

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, OCTOBER 13, 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, October 13th, was unanimously approved without revision.

Roy wanted to take a moment and thank the Fire Department Union for putting on a golf tournament to benefit the Town of Halifax. This is the second tournament that they have organized, which was done on their own time. Last year they raised \$12,000 to purchase an off road vehicle and this year's proceeds will outfit that particular vehicle.

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 commitments:

Vendor Warrant	# 28	\$ 49,521.51
Payroll Warrant	# 29	\$ 346,435.15
Vendor Warrant	# 30	\$ 283,182.71
School Warrant	# 31	\$ 266,415.07
Withholding Warrant	# 32	\$ 133,152.19
Ambulance Commitment	# 9A	\$ 22,069.61
Ambulance Commitment	# 9B	\$ 16,431.25

APPROVED COMMITMENTS AND WARRANTS

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

Vendor Warrant	# 33	\$ 123,415.86
Mobile Home Park Fee	# 10	\$ 5,160.00

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

National Grid (service/concession stand).....	\$ 45.30
National Grid (service/Town Hall).....	\$ 1,803.21
Express Newspaper (ad/Animal Inspector).....	\$ 26.00
Attorney Lawrence P. Mayo (legal/Sept.)	\$ 725.00
Matthew Bender & Co., Inc. (MA law books).....	\$ 224.10
Beth Israel Deaconess Ply. (physicals/Casavant & Badore).....	\$ 210.00
Deutsch Williams Brooks (legal/Sept.)	\$ 702.00
Massasoit Community College (2 classes/Lawless)	\$ 278.00
Massasoit Community College (1 class/Marble)	\$ 209.00
MMA (annual meeting/Roy).....	\$ 273.00
MMA (annual meeting/Seelig).....	\$ 160.00
Northeast Electrical Distributors (LED sign).....	\$ 94.68

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

<u>Turnover</u>	<u>Amount</u>
2016-06	\$ 75.00

MINUTES

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

Regular Session - September 22, 2015

GENERAL MAIL / DISCUSSIONS

Water Tower Lease Agreement

As part of the revisions of the lease agreement due to repainting of the tower, the cellular companies would like to have notification a year in advance of the work. Both Attorney Mayo and Keith Swanson are on board with this. Seelig said that he does not think this will be a worry for another 20 years but wanted to run it by the Board of Selectmen. Roy thought that it was a good idea and both Garron and Millias were okay with it.

Sale of 5 Short Street

Joy Marble is interested in having the Town start to sell properties in order to raise money for the Council on Aging project. She understands that even if the Town decides to sell the land, there is no guarantee that the money would go to the CoA project but would go into the General Fund as a normal receipt. Town Meeting would then have to vote to set aside that amount for the CoA project.

The first parcel she would like the Town to sell is 5 Short Street. This is a house and lot taken by the Town in 2008 and valued on the Assessors' list at \$134,100. Setting aside whether the property should be sold Seelig would want Town Counsel and Tax Title Counsel to review the deeds from 1994 and 2008 to confirm that the Town acquired the property in a legal manner and if there were any special steps that would have to be taken before going out to bid for the property. This is a multi-step project which would involve the following:

- 1) declare the property available for disposition and identify any reuse restrictions
- 2) determine the value of the property
- 3) develop the bid proposal and have counsel draft the terms for the sale to be incorporated in any purchase and sales agreement;
- 4) advertise
- 5) distribute the notice
- 6) open & evaluate the bids
- 7) submit disclosures
- 8) execute contract
- 9) retain records

Seelig asked if the Board had any interest in selling the property and Garron said that he was not interested in selling until Seelig checks off the boxes and he asked how many pieces of property does the town own? Seelig said a lot and this is the only one with a house on it. Garron also said he is not in favor of selling property to gain money and Seelig said the Town owns it through tax title.

Millias asked if it was the house on the right or the left side of the street and Seelig said he is unsure. Millias then said he is knowledge of the area and does not think it is an interest to the Town and that more research needs to be done. Garron mentioned that we do need a water treatment plant. Roy said they could talk more at their next meeting.

Community Compact

The “next steps” letter from the Division of Local Services arrived. There will be grants to hire consultants for the capital plan and financial reporting/long-range planning projects, but the Town has to come up with cost estimates, which means creating a work plan for each project and then getting a proposal from a consultant.

On the IT Security plan, someone from the Office of Municipal and School Technology will be in contact with us about the next steps.

Campaigning/Fundraising at Recycling Center

At the meeting on September 22nd the Board appeared to be in favor of allowing campaigning/signature gathering and fundraising at the recycling center with certain rules. Seelig has forwarded the following to Susan Johnson, Bob Badore and Melissa Traynor and no one had any objections.

