

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, APRIL 28, 2015 - 7:30 P.M.
SELECTMEN MEETING ROOM

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

Roy mentioned HOP for HOPS 5K road race that will be on June 6th and stated that will be lots of local businesses to support our cause.

AGENDA

Seelig mentioned he would like to wish to go into Executive Session to discuss Patrol Officers contracts.

With the above addition, the agenda for Tuesday, April 28nd, was unanimously approved.

MINUTES

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

Regular Session – March 10, 2015

AFFIRMED WARRANTS

Moved by Garron and seconded by Roy, the Board unanimously affirmed approval for the payment of the following warrants with the exception of Schleiff abstaining from the Police Department payroll in warrant #88:

Payroll Warrant	# 88	\$ 335,163.21
Vendor Warrant	# 89	\$ 23,276.90
Withholding Warrant	# 90	\$ 123,404.51

APPROVED COMMITMENT AND WARRANT

Moved by Garron and seconded by Roy, the Board unanimously approved payment of the following commitments and warrants:

Vendor Warrant	# 91	\$ 258,747.75
Ambulance Commitment	# 4A	\$ 25,227.12

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

National Grid (service for concession stand).....	\$ 20.66
National Grid (service for Town Hall).....	\$ 1,517.07
Complete Signs (deposit for LED sign)	\$ 10,579.00
W.B. Mason (office supplies).....	\$ 100.90
CNA Surety (bonds: S. Shiavone, L. Cole, B. Gaynor).....	\$ 1,225.00

The Board acknowledged payment of the Selectmen Office Payroll for the period ending April 18, 2015, in the amount of \$6,229.64.

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2015-68	\$ 424.21

GENERAL MAIL / DISCUSSIONS

Silver Lake – E&D Account

The office has received official confirmation of the vote to use \$160,000 in E & D for the FY2015 budget for snow and ice removal. There will be an article for this in the Special Town Meeting Warrant.

Use of Town Green – Congregational Church

Moved by Roy and seconded by Garron, the Board unanimously granted the Congregational Church the use of the Town Green on Sunday, June 7th, from 9:00 a.m. to 1:00 p.m. for the annual church cookout.

Two River Subdivision

The new developer, Brims Distributing, is requesting that the Planning Board refrain from completing the work and using the money in the passbook to do so. Seelig has talked with Town Counsel and he recommends that the Town vote the necessary State Statute that will allow the Town to use the passbook and vote the necessary appropriation from the passbook contingent on Brims Distributing not completing the work by August 15th. If they do complete the work, the money stays in the passbook and can be returned to the developer in the future. Seelig has confirmed this with the Town Accountant.

An article for this will be presented at Town Meeting and the Board will go over the wording at their pre town meeting meeting.

SCHEDULED APPOINTMENTS

New Call Firefighters

Chief Viveiros began by thanking the Board for having him in this evening so that the seven new Call Firefighters who have been added to the staff can be sworn in by the Town Clerk and pinned by their family members. He said that this is the first group that the Town has sponsored and is proud they stuck through it. The following Call Firefighters were sworn in:

- Derek Coveney
- Adam Flaherty
- David Bradshaw
- Richard Ferguson
- Heather Littlefield
- Michael McDonald
- Shamus Ricciarelli

COA and Assessors – Senior Work-Off Program

Barbara Brenton began by saying that Principal Assessor, Karen Trudeau, has been researching the guidelines. There are one hundred towns that have had this program. She is asking for two positions (selection done by lottery) and those applying for it must meet the criteria (i.e 60 yrs of age and over, income limitation). This is a win/win situation for both the seniors and the town. She tried this in the past but it never panned out never panned out. No abatement can exceed \$750.00 per participant per year. An article will be presented at town Meeting and if voted in it cannot be changed within the three years. This is a PILOT program.

Seelig stated that all Town Meeting does is accept or not to accept. He thinks Town Meeting will want to know how it will be structured and this will come from Board of Selectmen.

