

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, MAY 26, 2015 - 7:30 P.M.
SELECTMEN MEETING ROOM

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

The following business was discussed:

PLEDGE OF ALLEGIANCE

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

AGENDA

The Agenda for Tuesday, May 26th, was unanimously approved without revision.

Roy and Garron congratulated Tom Millias and welcomed him to the Board of Selectmen and said they are happy to have him. He is the Building Inspector of the Town hence knowing the town's by-laws and regulations will help him in his new position.

REORGANIZATION OF THE BOARD

Moved by Garron and seconded by Millias, the Board unanimously voted to nominate Roy as Chair.

Moved by Millias and seconded by Roy, the Board unanimously voted to nominate Garron as Vice Chair.

Moved by Garron and seconded by Roy, the Board unanimously voted to nominate Millias as Clerk.

MINUTES

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

Regular Session - February 10, 2015
Regular Session - March 24, 2015
Regular Session - May 11, 2015
Regular Session - May 12, 2015

Moved by Garron and seconded by Roy, the Board voted as follows to approve the Executive Session minutes of April 28, 2015:

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

AFFIRMED WARRANTS

Moved by Millias and seconded by Garron, the Board unanimously affirmed approval for the payment of the following warrants with the exception of Millias abstaining from the Building, Regulatory and Assessor’s Payroll in warrant #97:

Payroll Warrant	# 97	\$ 349,712.57
Vendor Warrant	# 98	\$ 187,176.63
Withholding Warrant	#100	\$ 128,556.65

APPROVED WARRANT AND COMMITMENT

Moved by Millias and seconded by Garron, the Board unanimously approved payment of the following warrant and commitment:

Vendor Warrant	# 101	\$ 142,296.04
Ambulance Commitment	# 4B	\$ 20,747.05

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

Harry B. Harding & Son, Inc. (2014 Town Report).....	\$ 2,576.10
Express Newspaper (ad/Assist. Collector	\$ 25.25
Michael C. Gilman (legal services/April)	\$ 605.00

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2015-69	\$ 5.00
2015-70	\$ 700.00
2015-71	\$ 923.61
2015-72	\$ 30,474.84

The Board acknowledged payment of the Selectmen Office Payroll for the period ending May 2, 2015, in the amount of \$6,229.64.

The Board acknowledged payment of the Selectmen Office Payroll for the period ending May 16, 2015, in the amount of \$6,229.64.

GENERAL MAIL / DISCUSSIONS

Trailer By-Law

Attorney Mayo has written to Margaret Hurley, the Assistant MA Attorney General regarding the discrepancies between the State’s law and the Town’s by-law and is waiting to hear back. Seelig will carry this over to the Board’s meeting on June 9th.

Emergency Sheltering of Pets

Back in the spring of 2014, the State approved a law stating that emergency preparedness/sheltering operations needed to include pets, not just service animals. Seelig has notified the Fire Chief of this and I would expect it will be taken up by the regional emergency management committee. Roy added that the Animal Inspector has been involved with this.

Reappointments - Licensing Authority Agents, Special Police Officers & Matrons

The Police Chief has sent over his recommendations for the above personnel at the police station. They will be included on the lists of re-appointments for June 9th.

Yearly Boards & Committees Reappointments

The Board has been given a list of reappointments and asked if any of them had any questions. Garron said that he has no problems with re-appointing those whose terms are up. Seelig added that when we send out appointments we'll put a paragraph in about attending meetings.

Line Item Transfers

Moved by Garron and seconded by Millias, the Board unanimously voted to approve the following line item transfers:

FROM	TO	AMOUNT
Police - Training #01-211-5115	Police – Expense #01-217-5420	\$ 1,500.00
Fire Wages #01-220-5115	Fire Chief #301-220-5110	\$ 2,013.00
Gas & Oil #01-471	Street Lights #01-424-5210-120	\$ 2,000.00
Gas & Oil #01-471	Town Barn Maintenance #01-426	\$ 1,000.00
Gas & Oil #01-471	Traffic Lights #01-424-5210-121	\$ 1,000.00
Board of Health Revolving Account #25-513-5380	Board of Health Inspector #01-511-5110	\$ 100.00

Last Drink Reports

Seelig said that there is one establishment that has had numerous incidents. He asked Attorney Mayo if we can talk disciplinary action and he was told by ABCC “no” because all we have is hearsay evidence. It was suggested maybe undercover agents at establishment, but this would require lots of manpower.