- Individuals and organizations that wish to campaign/fundraise/gather signatures must register with the Recycling Coordinator (or, if she is not available, the Town Administrator) at least three days before the day that they will be at the Recycling Center. This is not being done to prohibit anyone but to ensure that the staff at the Center have been informed that those individuals and organizations will be there and that the individuals and organizations know the restrictions for their operations.
- Individuals and organizations must stay in the grass/dirt area south of the swap shed (not on the pavement) and not leave the area to approach Recycling Center patrons. That means that they cannot engage in their activities in other areas including but not limited to the interior of the building and by the recycling, bulky waste, and other containers outside of the building.

- The individuals and organizations can bring in their own tables, chairs, tents, signs, etc. They cannot use any of the resources or equipment of the Center in their activities. They cannot enter the Center area until the staff is ready to allow them to set up and must leave the property promptly (within 15 minutes) of the closing time for the Center (that would be by 12:45pm when the Center closes at 12:30pm on Saturdays).

Town Counsel has previously stated the Town could prohibit these activities at the Center and if the Town wanted to allow them, could approve reasonable restrictions as long as they applied to all and did not favor one individual or organization. Seelig is asking that the Board vote to approve these policies.

Resident, Ed Doherty, did write to oppose allowing groups from using the recycling center as he does not want to be approached by them.

Moved by Millias and seconded by Garron, the Board unanimously voted to allow campaigning/signature gathering and fundraising at the Recycling Center with the above rules and stipulations.

SCHEDULED APPOINTMENTS

Ali Soufan – Class II License – 381 Holmes Street

Mr. Soufan began by saying that the address will just be a home office as his intentions are to buy cars at the auctions and ship overseas. There will be no cars at the home. Garron asked if there would be any broken cars and he said nothing. He was asked if he was the sole owner and he said yes and there will be no employees.

The Selectmen Assistant read the following stipulations that have been placed on the license:

- (1) No cars offered for sale on premises
- (2) no display of vehicles on premises
- (3) no repair of vehicles on premises
- (4) no storage of vehicles on premises
- (5) no business sign
- (6) property must be kept in good condition and free of debris at all times
- (7) additional restrictions attached in conformance with Town of Halifax Code Section 167-7D(5) Customary Home Occupation (below; also read).
 - (a) There may be no employees other than residents of the premises.
 - (b) Not more than 25% of the total floor area, not to exceed 400 square feet, may be dedicated to this use.
 - (c) There may be no equipment or product displays visible from the street.
 - (d) There may be no increased traffic, truck deliveries or pickups to the premises.
 - (e) There may be no deleterious effects on the neighborhood in terms of noise, vibration, glare, fumes, electrical disturbances or other emissions.
 - (f) There may be no signs for the business.
 - (g) There may be no evidence from the exterior of the premises that there is a business being conducted within.

Moved by Garron and seconded by Millias, the Board unanimously voted to allow a Class II license at 381 Holmes Street.

GENERAL MAIL / DISCUSSIONS (CONTINUED)Chapter 40B Blackledge Withdrawal

The developer has withdrawn the application. Seelig said this does not mean that another developer cannot come for a Chapter 40B in or someone else for a regular development. Garron stated that he felt good about this.

Halifax in Lights Resignations/Appointment

Ed Bryan and Vanessa Bryan have resigned from the Halifax in Lights Committee but would like to help out if possible. The remaining members have been informed and Seelig will send out a press release and use the new LED sign to get the word out that new members are needed.

Halifax in Lights Appointment

When Terri Carman sent in her Talent Bank form, she indicated an interest in serving on the Halifax in Lights Committee. Member Joy Marble would like her appointed.

Roy added that she also indicated Holidays in Halifax but after thinking about it told the Fire Chief that at this time she just wanted to do the Agricultural Commission.

Class II Licenses - Consumer Information and Stipulations

All Class II License holders have been notified that their businesses will be inspected once they return their applications to confirm that:

- they have the proper consumer information stickers on all vehicles for sale
- they meet the stipulation of their license indicating the maximum number of unregistered (also un-plated or uninspected) vehicles on the property.

Cable Broadcasts

Joy Marble asked if the Holidays in Halifax event on December 12th could be taped and also a Halifax in Lights event on October 17th at Billingsgate Farm. Seelig did not have a lot of details but thinks that the idea is to use the taping to publicize the need for more support for Halifax in Lights. He will let Joy Marble know that Holidays in Halifax is usually covered and will get more information from Joy.

Historical Commission Resignation

Leslie R. Hawkins has resigned from the Historical Commission effective August 31st.

Moved by Millias and seconded by Garron, the Board unanimously voted to send letters to Leslie Hawkins, Ed Bryan and Vanessa Bryan thanking them for their service to the Town.

