

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, SEPTEMBER 22, 2015– 7:30 P.M.
SELECTMEN MEETING ROOM

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

Chair announces that the meeting is being 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, September 22nd, was unanimously approved without revision.

MINUTES

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

Regular Session – September 8, 2015
Regular Session – September 11, 2015

AFFIRMED COMMITMENTS AND WARRANTS

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

Withholding Warrant	# 22	\$ 117,957.26
School Warrant	# 23	\$ 300,048.46
Vendor Warrant	# 24	\$ 223,202.52
Ambulance Commitment	# 8B	\$ 20,825.17

APPROVED COMMITMENTS AND WARRANTS

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

Payroll Warrant	# 25	\$ 341,082.86
Vendor Warrant	# 26	\$ 499,848.83
Withholding Warrant	# 27	\$ 132,872.83

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

Dannie L. Brown Jr. Electric (LED sign).....	\$ 1,715.00
W.B. Mason (ink cartridge).....	\$ 28.61
Attorney Lawrence P. Mayo (legal services/August)	\$ 487.50
Beth Israel Deaconess Ply. Occup. Health (4 physicals/fire).....	\$ 1,435.00
Express Newspapers (3 job ads)	\$ 159.20
Deutsch Williams Brooks (legal services/August)	\$ 1,262.50

Roy wanted to mention to the public that they had some unexpected issues with the sign and are waiting for a part. She stated that the messages will not be blinking and the lights will be white.

She also mentioned that The Fire Chief will be going on vacation and will have coverage while gone. Also the Fire Department will be putting on golf tournament to raise funds to purchase equipment for the Department.

GENERAL MAIL / DISCUSSIONS

Brockton Holiday Parade

Mayor Carpenter has invited all communities in Plymouth County to participate in the parade on November 28th with a float, band, etc. Seelig can pass this along to the departments, Holidays in Halifax and Silver Lake. Roy asked if anyone was interested or had any ideas.

Chapter 40B - Blackledge

Roy stated that ZBA has provided various departments with a detailed list of the exemptions and waivers requested by the developer. In Seelig's notes he is recommending that the Board submit their concerns to the Administrative Assistant who can forward them to the ZBA. Roy asked Millias if he had a chance to look at it and he said very briefly and she said that they can let Seelig know.

Monponsett Pond Bacteria

In Seelig's notes he wanted the BOS know that after Health Agent, Cathy Drinan, replied to the earlier e-mail from Hanson's Ocean Avenue residents about the algae problem, she received another response, this one suggesting that the 1964 legislation be revised.

Update with DEP

Roy began by saying that some progress has been made and that our hope was to have DEP help get them to open the dam gate. The legislation is very gray. They are looking at ways to get the gate open but opening the gate is not going to solve all the algae problems, however will help some to get the water flowing. If we open the sleuth gate it may bring down the pond to a level where Brockton could not pump. Brockton was invited, but could not make it therefore DEP is going to try and meet with them as they want to work with them. Brockton needs to see the state of urgency, and just to have them be a part of the momentum would be a positive thing.

Garron thanked the Watershed Association and Kim for all their help.

Roy said last week when the Lt. Governor was here to sign the Community Compact she asked if she could take a look at the ponds so Roy took her to the ponds and after seeing the ponds she was concerned as well as being able to smell the odor coming from the ponds.

SCHEDULED APPOINTMENTS***Robert Bergstrom – Mudfest Event***

Mr. Bergstrom wanted to bring up the idea of having a bonfire the night before the Mudfest for the crew and staff sort of a meet and greet. He was thinking of having it run from 1 pm to 9 pm. Garron was concerned about the noise factor with the neighbors and Mr. Bergstrom said that he has spoken to the Police Chief and understands there is a noise ordinance until 9:00 p.m. Roy thought about the extra traffic as they would be lots of comings and goings.