Garron said that we don't know if it is credible.

Seelig asked the Board if they want to bring the owner in or have Chief Broderick into executive session about it.

Roy thinks they should talk with Chief Broderick and Garron agreed as the point has been made with the owner.

Plymouth County Advisory Board Representative

Moved by Roy and seconded by Millias, the Board unanimously voted to appoint Troy Garron as Halifax's representative to the Plymouth County Advisory Board.

Sachem Rock Regional Emergency Planning Zone

The board was given the proposed by-laws. The Fire Chief said that the initial assessment would be \$250 per community per year and if the Town joins, he would use the HEMA budget to fund the assessment. This is doable as long as the assessment does not increase substantially in future years.

Moved by Garron and seconded by Millias, the Board unanimously voted to accept the Sachem Rock Regional Emergency Planning Zone proposed by-laws.

Chapter 40B - Blackledge Status

Another hearing was held on May 18th but because the applicant was not ready to present, very little was accomplished that night or so far. Two of the six months for the process have passed and the ZBA has some concerns whether the applicant will formally request an extension. Millias wanted to note that ZBA has done a really good job in tracking timelines and communications so that the town is not left exposed. Kudos to the ZBA and Marion.

Keno – Lyonville Tavern

The above restaurant now has keno. No action is needed by the Board.

Sergeants Contract

Moved by Garron and seconded by Millias, the Board unanimously voted to sign the side letter concerning the grandfathering of sick leave buyback for sergeants who were patrol officers back in 2012.

New Employee Report Form

This form will need to be filled out once the Board has appointed a new Building Inspector.

COA Volunteer Luncheon

The luncheon will be June 11th at noon at the Boston Tavern in Middleboro. Please RSVP by June 2nd.

Thomas Fitzgerald – Resignation from Solar Farm Ad Hoc Committee

Tom Fitzgerald has resigned from the above committee.

Moved by Garron and seconded by Roy, the Board unanimously voted to send a letter to Tom Fitzgerald thanking him for his service.

Trailer Violation - 97 Circuit Street

Fines were not assessed but owners were warned. The trailers have been removed.

Use of Town Hall Green - The Congregational Church

Moved by Garron and seconded by Millias, the Board unanimously granted the Congregational Church's request to use the Town Green on Saturday, June 6th, from 9:00 a.m. to 2:00 p.m. for a plant sale and for a farm animal display related to the Heifer Project (outreach educational mission).

John Tuffy Retirement Reception

Reception will be on June 4th from 2:30pm to 5:00pm at Silver Lake High School. Donation of \$20 and RSVP to Lisa Turcott 781-582-3513.

Roy added that the Assistant Superintendent has her to say a few words. Roy asked if Seelig could get a certificate together and he said yes.

Old Colony Planning Council Annual Meeting

Annual Meeting is May 28th starting at 6 p.m. at The Villa at Ridder Country Club.

Signature Authority Forms

Annual forms for FY2015 authorizing who is to sign payroll/expense forms for various departments. Signatures from Roy and Garron were needed.

Use of Town Hall parking lot and Town Green - Halifax in Lights

Moved by Millias and seconded by Garron, the Board unanimously granted the Halifax in Lights Committee the following as outlined below:

- Use of the Halifax Town Hall parking lot and Town Green for daytime activities (currently scheduled from 4pm-7pm) including access to outside electrical and water outlets for vendors, music and other apparatus.
- Use of Halifax Elementary School property for the night time activities (currently scheduled from 7pm-10pm) including fireworks.

Halifax in Lights Fireworks Contract

Moved by Roy and seconded by Garron, the Board unanimously voted to accept the contract from American Thunder Fireworks in the amount of \$ 5,000 and to have the Clerk, Thomas Millias sign the contract.

East Monponsett – Vegetation Management Program

Moved by Garron and seconded by Millias, the Board unanimously voted to accept and have the Chair, Kim R. Roy, sign the agreement with Aquatic Control Technology.

