

HALIFAX BOARD OF SELECTMEN  
SELECTMEN MEETING  
TUESDAY, AUGUST 11, 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.

Chair announces that the meeting is being taped.

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, August 11<sup>th</sup>, was unanimously approved without revision.

**MINUTES**

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

Regular Session – June 9, 2015  
Regular Session – July 27, 2015  
Regular Session – August 3, 2015  
Executive Session – July 28, 2015

**AFFIRMED WARRANT**

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

Vendor Warrant # 10 \$ 151,947.46

**APPROVED COMMITMENT AND WARRANTS**

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

Payroll Warrant # 11 \$ 189,250.48  
School Warrant # 12 \$ 27,594.88  
Vendor Warrant # 13 \$ 77,705.34  
Withholding Warrant # 14 \$ 66,549.21  
Mobile Home Park Fee # 8 \$ 5,160.00

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

Area 58 (contracted payment).....	\$ 31,340.49
Aquatic Control Technology (alum treatment).....	\$ 15,500.00
Attorney Lawrence P. Mayo (legal services/July) .....	\$ 312.50
Express Newspapers (ad/part time dispatcher) .....	\$ 36.66
Express Newspapers (hearing notice/tax classification) .....	\$ 35.00
Halifax Postmaster (stamps) .....	\$ 7.25
Deutsch Williams Brooks (legal service/July) .....	\$ 1,092.00
Michael Gilman, Esquire (legal services/July) .....	\$ 1,496.00

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2016-04	\$ 31,340.49
2016-05	\$ 102.87

**GENERAL MAIL / DISCUSSIONS**

Office on Disability

The Annual Summit Breakfast will be on September 18<sup>th</sup> at the Boston Convention and Exhibition Center. Seelig will not be attending.

YMCA Workplace Wellness Program

The East Bridgewater Y wanted the Town to know about this program in which employees receive various discounts depending on how much the Town wants to participate. Listed below are the different levels.

- Level 1  
Town does not have to take any actions; free two-week memberships; 50% off joiner fee (I don't see any reason not to do this).
- Level 2  
Payroll deduction set up for memberships (see if this is doable for the Treasurer's Office) and at least 10 employees need to participate; all of the above plus 10% of memberships, wellness challenges (we could do this if we had enough participants, but check with Treasurer's Office).
- Level 3  
Town pays 15% of membership's dues, payroll deductions, at least 10 participate; all of the above, no joiner fee, 15% off membership dues, etc.

The selling points for the program are to lower health insurance costs (that will work only if the entire Mayflower Municipal Health Group participates) and fewer sick days (thereby saving on overtime for shifts being filled due to sick days and reduce opportunity costs because employees are working not staying home sick). Seelig does not see the Town doing Level 3 but will Seelig will talk with Treasurer's Office about Level 2 and if not, will call the "Y" about Level 1.

Silver Lake Budget Meeting

Seelig reminded the Board of the potluck dinner at 6 p.m. and the budget discussion at 7 p.m. on this coming Thursday. Roy said that she will be attending.

Aerial Platform Formal Announcement

Seelig wanted on the record that the town received a award in the amount \$714,210 from the Assistance to Firefighters Grant to purchase a new fire truck.

Roy expressed that the Board was very thankful for the chief and his staff for taking the time to do this grant and that this was a tremendous gift.

Garron stated that a letter be sent to the Chief for his endeavors and that we are lucky to have such a great Chief.

Moved by Garron and seconded by Millias, the Board unanimously voted to send a letter to the Fire Chief thanking him for his endeavors.

Silver Lake Assistant Superintendent

Christine Pruitt is the new Assistant Superintendent at Silver Lake now. She previously served as a principal in Rockland.

Water Bond - Certification on Operation

Moved by Garron and seconded by Millias, the Board unanimously voted to sign required documentation certifying that the Town runs its own water system.

Handicapped Access to the Elementary School Fields

There was a recent conversation on Facebook concerning handicapped access to the playing fields behind the school in connection with this year's softball Summer Smash. Pete Barone did have a golf cart available to transport people who could not make it out there from the parking lots, but the cart is not available on an everyday basis. Seelig knows and agrees with the Town's concerns about allowing vehicles on the playing fields as it is not possible to monitor them every day to determine who should have access to the fields or if they have a handicapped card. He does not have a good solution and said that there are spots but need someone to monitor who parks in them.

Roy said yes there are spots at the tennis courts but you eventually need to go on the grass to get to the fields.

Cultural Council Resignation – Jean Pitts

Assistant Town Accountant, Jean Pitts, has formally resigned from the Halifax Cultural Council due to a conflict of interest.