Mr. Bergstrom wanted to explain that at one of the previous events a resident asked a driver to reeve it up but that was stopped right away. Chief Broderick said that the one day events have been great and there have been no problems. Chief Viveiros said he has spoken with Mr. Bergstrom and they have worked things out. For this event Mr. Bergstrom said that he will go door-to-door to notify the neighbors about it the event.

Garron asked that the burn area for the bonfire is maintained and Mr. Bergstrom said there the fire pit will be dug in the ground. He went on to say that typically these Mudfest events are two-day events and this is still a thought as he wanted to get the feel from the Board of Selectmen and is not for this event (November 2015) but maybe in the future.

Millias said he had the same concern as Garron with being careful with the fire and the neighbors and Mr. Bergstrom said that he would do a drawing of where the fire would be.

Garron had no major issues of a bonfire as long as the Chiefs are on board.

Millias asked what he did for signage and Mr. Bergstrom said that he places a sign at the end of the Hemlock Lane; one across the street and there is a banner at Dave's Automotive.

Moved by Garron and seconded by Millias the Board unanimously voted to approve a live entertainment permit for the Mudfest event to take place on November 8, 2015.

In closing Mr. Bergstrom said he will get some gather some information about the *2 day event* and get it to the BOS. If the Board does not see him at their next meeting that means he will not be doing it this year but may do it for his spring/summer event.

Trisha Thomas – Dog Hearing

At 8:00 p.m., in accordance with MGL Chapter 140, Section 157, Roy opened a hearing to address an incident where a dog owned by Trisha Thomas bit a nine year old girl on the face. The hearing was held at the request of the Board of Selectmen.

The following individuals were present and sworn in by Notary Public Pamela J. McSherry:

Trisha Thomas	Dog Owner - 10 Harvest Lane
Michael Thomas	10 Harvest Lane

Roy:

So according to my notes we don't have the official forms I typically would have in the document and so we had an event that you're one year old ...

Garron: One and half year old

Roy: Dog scratched and bit a nine year old.

Trisha Thomas: We actually don't know if it was a scratch or a bite

Roy: Okay

Trisha Thomas:

It's my niece and she's seven and nobody was out there. My cousin was our deck is kind of a "L" shape so my cousin was sitting at the table facing like out towards the pool and my daughter was sitting facing the door. My niece came in the house went out on the deck and the door slammed the dog got up and then my daughter screamed "Julia" and Julia screamed "Katelyn" and they went over and they were jumping and hugging and something happened with the dog and my cousin said he heard my niece kind of scream like something and he jumped up and he turned and he said all he saw was the dog like just standing two feet away staring at them wagging his tail. So we don't know I mean she did end up ya know getting some marks on her face. She had ah

Michael Thomas: stitches

Trisha Thomas:

Ya she did have four stitches but nobody really saw I mean nobody saw what happened. There was no barking there was no growling. I mean the dog is ...

Michael Thomas: She'd been around a couple of times.

Garron: So how long have you had the dog?

Trisha Thomas: We've had him since he was nine weeks.

Millias: and how old is you dog now

Trisha Thomas:

He's one and a half. He's just barely sixteen months. We bought him from a breeder. A very reputable breeder. I did a lot of research on this particular breeder on this breed. I don't know. I mean the ironic thing is we had called the trainer just because um even commands ya know with my kids he doesn't listen to them when they tell him to sit he kind of looks at them like whatever. So I had called a trainer and was kind of just delaying sending him and then this happened. So now he's officially going to boarding school for a week.

Garron: How tall is you're nine year old?

Trisha Thomas: She is 48 inches cuz she exactly Katelyn's

Michael Thomas: Ya right around ya

Garron: So the dog stood up on its hind legs so it easily

Michael Thomas: Get scraped

Trisha Thomas: and he's a hundred pounds

Garron: Were there bite mark under the chin?

Trisha Thomas: Nothing

Garron: Any marks on the chin or just on the cheek?

Trisha Thomas: It just looked like it was scratched down something hooked

Garron: Because if it had bit her

Trisha Thomas: There would have been

Garron: A distinct marks on both.

