

BOARD OF SELECTMEN
SELECTMEN MEETING
WEDNESDAY MAY 7, 2014 - 5:00 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 5:00 p.m. with Selectmen Troy E. Garron, Kim R. Roy and Michael J. Schleiff present.

The following business was discussed:

SCHEDULED APPOINTMENTS

Review ATM & STM Warrant

Present for the discussion was Finance Committee Chairman, Gordon Andrews; Town Moderator, John Bruno; Town Clerk, Barbara Gaynor; Town Counsel, Larry Mayo and Town Accountant Sandy Nolan.

Bruno began by asking about the hearing impaired service (CART) that will be at Town Meeting. Seelig said that they have only been reserved for the second night of town meeting. Bruno had asked Seelig to touch base with him on Tuesday (May 13th) as he wants to make sure not too much time at the beginning of the meeting getting the service set up. He realizes that this is a help to people but on the other hand not going to delay the meeting because of technical issues or people getting there. Mayo stated that there are not a lot of article that require a majority vote.

Attached to these minutes is the 2014 Annual Town Meeting & Special Town Meeting Warrant that can be referred to.

Annual Town Meeting

Article 2

Bruno stated that this article is going to need a 2/3 vote because there borrowing is involved whether or not it goes on a contingent motion. He asked if anyone made a decision on how it is going to be approached.

Seelig said the Finance Committee is recommending approval of the purchase but contingent on a debt exclusion and the Building Committee has not stated which way they are going present the original motion. Roy said that they need to check with John Campbell to see what his intentions are but she thinks he was watching to see how the Finance Committee wanted to do it.

Andrews asked if the selectmen had taken a vote on it and Roy said that they have not taken an official vote but have talked about it. Seelig said the Board has not stated a contingency at previous meeting but they did support the article but wanted stipulations that no one be hired for the next couple of years at the COA and that the town take a look at the utilizations on buildings as to whether services can be consolidated.

Andrews said the feeling is that the Finance Committee wanted the debt exclusion but a vote has not been taken and added that they will take a vote and believes it will be not to recommend. Garron asked why FinCom did not go to the levy limit and Andrews said because there was a wide discussion on that. His view on that was next year we were going to be in a financial crunch and if you spend

\$109,000 for FY16 plus the other money requested you would spend, with 1.5% and the two schools he believes that town would be in a position to make cuts next year. Roy said that we are not paying this bond until 2016 and if they leave the unused levy those funds can go towards bills that are expected (increase in retirement and Mayflower Health Insurance). She supports the senior center but not to the point of sacrificing services and if tried to put within the levy and those bills come in and budgets go up we might be looking at potential cuts.

Schleiff asked why the Building Committee was on the fence as to which way they wanted to go and Seelig said that they are waiting to hear back from FinCom and the BOS to see what their take was.

Roy does not know how the Building Committee would vote but thinks Mr. Campbell would prefer it to be within the levy because it would be an easier vote. She did say that at a couple of the public forums they talked about taking money from stabilization but Roy publicly spoke against that for a host of other reasons and thinks they backed away from taking from that idea. Andrews said that taking from stabilization was brought up again but Nolan said that Barbara was not going to pursue it.

Roy stated that Bruno should be aware that there may be a motion on the floor to take \$250,000 out of stabilization to fund the project and if it was to happen it would affect our bond rating and go against what the FinCom has for a minimum balance in the account. Roy does not think it is a good idea and is hoping that it doesn't happen.

Scheiff asked that if the Building Committee funds the project with going to the levy limit and gets a town vote then it will not go to the polls and it was said that was correct.

Bruno clarified it again stating that if the first motion is to fund within the levy limit and if someone moves to amend it on the contingency of a debt exclusion vote then a majority 2/3rds vote is needed on the amendment and Roy said that was correct. But if they rule to withdraw money from the stabilization fund to partially fund this project then that amendment needs a 2/3 vote.

Seelig will be working with Nolan tomorrow to get the motions together and will pass them out thereafter. Seelig just wanted to let Bruno know that there may be some comments being made throughout town meeting and asked Bruno to try and keep a tight rein on it as he has done in the past.