Authorized Signatures

Moved by Garron and seconded by Millias, the Board unanimously voted that Kim R. Roy be an authorized signer for the Youth and Recreation Trust.

Moved by Roy and seconded by Millias, the Board unanimously voted that Troy E. Garron be the primary signatory for payroll and Kim R. Roy be the secondary signatory.

Water Tower Meeting

There will be a meeting on august 12<sup>th</sup> at 10:00 a.m.

Talent Bank Form from Bob Baker

Mr. Baker has submitted a talent bank form to serve on a number of committees including the Planning Board. The office will wait to hear back from the Planning Board.

272 Plymouth Street Sign

The Halifax Coin Shop sign is still up. The Building Inspector has notified the owner of the property stating that it needs to be removed by or about August 11<sup>th</sup>. The sign is still up as of today.

320 Monponsett Street Sign

The sign that covered over the old sign has been removed (it had nothing to do with the business that is there). The old sign, however, also does not have anything to do with the business and the Building Inspector has asked that it also be removed. This has been done.

Change of Status - Tom Millias - Retirement

Moved by Garron and seconded by Millias, the Board unanimously voted to have Roy sign the change of status form for Thomas Millias.

Water Tower Bond - Post-Issuance Compliance

Moved by Garron and seconded by Millias, the Board unanimously voted to sign the Water Bond agreeing that they will follow the Post-Issuance Tax Compliance Procedures.

Sarah Otten - Vehicle Damage Caused by Road Defect

Trident Insurance has denied coverage because of a number of factors (date of claim, failure to prove that any alleged road defects on Route 58 caused the damage, knowledge of driver about alleged road defects, etc.). No action needed by the Board.

Paint Disposal Bill

The Recycling Coordinator (Sue Johnson) recommends that the Board support S.408 which would set up a system so that people could bring back unused paint. Cost of the program would be covered through the cost of the paint. The American Coatings Association which represents 95% of U.S. paint manufacturers is in support of this bill. Seelig asked the Board if they wanted to support it.

Millias said that he does not think it works in the long run and it already is an expensive item. He thinks people will dump the paint anywhere rather than bring it back to the store for them to do.

Seelig said that Sue collects 500 gallons of paint to recycle and pays \$1,000 to do it. The Board will talk about this later this evening as Sue will be in to talk about the recycling fee.

S.972 - Reduce Municipal Labor Management Rights

The MMA is asking municipalities to contact their legislators asking that they oppose S. 972. This legislation would have a very negative impact on cities and towns and intrude on long-standing and widely recognized management authority

and rights. The bill will change the rules governing collective bargaining between municipal employers and public safety unions, in a way that would clearly disadvantage cities and towns and undermine the public interest. Millias is not in favor of it.

Moved by Garron and seconded by Millias, the Board unanimously voted to send a letter to our legislators asking that they oppose S.972.

#### Bond - Linda McCarthy - Assistant Tax Collector

Moved by Millias and seconded by Garron, the Board unanimously voted to authorize the Chair, Kim R. Roy, to sign the bond for Linda McCarthy as Assistant Tax Collector.

#### Resignation Planning Board Robert Piccirilli

Robert Piccirilli has resigned from the Planning Board as he has begun his service as Building Inspector.

#### Elementary School Attendance Officer Invoice

The Elementary School Committee had sent in a purchase order for an attendance officer. However, there is no attendance officer. The purchase order has been pulled and no action needed by the Board but the Town Accountant wanted to make sure that the Board was aware of this.

#### Use of HOPS Playground

The Well Church has asked permission to use the HOPS playground for a church cookout on Saturday, August 15<sup>th</sup> from noon to 3pm. Gas grills would be used. Playground would remain open to the public. The fire chief and Board of Health has restrictions concerning the grills that should be added to the permit. Youth and Recreation gave their okay but wanted it noted that the use of the playground is open to the public.

Garron asked where the church was located and Roy said at the Halifax Country Club and added that they have been helpful with HOPS.

Millias was concerned about the grills but as long as they adhere to the restrictions set by the fire chief he is okay as he does not want to discourage organizations from using public property for events.

Moved by Garron and seconded by Millias, the Board unanimously voted to grant permission to the Well Church to use the HOPS playground for a church cookout on Saturday, August 15 from noon to 3 p.m.

#### Problem Properties

##### *Hickory Road*

The owner said that she had not authorized usage of the property (some of the items were within the right-of-way) and would be contacting the Police Chief about filing criminal trespass charges. Seelig put up signs last week indicating that there was no trespassing and that since no one was authorized to use the property, all materials needed to be removed. He has checked the property and the chopped wood is all gone but the wood sheds and a trailer are still there and his signs have been taken down. The owner is aware of the problem and is in contact with the Police chief.