Michael Thomas:

There was nothing under the chin actually the doctor I think asked (inaudible).

Trisha Thomas: Ya and again

Michael Thomas: And the dog officer asked the same question.

Trisha Thomas:

And the trainer cause the trainer was out. There was just scratches and then something like ...

Garron: From one of the dew claw something got caught

Millias: It wasn't a paw or something?

Trisha Thomas: ya

Garron:

Well you have the dew claw in the back is sharp it (inaudible) wear down.

Trisha Thomas: I mean he's never

Garron: How's she doing now?

Trisha Thomas: How is she doing?

Garron: ya

Trisha Thomas:

I mean she's fine. It's healing and my sister said when they went to the hospital the doctor said if we don't stitch it it would more obvious she said if we just stitch it then with anything its gonna be like a hair line so it wasn't something that was so wide there was no option.

Garron: So she'll still be in Miss Americas contest next year

Trisha Thomas: She still will be.

Garron: That's important

Trisha Thomas:

And this is a dog we've taken him to groomers like we're last minute like this dog needs a bath we'd call four or five different Petcos take him in no one's ever said he was aggressive he's snapped nothing. I mean he's

Garron: This is not the first time he's been around a lot of people?

Trisha Thomas: No

Michael Thomas: No. Especially her she been over the house several times.

Trisha Thomas:

No ya. I mean we do we have 10 x 12 kennel in the backyard and all summer when kids had friends over I always just locked him in the kennel I mean he's fine there he's got his house but just kind of just knowing dogs they get excited with noises. I've always locked him in there and I don't even know why he wasn't in there that day. I I I don't know.

Millias:

It's funny I keep I was thinking back to when my daughter was eight nine years old there isn't anything louder than a couple of eight or nine year old girls when they start screaming.

Trisha Thomas: And jumping and hugging

Millias: And jumping. I can see the dog getting excited.

Garron:

Especially if it sitting there wagging its tail like that. Ya know what I'm saying

Michael Thomas: Ya

Trisha Thomas: um hum well ya I I. Listen I've been sick over it I mean ...

Garron:

Well you've answered several of my questions that you do have a containment area for kennel

Trisha Thomas:

Our yards all fenced in too we have it completely fenced in and he's got the separate ...

Garron: Have you now arranged to send the dog for training?

Trisha Thomas: Yes

Garron: Okay

Trisha Thomas he's' going October 13th to the 20th and he'll live with the trainer

Roy: Oh

Millias: Perfect

Trisha Thomas: Ya

Garron:

Will the trainer be working your daughter or your son also when the dog comes back?

Trisha Thomas: When he comes back ya.

Michael Thomas:

They do four or five sessions of training with you once the dog returns and then they provide a lifetime guarantee.

Garron: But that's important a lot of trainers don't do that

Trisha Thomas: Ya I know

Michael Thomas:

Well they have a lifetime guarantee like if you have an issue dog they'll come back at any point in time like if it's a year for now or two years from now to go over anything else you need to go over.

Millias: And no previous incidents?

Trisha Thomas: Ya no

Roy: It's terrific that he will take him for the week and really have time to access.

Trisha Thomas:

Ya. They'll be three dogs he said they try to group them with like dogs with the same age of the same kind of issues and the trainer seemed to feel like that he just too big for those puppy behaviors. I mean to ...

Garron:

So Weimaraners are very high spirited dogs because they're breed to hunt and they need the room to exercise around. My brother owned two of them for many years so.

Trisha Thomas: They're good dogs

Garron: There a good dog but and they're very dedicated to only one or two people.

Michael Thomas: Ya

Trisha Thomas: Ah hum

Garron:

So that's why I asked whether that you train with the kids too because if they're dedicated listens to you cause he listens to the voice and a different voice they looks that's my height I don't know what's up.

Trisha Thomas:

Well he listens to my seven year old it's my eight and ten year old he does he's like whatever. My seven year old she tells him to sit and he sits.

Michael Thomas: And she's loud

Trisha Thomas: Ya she is loud he's afraid of her.

