified Keith about this resident's idea.

Junk Dealer's License - Mum's Secret Closet

Mum's Secret Closet has moved to Plymouth and won't be renewing its license.

Regional Emergency Planning Council

The Council, including Chief Viveiros, was recently certified by MEMA.

Halifax Garden Property

Charles Downer contacted Seelig saying that he is interested in moving forward on some type of project for the above property and asked if the Town was still interested. Seelig wrote to say that the Town remains open to a proposal for the use of the property. Mr. Downer colleague, Christian Mosher should be contacting the Town in the near future.

Flood Insurance Community Rating System

Congressman Keating's office is hosting a workshop on June 2nd in Woods Hole. Seelig has sent the invite from the Congressman's office to Highway, Planning, Building Inspector, Fire and Police. This program has the potential to lower flood insurance rates for residents and businesses in Halifax. Seelig will be attending.

Health Insurance Consultant Contract

The Board needs to affirm the contract with Cook and Company Insurance Services to review the Town's health insurance claims and provide an analysis of the Town's loss ratio and provide guidance on options to pursue for health insurance in FY2018 and future years.

Moved by Garron and seconded by Millias, the Board voted as follows to affirm the contract with Cook and Company Insurance Services:

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

Halifax Country Club Wetlands

The Massachusetts DEP has issued a superseding order of conditions for the work on the property including replacement of an existing culvert and restoration of approximately 600 square feet of wetlands. No action needed by the Board or the Town.

Exception for Food Policy

The South Shore Regional Municipal IT group meets at various town halls. They usually have coffee and doughnuts for the attendees. The next meeting is scheduled for Halifax. Seelig thinks that it is unfair that the Town's IT Tech pays the bill for this (something on the order of \$30) and would like to have the IT budget pay for it. If this can't be done, he said that he will cover the cost. In order for this money to come from the IT line item, the Board needs to pre-approve the expenditure.

Moved by Garron and seconded by Millias, the Board unanimously voted to approve the expenditure for coffee and doughnuts for the South Shore Regional Municipal IT meeting that will be held at the Halifax Town Hall.

Live Entertainment – Cruise Night at Walmart

Moved by Garron and seconded by Roy, the Board unanimously approved Permit #2016-28 issued to Nicholas DiSola for live entertainment at Walmart for Friday Night Cruise Nights from the May 6th through September 30th.

Interviews for Architectural Firms - Council on Aging Project

The Building Committee will be interviewing architectural firms on May 4th at starting at 4:30pm in the Selectmen's Meeting Room.

Bond Release

Moved by Millias and seconded by Roy, the Board unanimously voted to release the \$5,000 bond that was issued by Merchant Bonding Company held in connection with Permit #2015-37 for work done at 265 Monponsett Street.

Review of the Annual and Special Town Meeting Warrant

Annual Town Meeting

Article 2 – The Board of Selectmen is supporting a 2% wage increase.

Roy will be speaking on the following Articles that are proposed by the Board of Selectmen.

#7

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement [for Fiscal Year 2017](#) between IAFF, Local 3159 (Firefighters) and the Town of Halifax or take any action thereon.

#14

To see if the Town of Halifax will accept the provisions of Chapter 44, § 53F½ of the Massachusetts General Laws establishing the operation of cable PEG (Public, Education, Government) access service as an enterprise fund effective fiscal year 2017 and that the Town Accountant transfer any PEG access funds or other cable receipts to said enterprise fund or take any other action thereon.

Roy will move the article and Seelig will explain.

#15

To see if the town will vote to raise and appropriate or transfer from available funds the sum of \$185,000 to fund PEG cable access operations or take any other action thereon.

Roy will move the article and Seelig will explain.

#37

To see if the Town will vote to accept Bourne Drive and Danson Road or take any other action thereon.

#43

To see if the Town will vote to amend Chapter 156 (Trailers) of the Code of the Town of Halifax by making the following change:

Before approval for a renewal is given, a public hearing shall be held by the Selectmen. ~~Two notices~~ Notice of such hearing shall be given by the Board of Selectmen, ~~at the expense of the applicant~~, at least ten (10) days prior thereto by publishing said notice on the Town's web site ~~an advertisement in an official publication of, or in a newspaper of general circulation in the Town of Halifax.~~

A copy of said notice shall be given to the applicant who shall notify, by certified mail, all owners on land directly abutting said location, including those across the street, as appearing in the most recent tax list certified by the Board of Assessors.

