

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, FEBRUARY 10, 2015– 7:30 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:30 p.m. with Selectmen Michael J. Schleiff, Kim R. Roy and Troy E. Garron present.

The following business was discussed:

PLEDGE OF ALLEGIANCE

The Board as well as those attending tonight’s meeting stood to recite the Pledge of Allegiance.

AGENDA

The Agenda for Tuesday, February 10th, was unanimously approved without revision.

MINUTES

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

Regular Session – April 8, 2014

AFFIRMED WARRANT AND COMMITMENT

Moved by Garron and approved by Roy, the Board unanimously affirmed the following warrants and commitments:

Vendor Warrant	#64	\$ 121,293.54
Ambulance Commitment	#1A	\$ 18,961.68

APPROVED WARRANTS AND COMMITMENTS

Moved by Garron and seconded by Roy, the Board unanimously approved payment of the following commitments and warrants with the exception of Schleiff abstaining from the Police Department payroll in warrant #65:

Payroll Warrant	#65	\$ 346,333.56
School Warrant	#66	\$ 376,849.67
Vendor Warrant	#67	\$ 130,108.04
Withholding Warrant	#68	\$ 125,567.41
Mobile Home Park Fee	#02	\$ 5,160.00
Ambulance Commitment	#12D	\$ 1,627.56

Moved by Garron and seconded by Roy, the Board unanimously approved payment of the following Selectmen bills dated February 10, 2015:

National Grid (Concession Stand).....	\$ 24.26
National Grid (Town Hall).....	\$ 1,758.47
Attorney Lawrence Mayo (legal services /Jan.).....	\$ 3,906.25
Michael P. Gilman (legal services/Jan.).....	\$ 1,078.00

The Board acknowledged payment of the Selectmen Office Payroll for the week ending February 7, 2015 in the amount of \$ 6,229.64.

GENERAL MAIL / DISCUSSIONS

Purchase of Chapter 61A Land

Highway/Cemetery has expressed interest in purchasing the land for a cemetery and there is \$124,150.74 available in the Lots and Graves Account for the purchase. Garron thinks Bob Badore should speak a little on it seeing as they want to use it as cemetery.

Seelig wanted the Board to know that Bob and Melissa have been out straight therefore would not be able to come in to speak about it at this time.

Oak Place/Easements/Road Work

Seelig explained that Oak Place is not a private road, just a series of easements. And Bob has had difficulty doing road work because of fences and such. Garron said that it does not sit well us are going on private property to do work and asked if the property owner has complained and Seelig said no. Roy pointed out that we have been plowing and maintaining the road and using town funds to do so. Seelig is waiting to hear from Bob as to (a) still maintain, or (b) ask the property owners whose property we pass over if it okay to maintain the easement and if okay, get something in writing from them. In the past easements have been granted to property owners B, C, D to cross A's property to get to their property.

SCHEDULED APPOINTMENT

7:35 pm – Swearing in of Patrol Officer Joseph Cushman

Chief Broderick stated that he has finished the Academy and is back on the road working for the Town. With that being said Town Clerk Barbara Gaynor then swore him in.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

MA Fire Service Commission Chief Viveiros

Fire Chief Viveiros is now accredited as a Fire Chief.

Moved by Garron and seconded by Roy, the Board unanimously voted to send him a letter of congratulations.

320 Monponsett Street

Progress is being made in notifying the former owners of the tax title amounts that are still owed.

South Shore Community Action Council

The council would like to meet with the Selectmen about their program and is planning to petition an article at the ATM to contract with the Town. They have been scheduled to come in on February 24th.

Emergency Proclamation

Moved by Garron and seconded by Roy, the Board unanimously voted to have the Chair, Michael J. Schleiff, sign the emergency proclamation for Monday, February 2, 2015.

Snow Day

Moved by Garron and seconded by Roy, the Board of Selectmen unanimously approved Monday, February 2, 2015 as a snow day for Town Hall and Council on Aging employees.

Halifax Gold and Silver Coin Shop

Mr. Chiaramonte has requested a copy of the minutes and a copy of the tape (none exists) of the January 28th meeting. He will receive copies of minutes when they are done.

Lindy's General Store Trash Bags

Lindy's is in arrears by \$3,400 for the Town of Halifax trash bags that he has ordered. Seelig has sent him a letter by certified mail requesting payment. Seelig will report back to the Board once he has something.