A lady in the audience said that people in the past who have volunteered are now coming in to volunteer on Boards and Committees because they are not intimidated and this opens opportunities for those who would otherwise not come forward.

Barbara said that as it continues she will approach other departments. Roy asked what her vision was for the programs and she said that she will evaluate it every year and meet with department heads and see how it goes. After three years we'll see where we stand.

Garron pointed out that the more we have in the program the more that will be pulled from the tax base. Joy Marble was thinking that also but said that each year the town as well as departments grow and people are trying to open new positions and that would save those positions from coming up. This helps the seniors as they are on a fixed income and cannot afford their taxes and is good for the town because salaries and wages don't go up. Schleiff agreed with what she said.

Roy brought up the some of the communities (listed on the sheet handed out) who abate the \$750 have the seniors working 94, 91,103 hours and asked how did she come up with 83.3 hours and Barbara said that it is what Karen and her came up basing it on the minimum wage.

Schleiff is all for it and said if they see a push back on it he does not think it would be the program but maybe because they have to trust that the BOS are going to do the right thing.

Garron's thoughts were that this program is one more thing we are presenting to the Town to help the citizens them out and with proper supervision quality things will be done.

Moved by Garron and seconded by Roy, the Board unanimously voted to accept the Senior Citizen Tax Work-Off Abatement Program as presented by the Council on Aging.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Council on Aging – “Go the Distance” – 1 Mile Walk Challenge

Previously the Board read the letter from the CoA about this event on June 3rd, but the CoA would like specific permission to hold it (it will run along the sidewalks between the CoA and the Country Club).

Barbara said that this is a State sponsored walk and she has received a grant for \$600 to fund it. They are trying to engage the whole community. Kick off time is 3:30 p.m. and at 4:00 Silver Lake Culinary students will come and cook for a cookout. Barbara added that the Police and Fire Chief are aware of this.

Moved by Roy and seconded by Garron, the Board unanimously voted to approve the COA walk for June 3, 2015.

Fire Chief Viveiros – Fire Department Sign

Chief Viveiros stated that the sign they have now is faded and rotting. He met with the Historic Commission and showed them a couple of sketches. They were split at the between the two signs that were presented and the commission thought it should be brought to the BOS. Both Roy and Garron liked the sign without the ribbon. Schleiff said whatever they were happy with doing it was fine with him.

The Chief said that it is going to be the same color and that it will be an aluminum sign as they are looking for low maintenance.

Moved by Roy and seconded by Garron, the Board unanimously voted to approve the sign that had the *no ribbon ends*.

Chief Viveiros - Fire Department Grant

The Fire Chief is pleased to announce that the Department has received a 2014 Assistance to Firefighters Grant from FEMA for \$23,469. He said he put in for the grant and fifty grants nation-wide and we were chosen. This money will be used to purchase mechanical chest compression devices for the ambulances. He could not be happier to get this grant as it frees up the personnel as they are doing something else.

Roy said getting this device will free up money to purchase other capital items. Chief Viveiros said that there is not a lot of training needed and paramedic/EMT license will cover training for this device.

Chief Viveiros - New Fire Truck

Schleiff thought it would be good having a conversation about the new fire truck this before going to Town Meeting.

Chief Viveiros welcomed the opportunity to talk about it. He began by saying that the current ladder truck has no pump, no water and no hose, which requires an additional pumper and manpower to operate. The truck needs to be certified every year, which the initial failure of certification, it cost \$20,000 to keep it up and it was only used five times. He continued to say that he is proposing 75' Aerial Platform Truck – Quint will serve as a dual purpose of an engine and ladder truck.

- Pump
- Water tank
- Fire hose
- Aerial devise
- Ground ladders

This truck will be easy to rescue people as it has a platform and this will give us a third pump

The Chief said that the 75' ladder will work for this town as he took the truck to Twin Lakes and the avenues. They were able to clear the roofs and it fits into the fire station. He has talked with a couple of other towns that have the same vehicle and they are happy with it. He added that the truck will not be delivered for a year once ordered.