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, November 7th, from 8:00 a.m. to 1:00 p.m. for the Boy Scout Troop 39 bottle drive and to place a sign in front of the Town Hall to advertise the event.

Recycling Grants

The Town is receiving \$5,150 in recycling grants. Board needs to authorize the chair to sign.

Moved by Millias and seconded by Garron, the Board unanimously voted to authorize the Chair, Kim R. Roy, sign the recycling grants.

Sexual Harassment Policy

The annual distribution has been given to all department, boards and committees. The BOS needs to sign that they have received copies of the policy.

Class II license - Ellis Auto Body

Doug Piltowski called the Selectmen's Office to complain about the number of unregistered vehicles that are in front of the fence at Ellis Auto Body. He feels that Ellis is in violation of the license stipulations and wants the Board to immediately fine Mr. Ellis. The stipulations state that no more than six operable vehicles for sale can be on display in front of the fence, that all inoperable vehicles must be stored behind the fence and that a total of 65 unregistered, un-plated or uninspected vehicles can be housed on the property including the six for sale. However, the stipulations do not include a limit as to the number of operable but not for sale vehicles that can be in front of the fence. Seelig told Mr. Piltowski that Ellis Auto Body, like all other license holders, will be inspected in November. This was not unacceptable to him.

Mr. Piltowski said that he was not a resident but was in an investor of property in Halifax. He said he would not provide any other information about himself because of "security concerns" and "conflict of interest".

Seelig did not think there is a violation to the stipulations on the license. Garron asked who the person was complaining and Seelig said he did not say. Garron then said he would like to see if Mr. Gentile is in violation and asked if he knew about this and Seelig said no. Millias asked how many licenses do we have stipulations on the number of vehicles allowed and Seelig said maybe ten. Garron thought that it was unfair to be talking about this without him here and Millias agreed.

The Board will continue this discussion after the scheduled appointments.

SCHEDULED APPOINTMENT (CONTINUED)***Garrett Back – Trailer Permit – 23 Richview Avenue***

Roy began by asking Mr. Back if it was a trailer or camper and he said that it is a not a mobile home but a thirty-one foot travel trailer with two slide-outs. Looking at the sketch that was given to the Board as to where the trailer would be located Garron asked if could be seen from the street and Mr. Back said he is on a dead-end so if you go all the way to the dead end and faced the house it would be to the left of the house next to the garage.

Roy asked if he had gutted his home before having any permits issued or submitting any drawings and he said yes. He then said after the Town discovered the situation he was told that he needed to follow the guidelines of the Town and apply for the necessary permit to get a proper trailer to live in. Roy then said that a temporary trailer permit was allowed so that he would have a place to live during the warmer months. She asked if he had gotten his drawing completed and

he said he had submitted drawings for the Zoning Board to review and he is in the process of getting structural plans drawn up by an architect. He added that he cannot apply for a permit until he has the structural plans.

Roy pointed out that his temporary permit expires today and he said he aware of that. She then said she is concerned that the proper hook ups have not been made and that there is an infant living there as well as stipulations that have been placed by the BOH. Mr. Back stated that was correct and that Mr. Dias (BOH member) had asked him to do some changes. They were not done in a timely manner as he did not realize there was a time frame and mentioned that he cares for the infant during the day no allowing him a lot of free time.

Roy asked Mr. Dias if he had any comments and he said that it is the BOH's decision that a travel trailer does not meet the standards for the State sanitation codes and is not suitable for long term living. He said the hook-up has been addressed but said that if the trailer is going to stay, the BOH is concerned about the fresh water hook-up and access and egresses.

The Board asked Building Inspector, Rob Piccirilli, if he had any comments and he said he has the same concerns as Mr. Dias and that the travel camper is not a mobile home, which is inspected by the State. Typically we allow mobile homes on one's property when there has been an emergency (house burnt down, tree fallen on a home). Mobile homes are suitable for temporary living and can withstand the elements of the weather where as a travel trailer is more used during the warmer weather. Even though they have heat and water hook up he does not think they are the same as a mobile home. He is concerned having an infant in this trailer with the colder weather coming.

Garron asked if there were any laws not permitting campers for mobile homes and Mr. Piccirilli said travel trailers are hooked up to your truck brought to a camp site you vacation for a couple of weeks pack up and go home.

Millias said that it was his understanding that plumbing, gas and electrical permits were not pulled. Mr. Back said that all that has been taken care of now. Mr. Piccirilli said that we are working backwards but at this time he has done the work needed to live in the trailer and that the plumbing has been inspected and Columbia Gas has turned off the gas. Roy stated that rules are in place for safety.