*Buttonwood Road*

The is no change at this location therefore Seelig would like to send a certified letter to the property owner indicating that the materials are within the right of way of the Town and that we will be checking back on September 8<sup>th</sup> to see if there have been any changes. If there are no changes and the Board feels it is necessary we can have the materials removed by maybe the Highway Department. The Board agreed that was fair.

*44 Hemlock Road*

The owner called yesterday and requested the Town give him until October 1<sup>st</sup> to remove the vehicles as they are in the process of obtaining the title.

Garron did not want to give them another month but is willing to give them two weeks seeing as they have already been notified two weeks ago. Roy suggested September 8<sup>th</sup> and Garron was okay with that date.

Moved by Millias and seconded by Garron, the Board unanimously voted to give the owner until September 8<sup>th</sup> to remove the cars.

**SCHEDULED APPOINTMENT*****COA and M&SBC – Discussion of COA Building***

Seelig began by saying that the Town obtained a grant of \$50,000 from the State for the construction of a new Council on Aging Building or to renovate the existing one and the idea is for us to move ahead.

Roy was pleased to say that the town has been given another great gift. She stated that in the past we have looked at other buildings for the COA and asked if there have been any formal discussions? John Campbell, member of the M&SBC, said no, we have not had any discussions but to renovate the existing building would be major renovations and cost about \$1.5 million. Seelig said the \$50,000 can be used for planning.

Roy said that whatever we go forward with, we need to get the feel of the taxpayers. Campbell said five or six weeks ago, they looked at the place where Morgans used to be. There are lots of possibilities; it was built 35-40 years ago; clean building; there have been lots of renovations; needs a new septic. There is the possibility that the owner will do all the renovations like Jack Doucette was going to do at the All Seasons (one purchase price). No matter what it will cost about 1 million dollars.

Joy Marble, COA Member, said that she was under the impression that if more money is available we can add to the \$50,000.

Roy said that a couple of years ago we hired an architect which cost \$10,000 and we never finished with him. Campbell said they can look at it some more, but where else can we go?

Roy said she is not thrilled with the old Morgan site and understands that Pope's Tavern is old, but it can be wonderful as we still will have an historical building outside and inside it will be a new building with new wiring; and have everything from soup to nuts.

Campbell said five minutes before the 2014 Town Meeting the Board of Selectmen and Finance Committee backed down and dropped the ball regarding the COA Article so this time we need to be on the same page.

Roy stated that was not the only reason why it failed. It didn't help but the Board of Selectmen did support it and she does not want to see it fail again.

Garron said we have built schools and baseball fields for the younger people of the town to use and then they are the ones who leave the town. It is the seniors who stay.

Millias thinks people would be more supportive if something is done at Pope's Tavern. The people were not in support of All Seasons because they thought that they would be taking from the tax base. We need to pick something that is doable and makes sense. The purchase of the All Season got out of control. Let's take a look at Pope's Tavern and see what can be done.

Sharon Hartz, resident and COA member, said when this was going on she started to think "how am I going to afford this?" so personally she would like to see what can be done at Pope's. She understands the young people cannot afford it either.

Josephine Schofield, resident and COA member, is concerned about the septic and parking at Pope's. This is a place that the elderly come to enjoy themselves and she likes going there. Roy said that the seniors are due to have their place and wants them to have a nice one, and not *Mickey Mouse* the building.

Another resident stated that this place provides social services for residents and they need privacy.

Marble asked why renovate knowing it is going to cost a lot of money and get it shot down. She asked if there was any town property available, or maybe do a joint center with Plympton? Roy said we never brought renovating the building to the taxpayers and if she wanted to check with Plympton, that is fine.

Garron said we have done numerous projects throughout the years and the taxpayers always said they cannot pay but the projects do get passed. Roy said there are lots of reasons why the project did not pass and that they need to get a plan going.

Campbell pointed out that you need to be on board six months before Town Meeting.

A question was asked from the audience that if we decide to do Pope's Tavern, do we have to spend more money for plans and Roy said no. Seelig again said the \$50,000 can be used for the renovation of the Pope's Tavern.