West Monponsett – Nutrient Management Program

Moved by Garron and seconded by Millias, the Board unanimously voted to accept and have the Chair, Kim R. Roy, sign the agreement with Aquatic Control Technology.

Northland Property Site Visit

Site visit to the parcel recently transferred to the Town has been scheduled for Sunday, June 7th at 10 a.m.

Revolving Fund for Public Access

A new revolving fund for public access for FY2016 with a limit of \$50,000 needs to be established to cover the check received from Comcast in May 2015 but not future checks (those will go into the General Fund). That check will then be sent to “Area 58 Public Media.”

Moved by Garron and seconded by Millias, the Board unanimously voted to approve a new revolving fund account for public access for FY2016.

MEPA Review/Brockton Casino

The Board may want to send comments (deadline June 30th) in connection with the proposed casino using 120,000 gallons per day (probably, in the end, from Monponsett Pond). That amount equals just two days diversion, but Brockton (and the casino) needs to focus on using the desalination plant, not using more water from Silver Lake and Monponsett Pond.

Millias asked if we were having issues with dead fish. Garron said that in the winter, the vegetation takes the oxygen in, and then with the ice it causes the fish to die.

Roy feels that two of the Commissioners are willing to work with Halifax and said that we need to get a letter to MEPA with our comments.

Garron said if casino goes through, it is like a small town, and Brockton gets the benefit for the casino and we don't and he has problem with that.

State Budget

Senate has approved a state budget with no direct changes to Halifax's local aid. That said the following are the differences between the house and Senate budgets:

- Senate funds special education circuit breaker at \$271.6M; House at \$261.7; Town should support Senate.
- Senate funds kindergarten at \$1M; House at 18.6M; Town should support House.
- Senate funds regional school transportation at \$59; House at \$56.5; Town should support Senate.
- Senate funds Chapter 70 at \$111.2M; House at \$108.2M; no change for Halifax, but should support Senate.
- Senate funds charter school reimbursements at \$84.5M; House at \$76.8M; account is still underfunded, but Halifax should support Senate.
- Senate/House both oppose "Pay the Patient" provisions that would send checks to patients not ambulance services; Halifax should support.

Garron would like a little more time to look at this. This will be brought back on June 9th.

Bridgewater Landfill Solar Project

The fill-in phase of this project, using the access road at the Bridgewater/Halifax town line, continues. The number of trucks can vary greatly between two and sixty. The work will continue for several years.

Use of Town Green – Boy Scout Bottle Drive

Moved by Garron and seconded by Millias, the Board unanimously approved a request from the Halifax Boy Scouts to use the Town Green on Saturday, July 11th, from 9:00 a.m. to 2:00 p.m. for the Boy Scout Troop 39 bottle and food drive.

Use of Town Green – James Disher Fundraiser

Moved by Millias and seconded by Garron, the Board unanimously approved a request from Ann Marie Rowan to use the Town Green on Saturday, May 30th, from 8:00 a.m. to 2:00 p.m. for a yard sale fundraiser for James Disher.

Halifax Country Club - Wetlands

DEP has requested revised and new plans for the area. The Country Club has 60 days (from May 20th) to supply.

Building Inspector Applicants

Two applications were received for the building inspector's position. Seelig is recommending that the Board interview both applicants on June 9th.

Moved by Millias and seconded by Garron, the Board unanimously voted to interview the two applicants on June 9, 2015.

471 Monponsett Street

The Town has received numerous complaints about the state of the above property. Seelig is recommending that the Board send a letter to the owners stating what they want to see happen on the property.

Millias said that he has spoken with him and there has been a little bit of movement. Roy added that there is a pattern and it should be an extremely strong letter.

Moved by Millias and seconded by Garron, the Board unanimously voted to send a letter to the owner/residents of 471 Monponsett Street.

Town Hall Garden

Previously the Beautification Committee had come to speak about the garden they intend to do at the Town Hall. It appears there have been some issues. Mr. Kessinger was doing it himself but it is a big job and needs some help. It was asked if the Board should have the Beautification Committee come in again.

Garron agreed that it is overwhelming for one individual and suggested contacting the Horticultural Department at the High School to see if they can come out. Roy thought that they we should reach out to the Beautification Committee before getting another group involved, which she said she would do. Millias would like to see a plan in place and Roy said there was one. She said let's see if we can get it done by June 20th.