Northland Cranberries

The deed has been filed at the Registry and the next step is for the Board to decide (not tonight) the future of the property. A couple of options are; keep it for Town use, keep it as open space, sell it back to the State, sell a conservation restriction back to the State, work with the State to provide a new access to the Burrage Pond Wildlife Refuge (the owner has closed off access because it was on his property).

Schleiff would like to take some time to decide and Roy asked if they could find out how much they are willing to pay.

Seelig will get some documents about the property for the Board's meeting on February 10th.

Halifax in Lights Resignation

Both Lisa Hocking and Judy Edson have resigned from the Halifax in Lights Committee because of other commitments. Seelig stated that it is unlikely that we will have the event this year as there have been no meetings or fund-raising. He had written the committee in early January about a possible date for this year's event but has not heard back from them. He said can send a note to the remaining member asking if the event is going to happen. The BOS asked him to please do so.

Cell Phone Policy

Seelig gave the BOS some preliminary documents about cell phone policies including samples from other communities, a list of phones for which the Town pays, etc. He plans on contacting the departments to see what they think and revisit the subject with the Board in March. The latest bill from Sprint, multiplied by 12, would equal about \$12,800 per year.

Roy said that a policy needs to be set so that there are not any inconsistencies, as she has seen some. Garron thought the town pays a lot for cell phones and Seelig said that they need to have phones for those who are out in the field to get in contact with them. Chief Broderick said that it would up to the department heads as to who has a phone and said that he does not double-check with department heads once they ask that so-and-so needs a phone he gets it and pays it. We just wanted one line item for the phones.

Seelig is going to talk with the departments and give them policies from other communities. Garron said the drawback is that we have to monitor their phones to see if it is used for town business. Chief Broderick thought that we could get better rate plans as long as they do not go over their rate plan and we should not worry about who they are calling.

Solar Farm Ad Hoc Committee

Tom Fitzgerald has indicated an interest in serving n the committee. The office is waiting for him to submit a letter of interest.

Moved by Garron and seconded by Roy, the Board unanimously voted to appoint Thomas Fitzgerald to the Solar Farm Ad Hoc Committee, with an "open" term.

Rent Control

Seelig has recently been notified about the possible sale of Halifax Mobile Home Estates which has some residents of the Mobile Estates worried about the possible increase in rent. They have asked about the possibility of the Town setting up rent control at the Mobile Estates. The following are steps that need to be taken if the town chooses to do this:

- vote at Town Meeting to file special legislation to establish rent control for manufactured housing.
- once the Legislature approves it, approve a by-law setting up the structure (rent control board, etc.)
- the rent control board then sets up regulations to determine how it will act when a rent increase is requested.

Unless the Board places an article on the town meeting warrant, it will require an article by petition (10 signatures for the annual in May (March 1st deadline) or 100 signatures for the special in May (deadline sometime in March). Seelig has provided copies of examples of special legislation approved by the State Legislature during the last few years. He is not asking the Board to take any action on it right now as the sale has not happened yet but would be happy to answer questions and gather more information for the Board's meeting on February 24th. Garron said that has talked with several residents in the park and they were worried about the rent going up.

Garden Club - Town Hall Lawn

The Garden Club is scheduled to meet with the Board on February 24th to discuss proposed plans for flowering beds on the Town Hall lawn. There seem to be a difference in opinion between Mr. Kessinger and the Beautification Committee. Seelig asked the Board if they wanted him to meet with Mr. Kessinger and the other members of the Beautification Committee before Mr. Kessinger comes in on the February 24th. Garron thought he should. Seelig will see what he can find out.

SCHEDULED APPOINTMENTS (CONTINUED)

Silver Lake Regional School Committee – FY2015 Budget

In attendance were John Tuffy, Cassandra Hansen, Edward Desharnais and Paula Hatch.

Schleiff began by thanking everyone for coming in to explain this and asked if they could bring him up to date on the outstanding issues we had with Pembroke. Garron stated that his understanding was that when Pembroke separated from the Silver Lake Regional Schools some of the teachers who left were due for retirement and part of the retirement money was paid from Halifax to Pembroke to cover that cost. Ms. Hatch wanted to say that she apologizes if she misunderstood the purpose of this meeting but she thought the agenda item was the capital spending that they voted at their last meeting and this is a completely different topic that is being brought up. Roy said that she understands that they are talking about the capital items but she also understands that there was a question as to the Pembroke money that Mike wanted to have clarified. Schleiff said that is what he is trying to understand and asked if that was the money for the capital... Roy continued to say that they should start with the article and asked if that was okay and they were fine with that. They all felt that it would make more sense starting with that. Roy then said at some point at the end of the meeting they would like to talk about setting up an appointment to talk about the Pembroke money but this evening they are here to talk about the capital items.