Garron:

Well it sounds as if I think that based on what I've heard here even though it's something that has been taken care of but I still I think we still should issue a warning that we do have a leash law in town the dog to be under control by someone an adult at all times so it's not to cause any further injuries. It sounds like the dog jumped up and scratched her.

Trisha Thomas: Ya

Michael Thomas: Ya

Trisha Thomas:

That's the only thing that makes sense to me because I've never ...

Garron:

Well if he had bit her especially a small face that whole chin would have been ... inaudible

Trisha Thomas: Ya

Garron: Not just a scratch but there would have been a rip.

Trisha Thomas:

Ya and that's what the trainer seemed to think too. I thought the dog officer was gonna to be here I had spoken to two of them one of them came out and saw the dog and they took him off the quarantine.

Garron: Well we have the police chief here.

Trisha Thomas: Oh okay.

Garron: Just in case you guys get out of hand.

Trisha Thomas: Well that's better.

Chief Broderick:

I apologize we don't have the paperwork I know I know the report was done and I can apologize for not having it for the Board.

Garron: I have, I have, I have a typed report here.

Roy:

Ya but it's but it's, what happened was the bite occurred when Noreen was on vacation.

McSherry: Noreen did do up a letter.

Roy:

Right so we have a letter from Noreen but it wasn't logged in the police it wasn't in ...

Chief Broderick: I thought she did the Board's form

McSherry: In the questionnaire

Roy:

The call was not logged like it typically would with IMC. That format wasn't here.

Chief Broderick: Okay

Roy: Ya no big deal we have all the information that we need.

Garron:

Well as I was going to state it seems as though we have some very responsible individuals unfortunately not everybody comes before us to do the type of thing you're doing. I would say that we send a letter to them about the leash law and the fact that the dog be under some kind of control with adults and that all times unless something come forward and list if there further incidences then we'll review it again.

Roy: Keep doing what you're doing

Trisha Thomas: Okay

Roy: Good luck with dog school

Garron: What's the dog's name?

Trisha Thomas: Brody

Millias: Brody, ya.

Garron: That's why the dog jumped up, no

Roy: No and that's a motion

Trisha Thomas: My daughter named him.

Roy: Is that a second Tom

Millias: Oh I'm sorry yes that's a second

Roy: Any further discussion?

Garron: No

Roy: All those in favor

Millias: Aye

Roy: Aye

Garron: Did you consult the dog before you gave him the name? Aye

Trisha Thomas: No

Roy: Thanks so much for coming in

Trisha Thomas: Thank you.

Garron:

That's why I call it a people hearing because the dog really can't do anything that people don't allow them to do. Thank you.

Roy: Good luck.

Millias: Good night.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

471 Monponsett Street

The Fire Chief has sent Seelig a photograph showing that the fire hydrant by the above property has been blocked again along with tires that are accumulating. Seelig went by Friday and nothing had changed therefore he is recommending that a certified letter.

Roy said that we have talked about this property quite a bit, letters have been sent and nothing changes.

Garron thinks a certified letter should be sent and said that the homeowner has put up a fence but you can still see behind it.

Millias said he has given these people every opportunity and the hydrant has been blocked numerous times, nothing has worked. We have given them every opportunity, we have been kind, and nothing has been done.

Moved by Garron and seconded by Millias, the Board unanimously voted to send a certified letter saying that fine are going to start to be assessed.

A-Plus in Middleboro

Seelig is waiting to hear back from the Middleborough Health Department about the status of complaints from residents in Middleborough and Halifax about odors coming from the facility. Garron asked if our Health Agent been out there and Roy said we could ask Seelig. Chief Broderick said that he has been out there and the piles have been cleared.

Monponsett/Brockton Water Department Budget

In August or September, the Brockton City Council approved a budget for the Brockton Water department. Brian Creedon said that any money for work by Brockton at Monponsett Pond would be in the "Water Enterprise EPA/DEP Mandates". The FY14 budget had \$70,000 and the FY15 budget had \$139,800, which neither of these amounts included any money for Monponsett. The Water Department requested \$70,000 for FY2016 (same as FY14 but less then FY15) and the City Council cut this line item down to \$20,000.