The applicant shall obtain the list of abutters from the Board of Assessors at the expense of the applicant. Proof of notice to the abutters must be provided by the applicant to the Board no later than at the time of the public hearing.

Special Town Meeting

#2

To see if the Town will vote to transfer from available funds the sum of \$75,000 for a new account, "Monponsett Pond Management" for expenditures related to algae remediation, invasive weed monitoring and eradication, and any other programs or actions to improve the water quality of Monponsett Pond or take any action thereon.

Garron will be speaking on the following ATM Articles proposed by the Board of Selectmen.

#10

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement for Fiscal Year 2017 between Massachusetts C.O.P., Local 459 (Sergeants) and the Town of Halifax or take any action thereon.

#11

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement for Fiscal Year 2017 between the Halifax Association of Police Patrolmen and the Town of Halifax or take any action thereon.

#12

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement between the Police Chief and the Town of Halifax or take any action thereon.

#13

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$150 for the use of the Trustees for County Cooperative Extension Service and authorize the Selectmen to appoint a Town Director within fifteen days as provided in revised Chapter 128, Section 41 of the Massachusetts General Laws.

#18

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,500 to support South Coastal Counties Legal Services, Inc.'s continued free legal services in civil matters to elders, low-income families and their children or take any action thereon.

#19

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,500 to support South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents or take any action thereon.

#38

To see if the Town will vote to amend Chapter 147 (Streets and Sidewalks) of the Code of the Town of Halifax by making the following changes to Sections 8, 11 and 12 (replacing the word "linen" with the word "mylar")

§ 147-8. Drawings to accompany petition

Two (2) ~~linen~~ Mylar copies of the proposed layout, including a plan and profile of said streets, drawn to the existing specifications of the Planning Board in effect at the time of submission, shall accompany the petition and shall be submitted before November 1st preceding the Annual Town Meeting.

§ 147-11. Inclusion on warrant; public hearing; filing of plans; notice; damages.

C. One (1) ~~linen~~ Mylar copy of the plans of the proposed layout shall be filed with the Town Clerk not less than seven (7) days before the public hearing.

§ 147-12. Procedure upon acceptance.

A. The order of taking and one (1) ~~linen~~ Mylar copy of each plan bearing the signature of the Town Clerk shall be filed at the Plymouth County Registry of Deeds within thirty (30) days after the Town Meeting or take any action thereon.

Millias will be speaking on the following Articles proposed by the Board of Selectmen.

#8

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement [for Fiscal Year 2017](#) between AFSCME AFL-CIO Union Council 93, Local 1700 (Dispatchers) and the Town of Halifax or take any action thereon.

#9

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement [for Fiscal Year 2017](#) between AFSCME AFL-CIO Union Council 93, Local 1700 (Highway/Cemetery) and the Town of Halifax or take any action thereon.

#33

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,000 to pay for improvements of the 4th Avenue boat ramp and the 5th Avenue beach area, said expenditures to be under the direction of the Board of Selectmen or take any action thereon.

#39

To see if the Town will vote to accept Massachusetts General Laws, Chapter 64L, Section 2 establishing a local sales tax upon the sale of restaurant meals originating within the city or town by a vendor at a rate of 0.75 per cent of the gross receipts of the vendor from the sale of restaurant meals or take any other action thereon.

#42

To see if the Town will vote to amend Chapter 144 (Soil Removal) of the Code of the Town of Halifax by making the following change:

Section 2 (C) 3

(b) The Board of Selectmen shall not issue an earth removal permit until a public hearing has been held upon the application for a permit to remove earth materials. Within 45 days after the receipt of any such application the Selectmen shall cause a notice of the time and the place of such hearing thereof and of the subject matter sufficient for an identification to be published in a newspaper of general circulation in the Town at least once, the cost of said notice to be paid by the applicant, the first publication to be not less than 14 days before the day of such hearing. Proof of notice to the abutters must be provided by the applicant at the time of the hearing.

EXECUTIVE SESSION

Moved by Garron and seconded by Millias, the Board unanimously voted as follows to enter into Executive Session at 10:00 p.m. to discuss contract negotiations for Fire, Patrol Officers, Police Chief, Dispatch, Highway and Sergeants:

Kim R. Roy	–	Yes
Troy E. Garron	–	Yes
Thomas Millias	–	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 10:50 p.m.:

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

MEETING ADJOURNED

There being no further business, moved by Garron and seconded by Millias, the Board unanimously voted to adjourn the meeting at 10:50 P.M.

Kim R. Roy
Clerk

/pjm