### ***Town Accountant, Highway Surveyor & Recycling Coordinator – Recycling Fee Discussion***

While trash collection and bulky waste continue to generate a surplus, recycling activities lost \$18,000 in FY2015 compared to a little under \$9,000 in FY2014. This is the third straight year that recycling activities has lost money. Receipts from the sale of recycled materials was down about \$3K, center expenses were up \$4K, and office expenses were up \$2K. The number of bills that will be sent out for FY2016 will be 3,010. To cover the deficit, the fee will need to increase from \$38 to \$44. The Board will also need to consider increasing the fee some additional amount to set aside money for the next new truck years from now along with any capital planning projects for the center.

Town Accountant, Sandy Nolan, said that we have spent a lot of money from Recycling to purchase a new truck and windows at the Center and have spent money from retained earnings therefore we are proposing to raise the fee to \$50.

Millias understood why it was reduced last year but did not think it was a good idea.

Nolan further explained that the cost of recyclables is going down and to get rid of it is costing more. We are losing money in many areas. There are projects that need to be done at the Center such as concrete slabs under the dumpsters and the parking lot.

Recycling Coordinator, Sue Johnston, said that when we go single-stream it is going to cost us more to get rid of the recycling. Nolan said we are going to wait on purchasing the new barrels because we can still use the old barrels with the new truck and maybe in time the retained earnings can help subsidize the cost. Also there is a grant that will help to purchase them.

Roy asked if a cover letter could be included with the bill as to why the recycling fee has increased and Millias suggested explaining also what single stream means.

Garron suggested having those slips available for the residents when they go to the Recycling Center.

Nolan said the bottom line is if we do not raise the fee and keep the retained earnings at a healthy level it could end up that the taxpayers would have to subsidize the recycling program.

Based on the recommendation of the Town Accountant and the Recycling Coordinator, moved by Garron and seconded by Millias, the Board unanimously voted to increase the recycling fee to \$50 for Fiscal Year 2016 and include a letter with the bills explaining the increase.

In closing Millias said he did not think they had an option.

### ***Paint Disposal Bill***

Sue Johnson explained that the consumer will pay an extra 25¢ to 35¢ when they purchase paint. Garron questioned that the residents can go to the hardware store or Lowe's and they rid of it for free and she said yes.

Millias pointed out the more difficult you make it for people the more they'll dump it in their back yard.

Garron then asked if the law been passed and Johnson said no, but are looking to pass it. She said it is very expensive for us to get rid of the paint and we will no longer have to deal with it.

Roy supported the bill. Millias said he does not see it working out if the major retailers do not participate. Johnston said the small businesses will benefit because if they bring in the paint, then they will get the foot traffic in the store and they may buy something while in there.

Moved by Garron and seconded by Roy, the Board voted as follows to support the S.408 Paint Recycling legislation:

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



**GENERAL MAIL / DISCUSSIONS (CONTINUED)**

Halifax Trails

The ZBA has granted a six-month extension for the variance associated with the project. The developer will need to move the project along because a second extension cannot be granted.

Talent Bank Form - Halifax in Lights

Theresa Levenson is interested in serving in the Halifax in Lights committee. Seelig suggested meeting with her and the other committee member September 8<sup>th</sup> to appoint her and talk with them about the 2015 and 2016 editions.

Council on Aging Thank You

Dianna Umbrianna wrote to thank the COA for providing her with transportation for hr medical visits to Boston. The Board asked that a copy of the letter be given to the COA.

Off Duty Firefighters Assisting an Accident

Chief Viveiros wanted to recognize Firefighters Derek Coveney and Adam Flaherty for assisting an accident while off-duty on Route 44 in Plymouth. Letters have been sent to both firefighters recognizing their efforts.

Cemetery Deeds

Moved by Garron and seconded by Millias, the Board unanimously voted to sign three cemetery deeds.

Special Town Meeting

Seeing as the Town has received a grant for a new fire truck the wording of the article that was in the warrant of Annual Town Meeting (May 2015) for the truck is no longer appropriate. Seelig is recommending that the Board hold a Special Town Meeting on Tuesday, September 8 at 7:30 p.m. in the Multi-Purpose Room with an article reading:

To see if the Town will vote to transfer the sum of \$100,000 from Article 45 of the Annual Town Meeting of May 11, 2015, for the Town's matching share of the Assistance to Firefighters Grant for the purchase of an aerial firefighting platform/vehicle along with all associated costs including but not limited to renovations to the Fire Station to accommodate the vehicle, the training of members of the Halifax Fire Department in the use of the vehicle, and travel expenses to monitor the manufacture of the vehicle, inspect it, and transport it from the manufacturing facility to the Halifax Fire Department or take action thereon.

If the Board decides to hold a Special Town Meeting, the Elementary School Committee has requested that the following article be placed on the warrant:

To see if the Town will vote to transfer (about \$11,000) from Article 30 of the Annual Town Meeting of May 11, 2015, towards the purchase of a replacement telephone system at the Halifax Elementary School or take any action thereon.