The City Council, according to Brian Creedon, is considering an increase in the water rates for Brockton. If it approves the increase, then it may consider increasing this line item. If that occurs, some money may be available for Monponsett but nothing will happen until the Water Commission develops a five year work plan for all operations of the Water Department.

Seelig recommends that the Board send a letter to Mayor Carpenter, the Brockton City Council and the Brockton Water Commission requesting that the FY16 budget be revised to include a separate line item (\$500,000) for improving the water quality of Monponsett Pond so that there are no pond closings or advisories, since this is a primary responsibility for the city in connection with the diversion of water from Monponsett Pond. Roy said that they can open the gate to the dam, which does not cost any money to do.

Agricultural Commission

One person has sent in a talent bank form so far. Seelig will invite her and anyone else who indicates any interest to meet with the selectmen on October 13th. Roy said that she has reached out to Terry Carman and she was unaware that we were asking and will apply.

State Primary Election Warrant

Moved by Garron and seconded by Millias, the Board unanimously voted to sign the State Primary Election warrant.

Surplus Vehicles/Police and Fire

The Police Chief would like a 2014 Ford Explorer and 2007 Ford 500 Sedan declared as surplus. The Fire Chief would like the 2014 Ford Explorer to replace the 1986 Chevy Blazer and the 2007 Dodge Charger. Millias asked if there were and expenses needed for the Explorer and Chief Broderick said no.

Moved by Garron and seconded by Millias, the Board unanimously voted to declare the 2007 Ford 500 Sedan and the 2014 Ford Explorer Utility as surplus.

Moved by Garron and seconded by Millias, the Board unanimously voted to replace the 1986 Chevy Blazer and the 2007 Dodge Charger with the 2014 Explorer Utility.

Finance Committee Resignation – Peg Fitzgerald

The Board received Peg Fitzgerald's resignation from the Finance Committee. Garron regretted accepting her resignation and suggested that a certificate be given to her citing the many years she has served. Roy added that she was so instrumental to this Town and Millias said that the Town would not be where they are without her efforts. Garron hopes people realize all she has done and if they see her to thank her.

Moved by Garron and seconded by Millias, the Board unanimously voted with regret to accept her resignation and that a letter and certificate be sent to her.

SCHEDULED APPOINTMENTS (CONTINUED)

William Kelly – Assistant Building Inspector Interview

Building Inspector Robert Piccirilli is recommending that William Kelly be appointed as the Assistant Building Inspector.

The Board asked Mr. Kelly to tell them a little bit about himself and he began by saying that he grew up in Pembroke and moved to Halifax ten years ago. He is raising his kids here and said that Halifax is a nice town where he plans on staying. He continued to say that he has been doing construction for thirty years and has been approved by the State to be qualified for a position of Local Inspector and would like to pursue that.

Roy stated that he had a very impressive resume and pointed out that he has been a call firefighter for 29 years in Pembroke. Roy asked if he had the time to do this and he said he does and feels that he can be an asset to the Town.

Millias said that he has gotten to know Bill and he is very qualified for this position. He has the ability to communicate with people and the demeanor to serve the Town.

Mr. Piccirilli said that he had the opportunity to interview him and is very qualified for the position.

Roy mentioned that he is involved with the Boy Scouts here in town and he said that was correct.

Moved by Millias and seconded by Garron, the Board unanimously voted to appoint William Kelly as the Assistant Building Inspector, with a term to expire June 30, 2016.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Site Plan Review – 640 Plymouth Street

The Board was given site plans (for a garage) to review for the above address, vacant land at Curtin Oil. Comments are needed by October 15th. Seelig is concerned about the traffic seeing as the site is one lot away from Thompson Street and Cranberry Drive is just west on the other side of the road.

Garron did not think that there would be more traffic and Millias added that this will give shelter to his trucks.