SCHEDULED APPOINTMENTS***Housing Authority Vacancy***

(There was legislation passed in 2014 designating that one member of the Authority should be a tenant but the Department of Housing and Community Development has not put the regulations into place, so it is something to consider but is not required, yet).

John McKeown, Director at Halifax Housing Authority, reiterated what is stated above and said they have a tenant-member who is willing to come on. It is his understanding that at Halifax's annual election there was a *write-in* candidate who is a resident/tenant. At this time the HA members are Lee Mulready, Dick Clark, Martha Smith and Jack Maher is a State appointee for the HA, leaving us with one opening at this time.

Mr. Maher said that they would recommend that the *write-in* candidate (Patricia McCarthy) who is a tenant and has expressed interest in serving be appointed to the HA.

Garron asked Ms. McCarthy how long she has lived here and she said five years. Ms. McCarthy continued to say that said that she has been the president and treasurer of the HA; has a positive influence with the residents; helped out this past winter; helps keep the inside and outside of the buildings clean and is happy to living at the HA. He then asked why a *write-in* and she said because it was too late to put her name on the ballot.

Roy asked if she has ever attended Town Meeting and she said about twenty-five years ago. Roy hopes that she would attend Town Meeting as it is very important because that is where everyone's voice is heard.

It was said the vacancy will be filled and then the name will be put on next year's ballot.

Garron asked if anyone else applied and Ms. Mulready said Dick Wright.

Millias said doing a *write-in* campaign shows a lot about someone. Then he asked if the Board take a vote and Ms Mulready said no.

Moved by Roy and seconded by housing authority member, Lee Mulready, the Board unanimously voted to appoint Patricia McCarthy to the Housing and Redevelopment Authority.

Flammable Storage Permit Revocation Hearing - A-1 Sanitation

Moved by Garron and seconded by Millias, the Board unanimously opened the Flammable Storage Permit Revocation Hearing for A1 Sanitation.

The permit holder does not wish to renew but the Board should officially revoke the license.

Moved by Garron and seconded by Millias, the Board unanimously voted to revoke the Flammable Storage Permit for A1 Sanitation.

Moved by Garron and seconded by Millias, the Board unanimously voted to close the revocation hearing.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Non-Binding Referenda

With the experience gained through having the first non-binding referenda on the ballot Seelig thought the Board may wish to take the following steps to formalize the process:

- The Board, on its own, may decide to place such a question on the ballot.
- A group of ten registered voters may submit a question by February 1. This gives the Board a chance to vote on whether to place the question on the ballot. It is likely that the Board will decline to do so. If it does decline to do so, then the interested parties will have until 42 days before the date of the town election to gather the signatures of at least ten percent of the voters of Halifax. The Town Clerk will have seven days to certify the signatures. If the ten percent mark is certified, the question will be placed on the ballot.

Seelig would like the Board to think about this for the future and they might want to give the people the heads-up to get the 500 signatures.

Millias thought more to establish a policy because we could get inundated with non-binding referenda and Garron agreed.

Council on Aging Building

Seeing as this building will always be a Town Building and should have some improvements, Seelig is recommending that the Board ask that the Municipal and Building Committee for a plan for renovations to Pope's Tavern which would include better accessibility to the 2nd floor and any necessary wiring, plumbing, heating, windows, lighting, air conditioning, insulation, roofing, painting, etc. so that the building can continue to be used by the Council on Aging or any other entity for the next ten years, said plan to be provided to the Board (including itemized costs estimates) no later than September 1st.

Millias said that there has been some configuration on trying to do something with the stairs. Garron stated that there still issues that need to be taken care of.

Seelig suggested coming up with a list of improvements for the 2016 Town Meeting. Millias said like a capital plan and Seelig said yes. Roy said having a discussion before budget season is good.

Moved by Garron and seconded by Millias, the Board unanimously voted that Seelig send a letter to Municipal and School Building Committee asking for a renovation plan for Pope's Tavern.

On a side note Roy wanted to say that she was disappointed that there was a lack of participation from the Boards and Committees not showing up for the Economic Development Workshop.