The chief talked about the financing which was to purchase or lease to own for the following reasons:

- rates are lower
- \$19,000 pre payment discount
- savings on the cost of preparing a bond

Roy said that this has been on the capital plan for a number of years and have had discussions with Capital Planning of how we can fund this.

Schleiff then asked how the ambulance was and the Chief said they have two more years.

Roy added that the fire Chief's car next year. Garron thought that they were going to talk about the ladder truck this year.

In closing the chief said they are going to sell the ladder truck. The Board thanked him for coming in.

SCHEDULED APPOINTMENT

Robin Maher

Ms. Maher wanted to introduce herself to the Board saying that she has been a resident in Halifax for twenty-eight years and that she is running to the position of Treasurer/Collector. Lastly she said that she has financial background.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

United Way of Plymouth County – Clean-Up Day Bags/Clean-Up Day

The United Way has offered to provide the Town with branded bags for its clean-up day and Seelig has accepted the offer as the Monponsett Watershed Association will hold its clean-up day on May 9th. I'm waiting to hear back from Paul Collis about whether the Association wants the bags.

He has contacted the Beautification Committee about holding the Town-wide clean-up on the same date but has not heard back. He is recommending that the Board set May 9th as the clean-up day, from 9 a.m. to noon. Seelig will have bags and refreshments available in the parking lot. Garron would like to see this go off, seeing as we have been given the bags.

Moved by Roy and seconded by Garron, the Board unanimously voted to declare Saturday, May 9th to be Clean-Up Day for Halifax.

Sachem Rock Regional Emergency Planning

Sachem Rock is looking for towns to designate someone as the “Community Emergency Response Coordinator”. That person is the person tasked with working with the Regional Emergency Planning Zone (REPZ). Chief Viveiros, who is also the HEMA Director, recommends that he be appointed.

Moved by Roy and seconded by Garron, the Board unanimously voted that Chief Viveiros be appointed as the Community Emergency Response Coordinator.

Junk Dealers License for Halifax Gold and Silver Coin Shop

It appears that the Halifax Gold and Silver Coin Shop has left its store. The license holder has not contacted the Selectmen’s Office about renewing the license so no decision is needed for the Board to have to renew.

Inspector of Animals Reappointment

The Board of Health has nominated Lisa McKay for another term as Animal Inspector, term running from April 1, 2015 to March 31, 2016. No action needed by the Selectmen.

Animal Control Officer Re-appointment

Moved by Roy and seconded by Garron, the Board unanimously voted to reappoint Noreen Callahan as the ACO for a term to expire April 30, 2016.

OPEB Trust

Having approved the OPEB Trust, a fifth, at-large member is needed to serve as a Trustee. Seelig will send out a press release.

21 Larry Avenue - Trailer Permit

The Frazier’s (holders of the permit) requested assistance from the Attorney General’s office who then contacted Town Counsel. After a series of discussions, Attorney Mayo and Seelig agreed that they should communicate to the Building Inspector that the 60 day permit should be extended to a full year but that because the Attorney General’s Office was unable to cite where the Town had erred in requiring a permit from the Board of Selectmen, the conversation should continue.

Old Colony Elder Services

Moved by Roy and seconded by Garron, the Board unanimously voted to reappoint Joan Jolley as the Town’s representative to the Old Colony Elder Services, for a term to expire on June 30, 2016.

Northlands Property

The Division of Fisheries and Wildlife has made a couple of proposals concerning the land just transferred to the Town’s ownership:

- Sell the land back to the State for an amount not to exceed \$250,000 with the State putting in an access and parking area;
- Have the State purchase a conservation restriction for an amount not to exceed \$250,000 allowing the State to put in the access and parking area.

Garron asked if they could plan a site visit and Seelig said to pick a date. Roy was flexible. Seelig said that he will invite Division of Fisheries and Wildlife and departments letting them know about the site walk.

Housing Authority/Resignation

Patricia Bright has resigned from the Housing Authority. Seelig said normally the Board would be to invite Housing Authority to meet with the Board in selecting someone to fill the seat. Schleiff stated that in the past we have had difficulty having the HA in to meet with us.