Millias asked if Conservation had been contacted seeing as the house is about 100 feet of the pond. Mr. Back was unsure and Millias said it wasn't a hurdle but another step that needed to be taken. His concern was that no steps were taken until someone discovered what was going on. Mr. Back said he is not going outside the foot print of the house. Piccirilli said yes if this were done correctly it would have gone before conservation but we a doing things backwards.

Roy said that even though you were not going outside the footprint of the existing house Conservation would have had to been notified due to being within so many feet of the pond.

Mr. Piccirilli said that he was given a sixty day trailer permit to get his affairs in order and find other living arrangements while construction was being done in the house.

Millias asked if he was a contractor and he said that he is a carpenter. Roy then asked why he didn't apply for the necessary permits and Mr. back said that he was just going to redo a room for the baby making minor changes and then once into it he couldn't do any building because it was completely rotted, there was mold,

termite damage and the chimney was about to fall down. He knew what he needed to do but it got out of hand. He did not realize that it was going to turn out this bad.

Garron asked how long it would take to complete the work. Mr. Back said that there is a twenty day period if anyone wants to appeal the ZBA's decision and within that time he should have the engineer stamped plans. He'll then have to contact Conservation, file for the permit, need to do a roof then get inspections then the plumbing, heating and electrical hopefully if it all goes to plan have it done by next summer.

Millias asked if he had an alternate living place and he said yes. He was reluctant to grant an extension of the permit but seeing as he has another place to live makes the decision a little easier for him. Roy stated that she was not going to support the extension because it was self-inflicted hardship and did not think it was a good idea to have an infant in that type of trailer. This was something she could not sign off on.

Mr. Back asked if it could be extended for another week and Millias said they could do that. Roy asked Mr. Piccirilli if he had a problem with the BOS extending it for a week and he thought that was a reasonable request. Mr. Dias stated the BOH did not have a problem either. Mr. Back asked if it was okay if the trailer remains on the property and Garron said that was fine as long as it was not being used.

Moved by Garron and seconded by Millias, the Board unanimously voted to allow a one (1) week extension of the temporary trailer permit issued to Mr. Back so that he can relocate his family to another place to live and the trailer is allowed to remain on property as long as it is unoccupied and all utility hook-ups to the trailer have to be disconnected.

Dog Hearing – Sheila Hart – 21 Ocean Avenue

At 8:15 p.m., in accordance with MGL Chapter 140, Section 157, Roy opened a hearing to address an incident where a dog owned by Sheila Hart bit a four year old boy on the hand. 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:

Sheila Hart	Dog Owner – 21 Ocean Avenue
Eugene Dias	24 Ocean Avenue
Police Chief Broderick	

Roy:

Thank you for coming in. Why don't you tell us a little bit about what happened?

Sheila Hart:

Well myself and Mary, who lives across the street with Gene were walking our dogs down Ocean Ave cause obviously the road we live on the road is narrow there were cars parked in the road. There was a car coming down the road we had to step into a driveway to get out of the way of the vehicle coming. There was a dog the driveway very short maybe twelve feet long enough room for one car. At the end of the driveway behind the fence was a yellow Lab. My dog was dying to meet him I said okay fine I knew the dog's name was Goliath say hello to Goliath the two them were wagging, sniffing and the little boy came running out of nowhere, excited to see the dog saw him approaching and I said no no no and

started to pull my dog away and he thrust his hand through the fence at my dog's face my dog went (motioned opened mouth bit down on hand then opened mouth again) didn't ferocious attack him immediately let go and the little boy pulled his hand out, which I suspect was the result of an injury sustained. It was just pure accident. The dad told us that it was just a scratch. Definitely the mother started hollering over and completely agitated and proceeded to holler for next ten or fifteen minute that we remained on the property. We stayed there two reasons one wanted to make sure the boy was okay two to let them know the dog's up to date on his shots license where I live and it escalated into a hostile environment in my opinion and I said ... she told me to you have three seconds to get off the property. I said okay fine and I went back to my house and I waited. They called the ambulance and the police and Animal Control Officer came to my house and asked me what happened placed the dog under house arrest for ten days and that's pretty much sums it up.

Roy: We call it quarantine.

Sheila Hart: She said house arrest so that was the term I used.

Garron:

Well if you worked with criminals at all you know when one goes to jail the whole family goes.

Roy:

Had the dog exhibited any behavior aggressive behavior prior to this incident?

Sheila Hart:

No. Well I mean on my property he's protective so I've have changed the way that I've handled the dog on the property. I've have him less time on a leash and if somebody came to close to the edge of the property he'd bark at them and that was about it. But since then I've been taking him out personally to take care of business and for walks and what not and Gene also and Mary walk I work nights so they contribute to exercising him when I'm not home. So they also walk him.

Garron: Okay

Millias: Was anybody else witness to this?