Bruno stated that he would like to handle any amendments on a voice vote or a standing vote if they could.

Article 3

Seelig said that he will get up to do an explanation on #1, #2 & #3 since they are positions that were temporally added to the by-law. Even though the money for these positions is coming from a grant wages need to be set in the towns by-laws because the positions are paid through the town.

Sandy stated Wage & Personnel plans on passing over #5 and #1 thru #4 were recommended by the Finance Committee but there was no recommendation for #6.

Bruno suggested doing six individual motions. Seelig stated, with Bruno allowance, that he will get up for #1 and will mention #2 & #3 at the same time as it is the same explanation.

Maureen Rogers (W&P member) said that W&P they will be putting a hold on #2 (page 6) because they want to speak about it. It is not a change but after reviewing the job description they want to explain how they came to that figure.

Roy said that on #6 (1.5% wage increase) where FinCom could not come to a majority vote typically an Australian ballot would be done. Seelig said that you will have a number of people get up and ask for a paper ballot on this as there are some people intimidated of voting in the presence of those being paid as such.

Article 4

Nolan explained that figures listed in the warrant for Article 4 *salaries for elected town officials* will change if Article 3 #6 passes for the 1.5% wage increase. There will be a separate sheet with the new figures available at Town Meeting.

Article 5

Again if Article 3 #6 (1.5% increase) passes there will a separate sheet with new figures reflecting the increase for a number of items the *operating budget*.

Bruno stated that holds could be made on certain figures within Article 5 or as Seelig and Schleiff suggested you could state please use the figures on such and such sheet as they are based on the 1.5% increase. Bruno pointed out that the figures in Article 5 is what was posted and mailed to everybody and felt that the figures should be moved individually. Nolan said last year we moved as amended by the sheet of paper and made sure everyone had that sheet and the year before Nolan read out all the numbers individually and FinCom recommended as amended by the sheet so both ways have been done in the past. In the end Bruno thought the numbers should be amended individually.

Schleiff asked if it fails at 1.5% and someone wants to amend to 1% or .75% and Nolan said that she will have those figures available and has already figured a 1% and a 2% increase, which she will have those numbers readily available.

Article 5 Line 74 & 78

Andrews said the FinCom is not recommending the budgets that were requested by the two school committees and the number that is printed is lower than what they are requesting. Bruno asked if that the figure in the book is what FinCom's is motion and that the School Committee will ask that there be hold on it and Andrews said that is correct. Nolan pointed out that there are letters next to the figures and at the end of the Article here are notes to refer to showing the amounts the School Committee is recommending.

Article 5 Line 111

The figure printed is going to increase by \$16,600 which will be \$37,685 and FinCom is recommending that figure. Gerry Elliott will probably be getting up to amend the figure and Nolan will explain what will be coming out of revenue and what will be coming out of retained earnings.

Article 9, 10, 11 & 12 (Dispatchers, Highway/Cemetery, Sergeants and Firefighters contracts)

Seelig said for these articles the figures will be determined depending on how Town Meeting votes on Wage and Personnel's Article 3 #6 (1.5% increase) and handouts will be provided for the increase on the above contracts.

Article 13 & 14

Seelig stated passing over Article 13 (Patrolmen contract) as an agreement has not been made and they are aware that this article is being passed over. Passing over 14 (Fire Chief contract) seeing as a Fire Chief has yet to be hired.

Article 16

Seelig said we still do not have a Chapter # and if the Governor has not signed off on it by Monday then we will have to pass over it. He explained that there have been situations where we know exactly what we are going to get without having the law approved at the Governor's office and then the Department of Revenue says no has to be done over.

Article 18

Andrews said that this article (\$86,000 to purchase new Toro lawn tractor) may bring up a few questions. Gaynor asked if anyone thought that this would be a paper ballot and Seelig said he thinks that people will vote it up or down or amend it. He knows that there will be those that don't want it but won't take it to the point of a paper ballot.

Article 19

Nolan said this article (re-lining Town Hall parking) most likely will be passed over.