Mr. Tuffy began by saying that the handout given to the BOS was a list of items that were voted on at the Regional School Committee on January 8th. The list of these capital items has come from a longer list which the committee started to work on over the summer and had some subcommittee meetings as the year went on and were talked about at various school committee meetings. The larger list was 1.3 million dollars of identified needs and what the committee came up with were the items that were of high importance and would like to do sooner than later and others for timing reason.

Mr. Tuffy then went through the list of the capital items and gave a brief overview as stated in the handout.

Attached is the copy of the capital items (titled: Silver Lake Regional School Committee)

Regarding the athletic storage shed (page 3) Schleiff asked what they will do with the old metal storage container and Mr. Tuffy said sell them if sellable.

Regarding the additional lockers (page 3) Mr. Tuffy said that there was a lead time to order these items.

Regarding the resurfacing of the Carpentry and Metal Fabrication floors Mr. Tuffy said that this will need to be done in the summer time.

Mr. Tuffy stated that a lot of this work has to be done when school is not in session as there are some projects where the workers will need to be kept away from students. CORI checks will need to be done and the vendors understand that the work may need to be done at night and on school vacations.

Schleiff stated that the roof is good for another ten years so is it okay to put the solar panels on and Mr. Tuffy said they are looking for 10-15 more years and the agreement may entail that they take care of a new roof when needed.

Garron asked about a windmill or solar panels on the ground but then said if it snows they are not of any use. Mr. Tuffy said he has looked into windmills and that there is no space available for panels on the ground therefore, the roof was the option. He has a lot of information available to start the process of solar panels.

Roy stated that looking at the items it was sort of a long-term plan for SLRSD and the sheet is a fast-track plan. Garron said that this is the first time he has seen this sheet. Mr. Tuffy explained that these items are ones that need to be caught up on and that some individual items have been replaced.

Roy asked who will present this article at next week's Special Town Meeting and Mr. Tuffy said the school committee will be ready to present.

Roy pointed out that the Silver Lake budget is a *yes* or *no* vote and where the article has a dollar amount, can it be amended and Seelig said it is an amount of money, not the items. Mr. Tuffy agreed with Seelig and said that the article is written with an amount of money with a number of purposes not for any particular items.

Roy then asked what amount they would get if Plympton has one figure, Halifax has another, and Kingston has another and Seelig said the residents will not be voting on each individual item, but the bottom figure of \$619,000.

Mr. Tuffy said E&D money is the same as the Town's free cash and can be used the same as free cash for items that may be needed for emergency.

Schleiff asked how much is in E&D money Mr. Tuffy said it was certified in November 2014 in the amount of \$1,093,000.

Roy explained that Halifax has had large increase for outside services and is looking at a deficit and the BOS is asking that the school committee really talk about their needs for the budget and said Halifax is going to hold on to everything to maintain services and the increase in SPED will wipe away our levy. She continued to say that this is just the beginning of the process and wanted to give them the heads up.

Roy wanted to talk about the Pembroke money and said she knows the school committee has not made a decision so speaking for herself she thinks before the school committee makes a decision, it is important, that all three towns should sit down together to decide how the money is spent, as it is the taxpayers' money. She continued to say that we need to work together and does not want to say that the school committee cannot spend the money but she just wants what is affordable for each town.

Gordon Andrews asked with the way the article is written and there is no actual money being transferred from any of the towns wouldn't it be just a yes or no votes and Seelig said the amounts are specific in the article so that the town would have the option of voting a lower amount. Seelig continued to say that the budget that is coming to us is the amended budget and in this case we are voting a budget because under the State statue the budget must be submitted to the three towns then the town can choose whether to not have a Town Meeting and vote on it.

Seelig asked if all the items were time-sensitive in sense if a smaller amount is voted is there anything that would stop the school from doing something or providing services or the buildings being maintained.

Paula stated that there is a time table for many of the items and Mr. Desharnais said there were defiantly ten items that were.