Sheila Hart: Mary

Mary Dias: I was there ya.

Millias: Is your account similar or ...

Mary Dias: Ah hum ya it is.

Garron:

Well I guess my question would be when you unfortunately it was a mistake going on others person property with the dog. That's the first mistake secondly did dogs were they aggressive to each other?

Sheila Hart: Not at all

Garron:

At the fence was there irritation was the dog in favor because the other dog was barking?

Sheila Hart:

No, not at all completely passive and wagging their tails and sniffing one another. I think it was just a reaction by my dog when the little boy ya know maybe he thought he was giving him a treat or what have you I don't know but he wasn't I wouldn't even have considered that an aggressive... I know it was a bite but it wasn't in that mannerism that it was an aggressive attack.

Garron:

So the dog didn't try and go over the fence to continue attacking the kid.

Sheila Hart: Absolutely not no.

Garron:

You pulled him away. I just need to know this. When do you have an idea of what type of injuries the sustained did they take him to the hospital or ...

Sheila Hart:

The dad told me that it was a scratch the mother without seeing what happened or the injury said otherwise so I did not see the injury. I do know they contacted an ambulance I don't think the boy went away in an ambulance and I haven't received any further ...

Garron:

So you haven't received anything from the family about the possibly of paying any medical cost or anything of that nature.

Sheila Hart: Nothing

Garron: Okay

Eugene Dias:

They told the dog catcher the dog is barking in the morning and when I walk the dog at night I have an issue with them. I don't think that issue is involved in this

Garron: But that's a different issue the issue is

Eugene Dias: okay

Garron:

The dog changes I guess my concern is that if there's no previous attacks on anyone family members or friends or strangers and the dogs was under your control at the time, well (in audible). Did the dog officer require you to do any type of training with dog?

Sheila Hart: No

Garron: Had it ever had training?

Sheila Hart:

No and honestly he probably should be trained but unfortunately my financial situation do not really allow (in audible)

Garron: Fifteen minutes a day.

Sheila Hart:

Oh no I personally try to train him I'm talking the expense because it's expensive.

Garron: Okay

Roy: In what in your opinion what do you think he needs to be trained?

Sheila Hart:

He could improve on his walking abilities. He's a three year old Lab. He's excitable he's typical he's a typical Lab. If you're familiar with them at all he likes to pull he likes to be the one calling shots when we walk. What I'm doing now is carrying treats with me and creating distractions wherever I can constantly tell him to heel. I do my best to try to avoid people that he doesn't know. For obvious reasons because and I don't trust people as much as I don't know how a dog will react if he comes across somebody he doesn't know. So I think he's ...

Garron:

Charlie or should I ask Pam have we received anything else from the mother father of the young man young was it a girl boy son if they got hurt have we received anything.

Seelig: No, no medical reports.

Garron: They were notified about this meeting right?

Roy: Yes

Sheila Hart: It's just an unfortunate incident.

Garron: Okay

Millias:

Not much else to go on here without anyone else to offer another version. Obviously not obviously but it doesn't appear that it was of any serious nature. Do we have any reports from the ambulance?

Seelig: No

Millias: No

Roy:

No and ya know she is being very careful with her dog and making sure that she's keeping him on leash and walking him and trying to minimize any interactions with strangers.

Sheila Hart: Absolutely

Roy: And did Goliath live at the house that the little boy

Sheila Hart: Yes

Roy: Okay

Sheila Hart: He was behind the fence stockyard kind of.

Garron: Ya I know the one.

Roy: Okay

Millias: Labs are pretty excitable to they get emotional.

Garron:

Well they're very energetic dogs. They need ... a walk a lot of time is not good find a place to let them run and burn some of that energy off that also helps with your walking.

Sheila Hart:

I try to do that try to do that a couple times a week but living on the lake it's our yards are all small and it's not fenced in so ...

Garron: Put booties on it and let it run in the water.

Sheila Hart: Ya

Millias:

Actually you could in some places but not ... I didn't mean to go there, I'm sorry.

Garron: No but even that if he enjoys swimming because they do need to burn that energy off.

Sheila Hart: I agree.

Garron:

The chances that sometime you know when they're locked up ya know that's why they pull all of the time on the leash.

Sheila Hart: I absolutely agree.

Roy: They can't swim in the West Pond.

Millias: You can't walk well you could walk

Garron: Well they could

Sheila Hart: I did allow him to swim until recently with the ...

Roy: Ya we closed. It's unfortunate

Garron:

Umm I mean based on the information we've received here no prior incidents it wasn't at least from what I hear with no other details from it, it wasn't a vicious attack. Did our, Chief, did our dog officer actually see the young man view the bite or anything.