Electricity Aggregation

OCPC is developing a proposal for electricity aggregation for residents and businesses. The Town, with the permission of Town Meeting, would work with other communities to pick a supplier. The larger the number of communities, the better (not necessarily by much) the rates. Residents and businesses that have not already contracted with a supplier will then have this supplier unless they elect to "opt-out". The Town will still be able to pull out, via Town Meeting or when rates are set. There is no cost to going ahead with this. Seelig did not want to do so in the past because he did not want to have to worry about the work involved but OCPC and its consultant will be doing it.

Seelig is recommending that Board of Selectmen go ahead with OCPC commitment to look into a proposal. Millias said we can see what happens.

Moved by Garron and seconded by Millias, the Board unanimously voted to allow Seelig to continue to work with OCPC on the proposal for electricity aggregation.

SCHEDULED APPOINTMENTS (CONTINUED)***Colleen Burgess – Boy Scout sign***

Colleen Burgess, Secretary for Committee of Troop 239, went on to say that they have three fund raisers throughout the year; bottle drive, yard sale, Christmas Drop off and Every time they do a fund raiser, they display a sign for each one. They would like to propose a "sandwich sign" which they can change for each event. The sign would be displayed at the church.

Garron asked how soon before the events and Ms. Burgess said two weeks prior.

Millias said typically, with that type of sign, it needs to be brought in at night but if on Town Green, it would be a public service.

Moved by Roy and seconded by Millias, the Board unanimously voted to approve a Quick – Load Message Board (w/wheels) on the Town Green two weeks prior to any Boy Scout event.

Debbie Grace - Silver Lake Integrated Preschool Playground

Ms. Grace, a teacher assistant at the Silver Lake intergraded preschool, came in this evening to let the BOS that they trying to build a playground the size made especially for children between the ages of 2 and 5. Currently they are using the kindergarten playground, but it is not appropriate for these kids. They have received a grant and have raised \$15,000 and are shooting for another grant (\$10,000-\$15,000). The playground is up to costing \$150,000. It and will be ADA accessible and they are looking to have it done by spring 2016. Seeing as they have students from Halifax, Plympton and Kingston and they wanted to share this with each community. They are in the process of becoming 501C. As soon as she has some information on the playground she will forward it to Halifax. The Physical Therapist and Ms. Grace have spear-headed this but now have parents taking charge of this.

The Board thanked Ms. Grace for taking this on and she thanked them for having her in this evening.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Passbook Release - Road Cut - Walnut Street

Moved by Garron and seconded by Roy, the Board unanimously voted to release the \$3,000 savings bank passbook to Logan Excavating, in connection with Permit #2005-37 for a road cut on Walnut Street.

Passbook Release – Road Cut - Hudson Street

Moved by Garron and seconded by Millias , the Board unanimously voted to release the \$5,000 savings bank passbook to Michael Goodman/R.K. Brown and sons, Inc., in connection with Permit #2005-17 for a road cut on Hudson Street.

Live Entertainment – Patricia Forsstrom

Moved by Garron and seconded by Millias, the Board unanimously voted to approve the live entertainment Permit #2015-47 to Patricia Forsstrom for live entertainment on Saturday, August 1st, from 3:00 p.m. to 10:00 p.m.

Cemetery Superintendent & Burial Agent Reappointment

Moved by Garron and seconded by Millias, the Board unanimously voted to reappoint Robert Badore as Cemetery Superintendent & Burial Agent, with a term to expire on May 14, 2016.

Road Cut – 204 Plymouth Street

Moved by Garron and seconded by Millias, the Board unanimously approved Permit 2015-48 issued to Columbia Gas for a 3’ x 5’ road cut to install new gas service at 204 Plymouth Street.

EXECUTIVE SESSION

Moved by Garron and seconded by Millias, the Board voted as follows to enter into Executive Session at 9:20 p.m. to discuss contract negotiations for Sergeants, Patrol Officers, Firefighters, Highway and Dispatch:

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

No statement would be made at the end of the Executive Session and the Board would not reconvene in open session.

Moved by Garron and seconded by Millias, the Board voted as follows to come out of Executive Session at 9:30 p.m.

Troy E. Garron	-	Yes
Kim R. Roy	-	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 9:30 p.m.

Thomas Millias
Clerk

/pjm