Mr. Tuffy then stated the following:

Two way radios critical because they are used on a regular basis

Accounting system wants to be able to do it now so that they can have for the start of fiscal year and not have a conversion in the middle of the year.

Repair & resurface track and tennis courts - limited number of people who do this; needs to be bid and done off season.

Parking lot cracks can be done at any time and finding someone to do it would not be hard. Needs to be done over the summer as the parking lot is empty.

JV baseball backstop - baseball season is coming up.

Sirrico field lighting is a safety issue and the sooner the better.

Seelig is not questioning if the above should be done but his question was that if you do not find out until May that you have the funds is it still doable. He then asked if this is something that they expect to happen each year where they come in mid-year or is this going to be a onetime thing. Mr. Tuffy said that he thinks this was a unique situation for a number of reasons.

The Board thanked them for coming in.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Halifax Budget FY2016

Gordon budgets were due January 8th last meeting finance committee has had was January 12th due to the snow. Next scheduled meeting is February 11th. We had a meeting with Kingston and Plympton Finance Committees and Selectmen last Thursday that Nikki and Gordon attended. This meeting was to discuss the Silver Lake budget as printed.

Mary McKinnon, member of the Kingston Finance Committee, said the following agenda items were discussed at that meeting:

- FY16 budget as presented and the assumed impact that it would have.
- FY15 amended budget as well as the Pembroke settlement and most importantly the process by which this all transpired and the impact that it had on the three communities.
- Talked briefly about the stabilization fund but will have more discussion about this going forward.
- Talked about police presence at the Middle and High school and having the Kingston police chief put together a plan and work with the superintendent to identify goals and objectives and see what we can do either Kingston or the tri town region regarding some kind of presence to deal with issues in our community, specifically substance abuse.

Attached is the handout that Gordon explained to the Board (titled: Halifax Budget FY2016)

Gordon stated that staffing for police and fire are at minimal and Seelig said that highway staff has not been increased over the last 20 years but roads have increased.

Schleiff asked if this was going to be a one-time thing and Andrews said it depends if SPED increases. He then asked if you don't do cuts do we do an over-ride and Andrews said that is an option and they could present two different scenarios to the taxpayers. He said we are looking at a very bad financial year and wanted the Board and the viewers to be aware of where we stand.

Facebook Presence

Facebook has become the most popular way of getting information to the residents. Several departments have their own Facebook pages but “The Town” does not. Seelig has provided the Board with material about Facebook and stated that if the Board wants to set up a page for “The Town” he could do so but would not set it up as something for which readers can post comments but could send a “private message” to the Town. Seelig will bring this back to the Board for discussion on February 24th.

OPEB Trust

Seelig has talked with the Town Accountant and the Assistant Treasurer and both have indicated that the next step would be that the Selectmen review the changes proposed by Town Counsel in the Trust Agreement and Investment Policy and if the Board is okay with them, approve both of them.

Seelig has provided the Board with copies of the marked-up Trust Agreement along with the Investment Policy and will bring back to them on February 24th.

MMA Spring Legislative Breakfasts

One will be held on March 13th in Mattapoisett and another on March 20th in Canton. Pre-registration requested but not required. Seelig will probably go to the one in Mattapoisett. He will find out if they are hosting at other locations for Garron.

Union Negotiations

Dispatchers and Highway/Cemetery employees have asked to begin negotiations. Seelig has written Karen Hathaway and expects the Board to meet with departments later this month and then be able to schedule sessions in early March.

Snow Account Deficit Spending

Moved by Roy and seconded by Garron, the Board unanimously voted to approve deficit spending in the snow account.

Insurance Claim

Attorney Frank Prokos of Norwood filed a claim for Frances Healey claiming that she slipped and fell on January 31st due to a dangerous accumulation of snow and/or ice in an area owned and/or controlled by the Town of Halifax. However, there is no specific information about the incident (time and place) and so far nothing has been found in the ambulance runs.

Supplemental Tax Bills

The Board of Selectmen has talked about allowing supplemental tax assessments on the value of certain improvements to real estate constructed after January 1st upon issuance of an occupancy permit. Right now, the statute (MGL Chapter 59, Section 2D) applies in all cities and towns which have notified the DOR that it was rejected. The Board rejected the statute on September 23, 2003, and again on October 14, 2003. In order for the Town to observe the statute, the Board will have to take a vote either rescinding the previous vote or affirming that the Town will observe the statute. Seelig has talked to the Principal Assessor/Appraiser Karen Trudeau about this and still needs to work out how much money might be generated if the Town observed this section. No vote is needed today.