Chief Broderick:

I'm not sure Troy, I'm here because she was unavailable tonight she had an excusable personal issue. So I read the report this morning so its its I don't know much more then you do.

Garron:

Based on what is presented tonight I think a letter to Miss. Hart reiterating the fact that she needs to keep the dog on a leash and under control and off of those people's property

Sheila Hart: Absolutely. Ya

Garron:

(inaudible) dog on property to give a warning at this time and nothing further can be done at this time if you don't have any more information.

Millias: Well especially when the other folks ...

Garron:

They were aware of the (inaudible) so hopefully it means that the bite wasn't serious enough to go ... that's my opinion.

Sheila Hart:

When the animal control visited my house after seeing them after the incident she asked is your boy okay and she said he's fine but that's all ...

Roy: Yes

Garron: She's not a doctor

Roy:

Also the only stipulation that after the Animal Control Officer interviewed the parents were that the dog owner not is not to walk on her property and her request is that the dog owner have control over the dog at all times.

Garron: Ya

Roy: So there was no other request so ...

Roy: Okay

Garron: That's my ...

Roy: Motion

Garron: Suggestion motion

Millias: I'll second that. I don't see any need to go any further with this.

Garron:

Except to state that there any recurrence of such events then we're not going to punish the dog I'll let you (inaudible) cause I call this people hearings I don't call it a dog hearings because the dog can only do what it's allowed.

Sheila Hart: Right

Garron: Most of the time. So human error.

Millias: Agree

Roy: Any further discussion? All those in favor.

Garron: Aye

Millias: Aye

Roy: Aye

Moved by Garron and seconded by Millias, the Board unanimously voted to send a letter to Ms. Hart stating that the dog:

- be kept on a leash
- under control at all times
- not on anyone's property

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Ellis Auto Body (continued)

Seelig said that we do not have a definition of “operable” cars and asked the Board if they would like Mr. Gentile to come in to see them or would they like him (Seelig) talk with him. Garron said to have Seelig talk with him.

Ambulance Abatement

Moved by Garron and seconded by Millias, the Board unanimously voted to abate the following amount from the Ambulance Account:

September 2015	FOR	\$ 14,110.05
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Salt at Railroad Crossings

The office has received the annual letter from MASSDOT in reference to not using road salt at the crossing. Highway has been cc'ed on this.

Collective Bargaining Workshop

For those who are interested, the Department of Labor Relations is holding a workshop on November 13th, from 9am to 4pm. Space is limited. Roy is interested in going if there is an opening.

Generations Line Dance Sign

Move by Millias and seconded by Garron, the Board unanimously approved a request from Generations to put up a 24” x 19” sign on the front lawn of the Town Hall to advertise their line dancing event on Saturday, October 17th.

471 Monponsett Street

The Fire Chief, the Police Chief, Selectman Roy and Seelig visited the property this afternoon. Mr. Doyle agreed to allow the Town to take out the bushes and flower planters near the fire hydrant. He claimed that a trailer was on his property but Seelig believes that the trailer is on the original right-of-way for White Island Road and it probably will require a survey to prove it. Seelig asked the Does Board if they wanted him to get an estimate for the survey work.

Seelig believe that there is more than one trailer and uninspected/unregistered/unplated vehicles still on the property.

In addition, there is a tremendous amount of junk and debris on the property, although Mr. Doyle is building a fence to prevent the materials from being viewed from the road. The by-law states that “No yard abutting or visible from a way or public park or public beach shall be used for the storage or display or

abandonment of any type of junk, discarded or abandoned, equipment or material.” Therefore, even with the fence, with the yard abutting the road, even if not visible, containing a fair amount of junk and debris, the Board could begin issuing daily fines to Mr. Doyle.

Millias did not have a problem getting an estimate on the survey work. Roy does not want to spend the money but does not think he’ll stop unless we get it surveyed. Roy then said did not think Mr. Doyle understands what “right-of-way” means.

Garron thought that it was time to start fining him because this has been going on for years. He hates to do this but it seems that he has been ignoring all the efforts we have tried. Roy asked Chief Broderick (was in the audience) if he could run the plates to see if the vehicles were registered and he said he’ll see what he can do.

Moved by Millias and seconded by Garron, the Board unanimously voted to start issuing daily fines to Mr. Doyle due to being in violation of the junk and debris section of the Towns by-law

SCHEDULED APPOINTMENT (CONTINUED)

Appointments to Agricultural Commission

Nine talents bank forms have been submitted for the Agricultural Commission. The commission will consist of seven seats one being an At Large and five alternates. The following applicants we interviewed by the board and each told a little about themselves.