Cable Compact/Revised Agreement

A revised agreement incorporating Plympton into the Compact needs to be signed by the Board.

Moved by Garron and seconded by Millias, the Board unanimously voted to sign the grant agreement between Carver Community Access Television, Inc. and the cable television license issuing of the Towns of Carver, Halifax and Plympton regarding a three town regional access corporation.

Fuel Storage Permits

Kozhaya Nessralla has not renewed his fuel storage permits but The Halifax Country Club has. Seelig plans on setting up a revocation hearing for the Mr. Nessralla permit on October 13th.

7 Autumn Lane

John Drolette was scheduled to come in this evening but called the office this afternoon to say to he would not be able to attend.

Seelig's Notes

Eastern Bank refuses to discuss the disposition of the property citing privacy laws. That leaves the Town going down two roads which can be done at the same time:

- 1) Contact Jake Development and request a status report/update/schedule for finishing work on the lot and the subdivision. I think that this is pro forma simply because if anything was going to happen it would have, but it is good to have this on the record.
- 2) Contact counsel (land use and/or Attorney Mayo) on whether the Town can successfully sue Jake Development. The Town continues to "hold" 7 Autumn Land (Map 25, Lot 12A) and Jake cannot develop it until it completes the infrastructure/road work, probably amounting to \$100,000 or so. The Town does not want the lot (it is worth \$137,600) because, I suspect, we'd get into eminent domain issues and there is no certainty that anyone will pay this price for the land. The suit probably would need to be on the basis of Jake Development failing in its obligations to complete the work on the subdivision in a timely manner, leaving the Town with the responsibility of completing the work. The Town would want the money necessary to complete the work along with the transfer of ownership of the right-of-way so that the Town could legally spend the money from Jake Development.

Settlement in this fashion would not include development of the lot and any abutter who felt harmed by the lack of development, the erosion on the slope, etc., would have to file a separate suit against Jake Development for damages to the value of their own property.

But, the initial question to counsel would be whether any of this is possible and whether the Town has a realistic chance of winning such a suit. In addition, my guess is that the Town will spend in the low five-figures pursuing the suit (I'm not sure whether the town can include these costs in its request for damages.)

Seelig is not concerned about the long, drawn out process of a suit since it has been a decade since the subdivision plan was approved. But even if the Town wins, a second suit might be needed if Jake Development does not come up with the cash.

Garron said until the person fixes the road, we really cannot do anything unless we contact Town Counsel.

Millias said the owners don't want to get involved and the Bank does not want to foreclose because then the property would be theirs. He suggested contacting an attorney to see what the Town's options are.

Dog Bite - 16 Ocean Avenue

A hearing will be set up for October 13th for the above incident.

Chapter 90 Forms

The Board needs to sign the Chapter 90 Report and Reimbursement forms for work that has been done on Route 58 this past summer. Millias had some concerns with a couple of manhole covers and asked to check with the Highway Surveyor to make sure they are okay.

Moved by Garron and seconded by Millias, the Board unanimously voted to sign the Chapter 90 forms have the Selectmen Assistant ask the Highway Surveyor if he has gone over the road completely.

OCPC/Local Technical Assistance/Halifax Internet

As part of a local technical assistance grant, OCPC looked at the feasibility of the Town constructing its own Internet service. Seelig plans on talking with OCPC about this and coming back to the Board in October. Copies of the report were given to each BOS.

OCPC/Business Marketing Strategy

OCPC also produced a report about how the Town can assist current businesses and attract new businesses. Copies of the report were given to each BOS to be discussed at the Board's meeting on October 13th and then if there are interested parties have them come in on October 27th.

Campaigning and Fundraising at Recycling Center

Seelig asked Town Counsel to analyze this issue because of a request from a staff member of one of the candidates running for the state senate seat. His initial reaction was to prohibit it as he believed that there is safety and liability issues given how restrictive the space is at the recycling center (lots of moving vehicles within a small area and if something happens the Town will be paying the cost).