Solar Farm at Plympton-Halifax Line - PILOT

Per Principal Assessor, Karen Trudeau, The Town will not be receiving monies from this agreement until FY17. The agreement will go for 20 years with the last payment being in FY2036.

Incentive Increase for Water Department Employee

The BOS will have a meeting with the Water Department & Wage and Personnel regarding the proposed increases for Paul Gargiulo on February 24th.

15 Ocean Avenue

The vehicle has been moved without the notice. Seelig intends to get “No Trespass” signs up and notify the Police Department.

Consolidating Buildings

Seelig is waiting to hear back from Highway and Recycling. Recycling has indicated that it would need a new building for the baler, equipment and inventory but nothing was mentioned that the Town would need to establish a traffic pattern and security.

Collective Bargaining - Meeting with Departments

Seelig is expecting that the Board will be receiving requests from all five bargaining units to re-open their contracts for “wages only” for FY2016. Seelig would like to invite the department heads (Fire Chief, Police Chief, Highway Surveyor, and Communications Center Director) along with the Elementary School Committee and possibly the Wage & Personnel Board to discuss the Town’s initial position on wages for FY2016. This would be done in executive session.

Chapter 61A Land Procurement

Seelig has started the procurement procedure if Town wants to purchase the larger parcel land.

Silver Lake Looking to Re-Finance

Silver Lake is looking at the possibility of re-financing its loan. Seelig spoke with John Tuffy and he said that there is the possibility of saving about \$33K in interest each year (figure us for 1/3 of that). We will hear more on this if they continue to pursue it.

Silver Lake Budget 2015

Seelig stated that an open meeting law violation occurred when the vote on the budget was taken on January 8th as the letter dated December 23, 2014 did not state that there would be a discussion of E&D used for capital needs. A letter dated January 15th was then received announcing that the vote was taken. Seelig is mentioning this to the Board of Selectmen because if the BOS wants him to pursue the open meeting law violation it would need to be done within 30 days (have until February 14th) of the date of the violation or the date the complainant could reasonably have known of the violation. Roy does not want to pursue because of the relationship we have with them. She understands there could be a violation but it is important to work together with the School Committee and going forward that we would be included in any discussion that would require a

vote. Garron agrees with Roy, but a message should be sent that their decision has an impact on our taxpayers. Schleiff thinks a letter should be sent from the Board of Selectmen stating that there was a violation so it does not happen in the future and said that the letter does not have to be a heavy-hitter but let them know we know what happened and know how it went down.

Roy stated that there has to be a working relationship and Schleiff agreed but said it goes both ways.

Seelig said that having a vote in the middle of the year requiring the Town having a Special Town Meeting cost us money, we have representatives on the Committee from the town and they should have known.

Roy said that we had them here this evening and did not talk about it, so to send a letter... she thought that what is important is that we have the conversation about “Pembroke”.

Schleiff still felt that a message needs to be sent and a letter should be drafted. Garron was okay with sending a letter as long as it is not derogatory. Roy did not feel comfortable, but said they could.

Seelig will draft a letter and then have the Board review it.

Seelig stated that Board will go into executive session to talk about contract negotiations for School Teachers as the Board has determined that discussing these matters in an open meeting may have a detrimental effect on the negotiating position of the public body.

Announcement from Mike Schleiff

Before going off the air Schleiff wanted to let the audience know that he is not going to pull papers to run for Selectman. He stated that two terms are good for him and enjoyed everything he has done and wants to give someone else a chance.

EXECUTIVE SESSION

Moved by Garron and seconded by Roy, the Board voted as follows to enter into Executive Session at 11:00 p.m. to discuss contract negotiations for School Teachers:

Troy E. Garron	-	Yes
Kim R. Roy	-	Yes
Michael J. Schleiff	-	Yes

Moved by Garron and seconded by Schleiff, the Board voted as follows to come out of Executive Session at 11:25 p.m.:

Troy E. Garron	-	Yes
Kim R. Roy	-	Yes
Michael J. Schleiff	-	Yes

MEETING ADJOURNED

There being no further business, moved by Garron and seconded by Schleiff, the Board unanimously voted to adjourn the meeting at 11:25 p.m.

Thomas Millias
Clerk

/pjm