Terri Carman
 Suzanne Emerson
 Lee Ferrande
 Stephanie Lipinski-McDonald
 Mary Feight
 Sheila O’Handley
 Barbara O’Handley
 Joanne Smith

Lee Ferrande

I have chickens, dogs, bees and feel it is important to be involved in the community.

Moved by Millias and seconded by Garron, the Board unanimously voted to appoint Lee Ferrande as an At-Large member, with a term to expire on June 30, 2018.

Barbara O’Handley

I have three horses at home and work at an Equine Hospital.

Sheila O’Handley

I have three horses; former Animal Inspector for Halifax.

Mary Feight

I have two horses, chickens, dog and a cat. My husband and I ride just as a hobby. Forming this committee will help with guidelines.

Joanne Smith

I have been farming since I was 14 years old. Originally from Halifax and moved back. Feel we do need an Agricultural Commission.

Terri Carman

I own four horses; have chickens, turkeys and a tend garden. I want to see the town support the gardens and have the community would like to be more self-sufficient using local produce.

Stephanie Lipinski-McDonald

I grew up on a local farm in Hanson where we had chickens, turkeys, pigs and cows. I think it is good for the kids to learn where the food comes from. I have three horses and Guinea hens.

Suzanne Emerson

I have been a horse owner for over 30 years. I have a garden and would like to educate the community on farming.

Seelig recommended that the Board of Selectmen appoint Terri Carman as Chairman ProTem.

Moved by Millias and seconded by Garron, the Board unanimously voted to appoint Terri Carman as Chairman ProTem.

Seelig explained the procedure in setting up meetings.

Terri stated that at this time being on this enough therefore going to pass on serving on the Halifax in Lights Committee.

Moved by Millias and seconded by Garron, the Board unanimously voted to appoint the following individuals to the Agricultural Commission with the corresponding term expiration dates:

Amber Doherty	alternate	June 30, 2016
Terri Carman	member	June 30, 2018
Suzanne Emerson	member	June 30, 2016
Lee Ferrande	citizen At large	open
Stephanie Lipinski-McDonald	member	June 30, 2018
Mary Feight	member	June 30, 2016
Sheila O’Handley	member	June 30, 2017
Barbara O’Handley	alternate	June 30, 2016
Joanne Smith	member	June 30, 2017

In closing the Board thanked everyone.

Paul Ledwell – Gazebo Proposal

Mr. Ledwell did not show up this evening but Mr. Shea wanted to talk a little bit about Mr. Ledwell’s proposal on behalf of the Historic District Commission. He began by saying that in May 2013 Jonathan Selig brought a gazebo proposal before the Board of Selectmen. Mr. Shea has spoken with Mr. Selig and he said he has no problem with Mr. Ledwell taking this over as he is involved in HOPS. He continued to say that Mr. Ledwell has spoken with him and he did tell him he needs to come before the Historic District Commission first. Mr. Shea has been driving around taking pictures of gazebos throughout the area and will get them to Mr. Ledwell. Seelig will contact Mr. Ledwell again about coming in and then let Mr. Shea know of the date.

On a side note Mr. Shea mentioned that on the LED sign he would like to see the display on the sign a little more in advance. Roy said that they are still working out the kinks.

Fire Chief Viveiros – Ambulance fees

Chief Viveiros came in this evening to discuss changing the ambulance rates and the billing policy. He began by saying that the Fire Study Committee has met several times over that last few months and have been reviewing billing rates and the policy. He would like to recommend that the BOS adopt new rates and a new billing policy seeing as they have not been changed since Town Meeting (2010). The chief pointed out the following:

- BLS (Basic Life Support) emergency rates for Halifax are low and ALS (Advanced Life Support) rates for Plympton are three times over our rate.
- Stay in-house and bill the primary and secondary insurance companies directly.
- Rates will adjust with Medicare rate changes to maintain a constant percentage above the Medicare rate unless otherwise amended by the BOS.
- Outstanding ambulance bills will not be sent to collections or reported to credit agencies.

The chief said the goal is to provide service not create a situation where someone does not want to call the ambulance because they cannot pay.

The chief stated that if the rates were increased in FY2014 the Town would have seen an additional \$400,501.44 in revenue.

Garron asked if increasing the rates would improve the service the residents are getting and the chief said they did an analysis and they have the staffing for 24/7, therefore increasing the fees will not increase the service. Although, Roy said the residents will see a quicker response time.

Seelig stated that the Board will need to check with Town Counsel to see if we can override the by-law to increase the rates and if it cannot, then the Board will need to place an article at Town Meeting to delete that section of the by-laws. He added that seeing as this was not put on the agenda he suggested not voting on it until next meeting because of the Open Meeting Law.

Moved by Garron and seconded by Millias, the Board unanimously voted to allow Seelig to talk with Town Counsel.