Moved by Garron and seconded by Roy, the Board unanimously voted to accept Ms. Bright's resignation and to send a thank you letter to her.

Patrol Officer Contract

The Agreement to amend Article X, Section 2 (Education) by including legal studies as a possible degree needs the Board's signatures. No additional money is needed from Town Meeting as the February 2015 Town Meeting approved the necessary appropriation.

Moved by Roy and seconded by Garron, the Board unanimously voted as follows to execute the contract to include Legal Studies to be a possible degree:

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

Use of Town Green – Historical Society

Moved by Garron and seconded by Roy, the Board unanimously granted the Halifax Historical Society the use of the Town Green on Saturday, May 9th, from 9:00 a.m. to 1:00 p.m. for their annual spring plant sale and permission to put a sign announcing the event on the town Green two weeks prior to the plant sale.

Opioid Conference

Conference will be held May 7th in Brockton. Pre-registration requested. Seelig will not be attending but Roy will be.

BMI Letter

The office has received another letter From BMI regarding music licensing agreement. Seelig will wait until after Town Meeting to reply.

Hydrant Flushing

The Halifax Water Department will start flushing the water mains on or about May 4th. This work will continue until the entire system is flushed and will take approximately two (2) weeks. Water users should check the water for discoloration before using it to wash light colored clothing.

Garron asked if this will solve the brown water problems and Roy said she has talked with Water Superintendent and he thinks this will help solve the problem.

Building Inspector/Zoning Enforcement Officer Job Description

Copies of the job description have been given to the Board. Seelig recommended application deadline of May 22nd, the Board choose candidates on May 26th and interview on June 10th. The BOS was okay with Seelig's recommendation.

Flammable Storage/Revocation

Mr. Nessralla, Davis Automotive and Ellis Auto Body have set up payment schedules. A-1 Sanitation has indicated that they do not intend to renew, but a revocation hearing is still needed specifying the failure to renew, which will be scheduled for May 26th. Seelig will check back with the Treasurer-Collector to see if Mr. Nessralla's is following his schedule seeing as it is based on a weekly amount and if not, a then a hearing will be set up.

Recycling Abatements

An MLC was requested in 2012 when the property was sold and the following amounts were listed:

- FY2009 Bill #555 \$55
- FY2010 Bill #563 \$55
- FY2011 Bill #564 \$45
- FY2012 Bill #564 \$45

The current owner states that the previous owner is the one who owes this money and that the current owner's name should be taken off these bills. Seelig is recommending that the BOS table this and contact the resident and ask him to get the paperwork of the closing to see who is/was responsible to pay.

Moved by Garron and seconded by Roy, the Board unanimously voted to table this issue until such time they get information to determine who should pay.

MMA/State Budget

The MMA has recommendations in connection with the House budget proposal and is requesting communities to call their legislators. Seelig strongly recommends that the Board ask Representative Calter to vote against Amendment #601 which would weaken the presumption on lung/cancer damage for public safety employees.

One of Seelig's colleagues mentioned Amendment #804 which would eliminate the prevailing wage for projects under \$50,000, which he would be for.

Moved by Garron and seconded by Roy, the Board unanimously voted to send a letter to Rep. Calter to vote against Amendment #601 and to support Amendment #804.

Highway/Vacancy

Recruitment process has started and application deadline is May 15th.

Common Core Workshops

Does the Board or any individual Board want to play any role in the Common Core workshops at the Elementary School (April 29th & May 7th). Roy said that she is going to attend both and would be happy to assist if needed.

ZBA/Chapter 40B Review Engineer

Two copies of the contract between the ZBA and review engineer (on behalf of the ZBA) Pesce Engineering & Associates. There is not a signature block on the contract, but all three members could sign in the blank space on the left side of the last page.

Moved by Roy and seconded by Garron, the Board unanimously voted to approve the contract between the ZBA and the Pesce Engineering & Associates.

Code of Conduct for Visitors

Schleiff suggested calling it *code of mutual respect* as it would be nice to do one for the employees and visitors at the same time.