In addition, the change as to how to fund the fire truck leaves money in the old article. The Board will need to decide whether to place an article on the warrant that might send the remainder back to the taxpayers:

To see if the Town will vote to transfer the sum of \$60,000 (approximately) from Article 45 of the Annual Town Meeting of May 11, 2015, to be used to reduce the tax rate or take any action thereon.

There is a conflict the School is that there is a School Committee meeting that night and Board of Selectmen has a regular scheduled meeting.

Moved by Garron and seconded by Millias, the Board unanimously voted to hold a Special Town Meeting on September 8<sup>th</sup> at 7:30 p.m.

Moved by Garron and seconded by Millias, the Board unanimously voted to open the warrant.

Moved by Garron and seconded by Millias, the Board unanimously voted to place the fire truck article on the warrant.

Moved by Millias and seconded by Garron, the Board unanimously voted to place the article to reduce the tax rate on the warrant.

Moved by Millias and seconded by Garron, the Board unanimously voted to place the article to replace the telephone system at the elementary school on the warrant.

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

#### Junk Cars on Thompson & Summit Street

An anonymous resident wrote with a list of properties with apparently junk vehicles including some with just one junk vehicle on the property.

The by-law states:

No junk motor vehicles, as defined herein, shall be parked or stored on any lot in any district other than in a completely enclosed building, provided that one (1) such vehicle may be kept behind the building line of the principal structure in any side or rear yard which cannot be viewed from a way, public park or public beach.

With properties with one junk vehicle, the vehicle must be placed so as not to be seen from the road. There are a large number of properties that are in violation of this by-law, but Seelig has not tried to actively enforce it. However, with the complaint he is bound to follow-up on it.

Seelig will look into this and bring back to the Board on September 8<sup>th</sup>.

#### Public Records Act

The Legislature is discussing various proposals about the public records law. Seelig's understanding is that the discussion will continue into September, but the Board may wish to state its views. Board will re-visit this on August 18<sup>th</sup>.

#### Monponsett/Brockton Dam

Seelig sent letters to Brockton Water Commission, Mayor Carpenter, and the Brockton City Council. If he does not receive any replies by August 11<sup>th</sup>, he plans on trying to set up a presentation about the Brockton Dam at the Brockton Public Library.

He also will also check with OCPC and possibly the MetroSouth Chamber of Commerce about available meeting spaces. Seelig is talking with the Director of OCPC to reserve a space at the Brockton City Hall.

#### Bids on Surplus Vehicle

Roy asked when the town would be accepting bids for the surplus vehicles as someone inquired about it. Seelig said he will start the bidding process before he goes on vacation.

#### Stickers on Used Cars – Lemon Law

The Town Clerk received an email from Consumer & Business Regulation regarding the Massachusetts statutes and regulations that require dealers to affix “Used Vehicle Warranty Law” notice to the windows or dashboards of used vehicles they have for sale. They found that after conducting an audit to assess the rate of compliance that only 52% of used car dealers had put these stickers on the cars. As an effort to ensure that the towns comply with this law the Office of Consumer Affairs & Business Regulation is asking that the licensing authorities inform dealers in their town about this responsibility. Seelig stated going forward when renewal time comes up this will be a condition that if Class II license holders have not complied with this requirement their license will not be renewed.

#### Road Cut – 14 Lake Street

Moved by Garron and seconded by Millias, the Board unanimously approved Permit #2016-05 issued to Columbia Gas of Massachusetts for a 2’ x 2’ ± road cut, 3± deep to blow out test box/retrieve wires at 14 Lake Street.

#### Live Entertainment – Our Lady of the Lake

Moved by Garron and seconded by Millias, the Board unanimously approved Permit #2016-06 issued to Kenneth Corti for live entertainment at Our Lady of the Lake Church on September 13, 2015 from 11:30 a.m. to 3:00 p.m.

#### Use of Town Green – Generations

Moved by Millias and seconded by Garron, the Board unanimously granted the *Generations* the use of the Town Green on Saturday, September 26<sup>th</sup>, from 9:00 a.m. to 2:00 p.m. for a community yard sale.

#### LED Sign

The sign will be delivered this Thursday. The plant that is in the way of the sign will be taken care of.

#### **MEETING ADJOURNED**

There being no further business, moved by Millias and seconded by Garron, the Board unanimously voted to adjourn the meeting at 9:30 P.M.

-----  
Thomas Millias  
Clerk

/pjm