Article 21

Bruno asked if the funds were coming out of a particular account and Nolan said it is going to be moved out of the Monponsett Pond Algae Remediation Article.

Article 31

Roy said that COA decided to put this position in an article instead of having it within their budget and Seelig added that this not contingent upon Article 2 it is simply adding a new part time receptionist. Nolan stated that she thinks if Article 2 is passed over this will also be but is not positive.

Article 34

Nolan was told by the chairman of the School Committee they are going to change their motion and move the figure to \$25,000 (\$33,325 was printed).

Article 46

Bruno thinks that we need to see what the other two towns are doing on this. Seelig said that Kingston never received a request therefore did not put it on their warrant but Plympton has it on their warrant (their Town Meeting is May 14th). Seelig said that Halifax received the request in September. Bruno said that he and Mayo looked at the statue and talked about it and it looks like majority vote is needed at Town Meeting and Seelig said that was correct that two of the three

towns need to vote yes in order for it to be inactive. Seelig, Roy and FinCom are all against it (Andrews confirmed for FinCom).

Article 47

Just a by-law change regarding public hearing notice for trailer renewal permits.

Article 49

Seelig said this is in connection with the Green Communities for the State. If the town wants to get that designation there are five things we need to do. He is anticipating a debate on this article, which Seelig and Millias will address any questions.

Article 53

Seelig thinks there will be some debate on this but explained that the State regulations are less stringent than what the Town currently has in place. The Town states that pools need to be enclosed at least (5) five feet by a fence or wall but the State regulations are requiring at least (4) four feet. He believes that people are thinking where we are using the State codes they are more restricted but it is the other way around.

Article 55

This article will need to be amended as we need to add a seat for a 1 year term for the Board of Assessors and 1 year term for the Halifax School Committee. They are shown on the ballot but not in the verbiage in the warrant.

Question 2 (elected v appointed Treasurer-Collector)

This was Article 63 in last year's warrant and now will be Question 2 on the ballot at this year's election.

Special Town Meeting

Bruno is thinking that when eight o'clock comes and if we are in the middle of an article in the ATM he will accept if a motion is made to adjourn the ATM and go to the STM only at the conclusion of Article 2.

Seelig brought up the possibility of someone wanting to reconsider Article 2 and said that individual will need to make a statement before the close of the evening. He continued to say that it has always been custom that one article will have to pass before making that statement. If the notion to reconsider passes then they reconsider the article and vote again and if the motion to reconsider fails then the article is done.

Article 5,6,10 & 12

Passing over these articles.

Article 9

Seelig stated that resident, Maureen Rogers, has given some indication that she wanted to change the Town by-laws regarding ATM & STM to utilize a lottery system. He has written up a rough draft as to what she was looking for, which she is satisfied with it. The written article will give the residents notice that there is an article but has not been written in a by-law form.

Designation of Articles for Annual Town Meeting

Garron had no problem with Roy explaining why Question 2 (elected v appointed Treasurer-Collector) is on the ballot.

The Board went through the warrant to see who would speak on each article.

Schleiff

- #9 - Dispatcher's contract
- #10 - Highway and Cemetery contract
- #47 - Public hearing notice for trailer renewal permits
- #49 - Green Communities

Roy

- #12 - Firefighter's contract
- #14 - Fire Chief contract– passing over

Garron

- #7 - Revolving fund for solar projects
- #11 - Sergeant's contract
- #13 - Patrolmen contract – passing over
- #15 - Plymouth Country Cooperative Extension Service
- #32 - South Coastal Counties Legal Services, Inc.
- #33 - South Shore Woman's Resource Center
- #50 - Amend Chapter 112 (Junk Dealers & Collectors) Section 8

Designation of Articles for Special Town Meeting

Seelig

- # 2 - Leadership & Management Program

Seelig will speak on this article. Roy stated that an official vote was not taken on this article but there was some talk among the Board. Roy thought and Andrews confirmed that FinCom opposed it. She asked if they should take an official vote as she personally could not support it without having a policy in place and Garron said that he agrees. He stated that any type of program that is available to help make an employee of the Town more educated in their field is great but whether this is the time he does not know therefore not sure if could support it at this time. Seelig said that the Board can make a motion then vote yes or no at Town Meeting and explained that the person attending is going to be gone for twenty-five Fridays and this is no different than when we send people to conferences and pay them. We do not take away from the employee's daily pay when they attend the meetings.