This past weekend there was a table at the recycling center gathering signatures for a state referendum campaign. Seelig was not contacted about this and does not know if Susan Johnston was.

Earlier this week, the Monponsett Watershed Association asked about having a membership/fundraising table on a Saturday in October.

Seelig feels the Board should approve a formal policy following one of the following two paths:

- a) Everything should be prohibited and all staff informed of this
or
- b) Everything is allowed but that campaigners, whether candidates, staff, people gathering signatures, etc., fundraisers, etc. have assigned area at the center and are not allowed to engage in activities outside that specific area. The Board may want to have anyone who wishes to campaign or fundraise at the recycling center, notify the recycling coordinator no later than 72 hours before the date and sign a release form, holding the Town harmless from any losses suffered by the campaigners/fundraisers and indemnifying the Town for any losses caused by the campaigners/fundraisers.

Seelig would prefer “a” and is aware that it might involve some negative reactions but is okay with “b” however, the Board of Selectmen and/or the Highway Surveyor will need to write up a written policy that the staff can enforce.

Garron said that he has seen fundraising down there and they have never come before the Board. He thinks there should be rules as to where they stand. He suggested checking the law and Millias agreed. Millias asked if they have the right to do this and if so, we cannot say one can do it but others cannot and suggested maybe not have individuals being approached but have them go to the table themselves.

Roy liked the idea that they sign disclosures and she said that the town by-laws say that permission to use town property must go before the Board of Selectmen. She said that the Highway Surveyor should be involved in this and Millias agreed.

The Board would like Seelig to check to see what the law allows people to do on public property.

SCHEDULED APPOINTMENTS (CONTINUED)

Chief Broderick – Personnel Issue

The chief said that he has been approached by the Unions and asked if he would be willing to put a particular officer on as a Special to do only details. He wanted to let the Board of Selectmen aware that he is entertaining this thought and will be getting something together the next few days and meet with the Board of Selectmen at their next meeting.

Garron asked if this was opening Pandora’s Box and the chief said this is a one-time deal and is not setting precedence. He is okay with having this person come on and wanted to get the Boards feeling on this. Garron said he would like something in writing from the Union and the chief said that was not a problem.

Roy asked what the positive side would be for his department and the chief said that they are still catching up as it has only been a couple of weeks since having a full staff. Roy said if it is approved by the Board of Selectmen, we want to put in motion exactly what this Special would be doing.

The Board thanked him for coming in to let them know of his intentions.

Patrol Officer Fundraiser

The Halifax Patrolmen’s Association is currently running a fundraiser. Residents in the area have been, and will continue to receive phone calls pertaining to the fundraiser, until its completion. Any questions/concerns can be directed to Officer Schleiff.

GENERAL MAIL / DISCUSSIONS (CONTINUED)**Route 58 Boat Ramp Closing**

Seelig has talked with Jack Shepperd of the MA Office of Fishing and Boating Access who said that given the conditions in West Monponsett Pond and that the Board of Health has officially closed the pond for recreational use, the Town can shut off the boat ramp on Route 58 (along with the boat ramp at 4th Avenue off Lingan Street). Sawhorses will have to be put up and a press release sent out. The Board of Health is okay with this. Roy mentioned that there have been advisories placed at the boat ramp.

Seeing as Chief Broderick was in the audience he was in the loop about the closings. Roy asked the chief if there were any fishing derbies coming up as they would be affected by this. The chief said that he thinks if this is going through fish and wildlife that they would let their permitting people know not to issue any permits but he will make sure that if any do come up for the West Monponsett he'll let them know what is going on.

Moved by Garron and seconded by Millias, the Board unanimously voted to close the boat ramp on Route 58 and the boat ramp on 4th Avenue off Lingan Street.

Roy asked what if someone attempts to move the saw horses. Chief Broderick said he believes the public access on Rt. 58 has a gate that can be closed off at the street level and at 4th Avenue there use to be a steel cable put across the water so they could not get boats in the water. If there is no gate on Rt. 58 he thinks Highway could put a cable at the street level.