The Chief then explained that from FY2008 to FY2012 there was \$691,825.47 in uncollected ambulance bills that have not been abated. The Town Accountant said that if the BOS abates these bills and the money does come in, we will recommit. The chief and the Town Accountant are recommending that the Board of Selectmen abate these outstanding bills and abate any unpaid bills after three years.

Moved by Garron and seconded by Millias, the Board unanimously voted to abate the outstanding ambulance bills from FY2008 to FY2012 in the amount of \$691,825.47 as recommended by the Town Accountant and the Fire Chief.

Moved by Millias and seconded by Garron, the Board unanimously voted to abate every three years any unpaid ambulance bills that are on the books.

Kozhaya Nessralla - Fuel Storage Permits Revocation Hearing

Mr. Nessralla has paid the fee and late fees for the permit for 139 Hemlock Lane and is on a satisfactory payment plan with the Collector; therefore the Board does not have to revoke the permit for this location. As for 69 Summit Street no payment has been made so this permit will have to be revoked.

Moved by Garron and seconded by Millias, the Board unanimously voted to revoke the Fuel Storage Permit for 69 Summit Street.

GENERAL MAIL / DISCUSSIONS (CONTINUED)**Barry Maffini – Pole Hearing – 113 Plymouth Street**

Mr. Maffini did not show up for the hearing therefore moved by Garron and seconded by Millias, the Board unanimously voted to table pole hearing until the representative requests to be put back on the agenda.

Monponsett/Status Report (Charlie's notes)

1. DEP has met with Brockton, will meet with them again later this month.
2. After the second DEP/Brockton meeting, DEP will meet with Brockton and Halifax. No date has been set.
3. Brockton said that it would not divert until the algae count was under 70,000 per milliliter. Last week's measurement was 100,000 and, as far as Seelig knows, Brockton has not diverted (received one report indicating that it had, but no confirmation from Brockton or anyone else).
4. Barriers at the boat ramps were temporarily removed during Columbus Day weekend and are back in place.
5. Debra Pasquale of 9 Ocean Avenue (978-332-3568) called on Sunday stating that:
 - a) the barriers should be taken down permanently as it violates the rights of the boaters;
 - b) that the boaters do not face the same safety issues as swimmers, etc., and therefore should not be prohibited from using the Pond
 - c) the person or persons complaining about people using the Pond are not working with the Watershed Association to improve the conditions at the Pond and to require Brockton to meet its obligations
 - d) that if the barriers are to stay in place, that a weekend in November be designated to remove the barriers again as many boaters tend to remove their boats during that month.

She also felt that because it is a "State Boat Ramp" that the Town did not have the right to close the ramp. Seelig called her back on Sunday night, leaving a message indicating that he would convey her concerns to the Board and noted that while the State constructed the ramp, because the Town owns the land and maintains the ramp, that the State gives the Town the right to close the ramp, under certain conditions.

Seelig does not have a problem opening up the ponds and is waiting to hear back from her, and he can, as well as Bob Badore, move the barriers.

Site Plan Review - 640 Plymouth Street

Comments are need by October 15th for a garage being built at the above location. This is the vacant land at Curtin Oil. Seelig is concerned about how much traffic will occur on the site given that it is one lot away from Thompson Street and Cranberry Drive is just west on the other side of the road.

Millias stated that he is just bring trucks in and out and Garron did not have any problems unless he brings in more trucks and from the plans it looks like he is housing his equipment. Millias said usually there are two trucks on the road and one for back-up. The BOS had no comments.

About Halifax Cable Show

John Shiavone, Dick Wright, and Maureen Rogers are interested in taping and broadcasting on public access a tour/interview show with various Town departments and participation would be completely voluntary. They wanted to run it this by the Board just in case they had any questions.

Millias was fine with it and Garron said he thinks it would be beneficial. Seelig will relay this to them.

Nathan Jones – 111F

Moved by Garron and seconded by Millias, the Board unanimously voted to place Firefighter Nathan Jones on 111F status for October 10, 2015 and allow payment for wages lost and medical bills incurred.

Recycling Abatements

Moved by Garron and seconded by Millias, the Board unanimously voted to abate bill #1091 on the basis that an occupancy permit has not been issued on the property.

Moved by Garron and seconded by Millias, the Board unanimously voted abate bill #1441, #1442, #1517 and #2375 on the basis that confirmation was received from each resident's private hauler that they participate in their recycling program.

Moved by Millias and seconded by Garron, the Board unanimously voted to abate bill #2573 on the basis that confirmation was received from their private hauler that they participate in their recycling program.

MEETING ADJOURNED

There being no further business, moved by Millias and seconded by Garron, the Board unanimously voted to adjourn the meeting at 10:07 P.M.

Thomas Millias
Clerk

/pjm