Schleiff asked if they could vote on it then make a policy later and brought up the point that if an employee is taking a class and bring more education to their job in long run it could save the Town money. Garron added that he hopes the education they are receiving is geared towards the job that person is doing with the hope to make them more productive and efficient but would like to hold off on taking any vote as he has not given it much thought.

Andrews stated that he would like the Town to have a training policy in place stating what would improve the different positions within the departments. He supports putting money towards this and the BOS can pick the program that is the right fit for each employee.

#7 – Data Processing for FY2014
Possibly passing over

Garron

#8 – Town report for FY2014

Roy

#12 – Fire Chief salary
Passing over

GENERAL MAIL / DISCUSSIONS

Live Entertainment – Nicholas Disola / Cruise Night at Walmart

Moved by Schleiff and seconded by Roy, the Board unanimously approved Permit #2014-38 issued to Nicholas Disola for live entertainment for Cruise Night at Walmart from May 2, 2014 through October 3, 2014.

Fireworks Contract / Display

The Board was informed that the fireworks display was going to be \$5,000; \$1,200 to pay fire personnel and \$3,400 to pay police personnel. Schleiff did not think it was worth paying personnel more to cover the event than what the cost of the for a five minute show. The town accountant stated that lots of people were upset last year that there were no fireworks and the committee is trying to bring them back. Garron said that this event brings families within the town as well as other towns together and thanked the Halifax in Lights Committee for pulling this event together and is confident that they will succeed.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to sign the contract from American Thunder Fireworks for the fireworks display scheduled for June 28, 2014.

Multi Family/Waterman Property

Seelig wanted the Board aware that ZBA will be holding a hearing on May 19th at 8:30 p.m on an application by Halifax Trails Co., Inc. to build twenty-six townhouse units in five buildings with each unit consisting of two or three bedrooms. This is not a 40B project.

Use of Town Green – Congregational Church

Moved by Roy and seconded by Schleiff, the Board unanimously granted a request from the Congregational Church the use of the Town Green on Sunday, June 15th, from 9:00 a.m. to 1:00 p.m. for the annual church cookout.

Political Signs

The Board received a complaint regarding political signs at the intersection of 106 & 58 and in the traffic islands. Seelig stated that in the past they have been allowed and asked the Board if they wanted to take any action. Garron confirmed that this has been allowed. Schleiff said that he and others were told that signs could not be placed there or at the school unless someone was there. Garron said that any signs a certain size could be left alone but if larger there had to someone there and said that people have always been able to place signs there and was sorry that he was not able to. Roy also said that she has always seen signs at 106 & 58 but not on the school unless it was Election Day. Garron then asked the Board what they wanted to do. Roy did not have a problem with it and Schleiff was okay with one or two signs as it is not attractive with multiple signs. Roy asked how they would limit it. Seelig stated that he and Tom Millias do not have any concerns about the current situation and asked the Board if they want Millias and him to pull the signs then they will. Garron said to leave it as it stands unless Roy and Schleiff want to do something. Maureen Rogers (resident in the audience) said that she understands the concern but pointed out that town election is only a week away and suggested after the election to take a look at the political sign By-Law.

Garron asked the Board who was in favor of leaving the signs and the Board voted as follows:

- Troy E. Garron - Yes
- Kim R. Roy - Yes
- Michael J. Schleiff - No

motioned passed 2/3 that the signs remain

Line Item Transfers

Moved by Roy and seconded by Garron, the Board unanimously approved the following line item transfers:

FROM	TO	AMOUNT
Training #01-221-5115	Vehicle Maintenance #01-225-5243	\$ 3,500.00
Training #01-221-5115	Ambulance Supplies #01-225-5501-014	\$ 2,000.00
Training #01-221-5115	Fire Chief Salary #01-220-5110	\$ 7,000.00
Town Building - Custodial #01-196-5110	Town Building Expense #01-197-5210	\$ 3,600.00
Historic Commission Expense #01-690-5420	Hist. District Commission Expense # 01-691-5534	\$ 114.00
Highway Wages #01-420-5100-5115	Highway Clerical #01-420-5100-5113	\$ 2,500.00
Trash Collection/Disposal #66-435-5260	Recycling Center Expense #66-433-5240	\$ 4,000.00

Regional Emergency Planning

The Board has received a request to nominate one or two individuals for the Regional Emergency Planning Zone Group. Seelig has notified the fire and police chief that this may be a possibility. Chief Broderick would like to attend a few more meetings before making a commitment.

Reappointment ACO – Noreen Callahan

Moved by Roy and seconded by Schleiff, the Board unanimously voted to reappoint Noreen Callahan of 52 Fairway Lane, Pembroke as the part time animal Control Officer, term to expire April 30, 2015.

HOPS Banner

Colleen Burgess came in briefly this evening to get approval from the Board to put up a banner advertising the 5K run. She asked if the banner could be hung from the wooden structure at the playground. They're plan is hang the banner thru the grommets with zip ties. They would like to keep it hung until the day of the race (June 8th). With the permission of the BOS they also would like to use the same type of sign and advertise at the same location for future fundraising events.

Moved by Roy and seconded by Schleiff, the Board unanimously approved the banner that is to be hung at the HOPS playground.

AFFIRMED COMMITMENTS AND WARRANTS

Moved by Roy and seconded by Schleiff, the Board unanimously affirmed approval for the payment of the following commitments and warrants with the exception of Schleiff abstaining from the Police Department payroll in warrant #89:

Withholding Warrant	# 87	\$ 121,123.22
Vendor Warrant	# 88	\$ 99,197.14
Payroll Warrant	# 89	\$ 314,144.08
Vendor Warrant	# 90	\$ 321,068.46
Withholding Warrant	# 91	\$ 117,881.57
Ambulance Commitment	# 4A	\$ 10,011.39
Mobile Home Park Fee	# 05	\$ 5,160.00

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

National Grid (service/Town Hall).....	\$ 1,085.84
National Grid (service/concession stand).....	\$ 16.23
Attorney Lawrence P. Mayo (legal services/April)	\$ 1,131.25
Malloy, Lynch, Marini, LLP (audit y/e 6/30/13).....	\$ 3,000.00
W.B. Mason Co., Inc. (envelopes)	\$ 20.04
W.B. Mason Co., Inc. (paper/10 cases)	\$ 299.50
Municipal Licensing Corp. (6/3/14 meeting/McSherry)	\$ 25.00
EBS (2 - 6 month agreements/7-1-14 to 12-31-14).....	\$ 660.00
CNA Surety (bond/Shiavone)	\$ 531.00
Harry B. Harding & Son, Inc. (printing/2013 Town Report).....	\$ 2,493.00
Land Planning Inc. (review,inspect & report/turkey Swamp).....	\$ 570.00
Beth Israel Deaconess Plymouth (Quill/Fire Dept.).....	\$ 69.00

The Board acknowledged payment of the Selectmen Office Payroll for the period ending May 3, 2014 in the amount of \$6,034.11.

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2014-68	\$ 5.00
2014-69	\$ 200.00

Debt Exclusion

Garron stated that the Board has not taken an official vote and at this time is not ready to. Roy thinks that they should do it before Town Meeting and Schleiff suggested doing it at their meeting right before Town Meeting and Roy agreed. The Board will also talk about the 1.5% increase at that time.

EXECUTIVE SESSION

Moved by Garron and seconded by Roy, the Board voted as follows to enter into Executive Session at 7:20 p.m. to discuss contract negotiations for Patrol Officers and Firefighters:

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

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

Moved by Garron and seconded by Schleiff, the Board voted as follows to come out of Executive Session at 7:30 p.m.:

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

MEETING ADJOURNED

There being no further business, moved by Garron and seconded by Schleiff, the Board unanimously voted to adjourn the meeting at 7:30 p.m.

Troy E. Garron
Clerk

/pjm