Roy asked how he would enforce this and the chief said that it would be a trespassing issue and he would have to look at the fish and wildlife law enforcement side of it. Because the department does not have access to the water any more (do not have boat) he would need to ask the fire department to use their rescue boat and/or rely on the Environmental Police to do any enforcement on the water.

Garron asked about the ramp (privately owned) across the street from Our Lady of the Lake Church as it is a way for boats to get in. The chief said that particular area is kind of grown over but there is always a way to get on the water if someone really wants to not to mention that there is the Hanson side of the pond.

Roy said as for the East Monponsett boat ramp on Rt. 36 it is only Halifax residents who have access to it because you need a recycling sticker to park your vehicle in the parking lot. The chief said they can put their boat in anywhere on East Monponsett they just cannot park their car in the parking lot. He brought up the point that if even though access to West Monponsett is being closed off and East Monponsett is not, how you can stop access from east not to go to west because they are one body. Roy said that he is right because you can pass through using the underpass and said that had not been discussed seeing as East Monponsett is not closed.

Roy said that there may be an overflow of boaters on East Monponsett and the chief said he'll keep an eye on it. Garron said this may happen on the weekends and Roy also said that the weather is changing so there may be less and less people on the pond.

Surplus Phones - COA

No one has any interest in the phone equipment that the COA has therefore Seelig is suggesting that the Board vote to have COA throw out the equipment.

Moved by Garron and seconded by Millias, the Board unanimously voted that the phone equipment be thrown out.

Cable Programming Quota

The Planning Board would like their meeting taped but under the policies of the compact with Carver and Plympton, Halifax has 100 "programs" in its quota. The quota does not include Town Meetings, but includes Board of Selectmen, Finance Committee and School Committee meetings and events (Holidays in Halifax, Halifax in Lights, Memorial Day Parade, CoA Cookout). It is up to the Board of Selectmen to decide how to allocate these spots. Seelig plans on notifying the departments about this and ask Area 58 to make sure that any requests they receive are reviewed by the Board. Seelig suggested that if there was a special Planning Board meeting they wanted tape then that could be done.

Halifax in Lights

Seelig is recommending that the Board send a letter to Halifax in Lights members Ed Bryan and Vanessa Bryan to confirm whether they wish to continue to serve on the Committee and, if they do, that the Board of Selectmen expects them to attend meetings.

Roy thought that it would be a good idea to send a letter asking if they are still interested in serving.

Moved by Garron and seconded by Millias, the Board unanimously voted to send a letter to Ed Bryan and Vanessa Bryan asking if they are still interested in serving on the Halifax in Lights Committee.

Bond Release – 138 Holmes Street

Moved by Garron and seconded by Millias, the Board unanimously voted to release the \$5,000 bond that was issued by Columbia Gas of Massachusetts held in connection with Permit #2013-28 for work done at 138 Holmes Street.

Recycling Abatements

Moved by Garron and seconded by Millias, the Board unanimously voted to deny abatement on bill numbers #2575, #1527, #1575 and #1576 on the basis that confirmation was received from the private hauler that the resident does participate in their recycling program.

Moved by Garron and seconded by Millias, the Board unanimously voted to abate \$25 from Bill #522 on the basis it is a seasonal home and the owners have provided proof that the house is shut down for six months or more.

Moved by Garron and seconded by Millias, the Board unanimously voted to abate \$25 from Bill #994 and #995 on the basis that these are seasonal homes and the owner has provided proof that the houses are shut down for six months or more.

Moved by Garron and seconded by Millias, the Board unanimously voted to grant an abatement for Bill #2585 in the amount of \$50 on the basis that a occupancy permit has not been issued on the property.

HOPS Fundraiser

Roy wanted to mention the next fundraiser for HOPS will be Sock Hop on a September 27th over at the school gym. For more information go to the HOPS Website

MEETING ADJOURNED

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

Thomas Millias
Clerk

/pjm