Roy thought that *mutual respect* might not encompass everything and Garron thoughts we that respect should be in place when they come into the building.

Schleiff then suggested a *code of conduct* at the elementary level.

Seelig was fine with resubmitting it but Roy thought it was fine and Garron did not have a problem as he felt it is necessary and one should be put in place. Schleiff how often do we have a situation with someone and Seelig said maybe once a month.

Moved by Roy and seconded by Garron, the Board unanimously voted to accept the Code of Conduct as written.

Facebook Presence

Seelig asked the Board if they decided if they would like a page, not a conversational page but for informational purposes only. Garron asked if it could be hacked and Seelig said it would be hard but not saying it is impossible. He added that this is another avenue to get information out to the public.

Moved by Roy and seconded by Garron, the Board unanimously voted that the Town have a Facebook page that is un-postable.

Schleiff suggested that this be revisited and that Seelig does not spend a lot of time with this.

OUI - Last Drink ReportsOctober – December 2014 Report

Hawaii Garden was in the report for an incident that occurred on April 9, 2013 (court case was October 21, 2014). Also Grille 58 had an incident on November 30, 2014; court case was December 17th.

January – March 2015 Report

Again Hawaii Garden was listed for an incident on December 30, 2014; court case was January 21, 2015.

The Board may want to consult with Town Counsel as to whether it can take any action on Hawaii Garden's license based on the number of "Last Drink" reports, given their sketchiness.

Here's the relevant passage from the AG's office on the sketchiness:

"This information does not constitute an accusation of criminal or negligent conduct by any establishment and is not meant to be a substitute for your own license monitoring and enforcement practices. The Attorney General has not conducted an independent review of the information and notes that Section 24J does not require that defendants' statements about these establishments be made under oath. The provision of this information should not be considered the rendering of legal or other professional advice. If you have any questions regarding how this information may be used, we suggest you contact the ABCC at 617-727-3040, or abcc_inquiries@tre.state.ma.us."

Schleiff said to maybe contact establishments for more information and Seelig said he does not know how much they may know as they may not have any recollection. Garron said to send a letter to Grille 58.

Moved by Garron and seconded by Roy, the Board unanimously voted to send letters to both establishments and allow Seelig to contact Attorney Mayo as to what is or is not possible.

Burning Permits

Just a reminder that the last day to open burn is May 1st.

15 Ocean Avenue

All vehicles have been removed and Seelig has put up "No Trespassing" and "No Parking" signs on the property. He has asked the Highway Surveyor if there is time available could he pick up the trash/debris from the property and put boulders up.

Memorial Day

Reminder that Memorial Day is on Monday, May 25th. Seelig asked the Selectmen if they intend to participate. He has sent Claudia Motta a memo regarding the essay contest.

Road Opening - 7 Ninth Avenue

Moved by Roy and seconded by Garron, the Board unanimously approved Permit #2015-36 issued to Columbia Gas of Massachusetts for a 3' x 30' road cut to provide gas service 7 Ninth Avenue.

Live Entertainment – Cruise Night at Walmart

Moved by Roy and seconded by Garron, the Board unanimously approved Permit #2013-41 issued to Nicholas DiSola for live entertainment at Walmart for Friday Night Cruise Nights from the May 1st through October 2nd.

Solid Waste

Seelig said the fund balance is low because it was used to fund the operating budget, therefore, we do not have the money to buy the recycling buckets. We should be able to raise the balance in the fund without seeing a significant hike in recycling fee.

EXECUTIVE SESSION

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

The Board voted as follows to enter into Executive Session at 10:20 p.m.:

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

Moved by Roy and seconded by Garron, the Board voted as follows to come out of Executive Session at 10:26 p.m.

Troy E. Garron - Yes
Kim R. Roy - Yes

MEETING ADJOURNED

There being no further business, moved by Roy and seconded by Garron, the Board unanimously voted to adjourn the meeting at 10:26 p.m.

Thomas Millias
Clerk

/pjm