

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, SEPTEMBER 9, 2014 - 7:00 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:00 p.m. with Selectmen Michael J. Schleiff, Kim R. Roy and Troy E. Garron present.

The following business was discussed:

PLEDGE OF ALLEGIANCE

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

AGENDA

The Agenda for Tuesday, September 9th was unanimously approved without revision.

Roy wanted to thank everyone who attended the Meat Raffle for HOPS Playground \$4,400.00 was raised and at this time there is \$27,000.00 in the account. Upcoming fundraisers will be Touch a Truck and Shops for HOPS.

SCHEDULED APPOINTMENTS

Kyle Keogh – Eagle Scout Project

Kyle is a scout from Troop 105 and for his Eagle Scout project he would like to renovate and fix the benches along Route 106. He explained that some are broken and will need new boards and others will be power-washed and sanded. He will match the stain and all will be re-stained. Some have brush around them therefore will need to be weeded and cleaned up around them. There were twenty-two benches but one was taken out for some unknown reason and Mr. Swanson is looking for it. He will remove the plaques before beginning the work and put the plaques back on when finished. His dad was here this evening with him and said several benches have no plaques and said Kyle was wondering if we want to put plaques on those. Schleiff said to see who made the benches and see if there were plaques on them at one time. Garron asked what the time schedule was and Mr. Keogh said there is no hurry Kyle is.

Moved by Garron and seconded by Roy, the Board unanimously voted to support the Eagle Scout Project that Kyle Keogh presented to the Board.

Moved by Roy and seconded by Garron, the Board unanimously voted to have Charlie Seelig sign off on the project as the town representative.

Seelig mentioned that the Highway Department, Beautification Committee and the Historical Commission were all notified about this project and are all are happy that he is taking this on.

MINUTES

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

- Regular Session – May 7, 2014
- Regular Session – May 27, 2014

AFFIRMED COMMITMENTS

Moved by Garron seconded by Roy, the Board unanimously affirmed approval for the payment of the following commitments and warrants:

Ambulance Commitment	# 7C	\$ 18,037.90
Ambulance Commitment	# 8A	\$ 9,483.61

APPROVED COMMITMENT AND WARRANTS

Moved by Garron seconded by Roy, the Board unanimously approved payment of the following warrant, with the exception of Schleiff abstaining from the Police Department Payroll in Warrant #19:

Payroll Warrant	# 19	\$ 316,805.80
Vendor Warrant	# 20	\$ 336,033.29
Withholding Warrant	# 21	\$ 120,291.92
Mobile Home Park Fee	# 09	\$ 5,160.00

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

Express Newspapers (tax classification hearing ad).....	\$ 35.00
Barry H. Roth, MD (medical evaluation)	\$ 3,000.00
Michael C. Gilman, Esquire (legal/August).....	\$ 1,067.00
Emergency Response Systems (fire chief assessment).....	\$ 2,000.00
Beth Israel Deaconess Plymouth Occupational Health (duty examination)	\$ 600.00
Attorney Lawrence P. Mayo, P.C (legal/August).....	\$ 412.50

The Board acknowledged payment of the Selectmen Office Payroll for the period ending September 6, 2014, in the amount of \$6,185.84.

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2015-16	\$ 5.00
2015-17	\$ 150.00

GENERAL MAIL / DISCUSSIONS

Chapter 40B Workshop

The Town will hold a workshop on Chapter 40B on Wednesday, October 22nd at 7pm in the Great Hall. The ZBA is trying to get a count of the number of attendees. If any of the Board plans to attend, please let Charlie Seelig know.

Elected Officials Night

This will be an evening where residents can come to meet and chat with elected officials (local boards and committees, the BOS, State representatives). This will be held at the Library on November 17th from 7pm to 8pm.

Public Official Bonds

Cushman Insurance proved rates for the five public officials (Treasurer, Assistant Treasurer, Clerk, Collector and Assistant Collector) with the higher limits. If the Town chose to increase the limits, the cost for the five bonds would increase from a total of \$1,199 to \$2,587. If the Board votes to increase the limits (there should be money in the budget), Seelig recommends that it be effective with the annual start date of the bonds in May 2015.

- Can wait until May – see handout
- Seelig to get a consensus from the Board

Last Drink Report (Updated)

The AG's office sends quarterly reports to the Town listing the "last drink" venues of DUI defendants. No places in Halifax were listed for April - June 2013. Hawaii Garden was listed once for July - September 2013. Chief Broderick will provide the Board with a copy of the incident report and then the Board can decide whether it wishes to meet with Hawaii Garden about the matter. Garron asked if that they were following what they learn in TIPS training and Seelig said he could not say but it appears that there are more incidents with Hawaii Garden. Roy stated that it is not a bad idea to have him come in. and Garron said he did not have a problem asking him to come in just to have a conversation – have him come in at the Board's next meeting.

Seelig stated that they need to send a stronger message and they should bring him just to let him know that the staff needs to make decisions on a more conscious level.

Junk License/Halifax Coin Shop

The Board may wish to consider writing to the owner requesting that he not use the common icon/picture for a pawn shop (the three globes) in his signage, including his sandwich signs, as he does not have a pawn shop license. Seelig said that he is not in violation for sign by-laws and he is complying with moving sandwich sign at the close of business.

Moved by Roy and seconded, the Board unanimously voted that a letter be sent to the Halifax Coin Shop requesting that the owner not use the common icon/picture for a pawn shop in his signage.

Cable TV

Counsel has drafted the three-town agreement and it has been distributed to the Cable TV Advisory Committee, which they will meet on September 10th, therefore Seelig will not have comments back from them until then. Copies have been given to the Board. Seelig pointed out the following:

- The initial agreement has a length of 10 years.
- While the first representatives from Halifax will be chosen by the Board, in the long run, two of the three members will be elected by the three Halifax members with one chosen by the Board.
- The language of the agreement allows for the possibility that the central studio will remain at the Carver High School. While it can move, nothing in the language requires the move.

There is no specific date as to when Seelig needs comments from the Board.

Hickory Road/Repaving

Debbie Duc of 43 Hickory Road has requested that the Town repave the portion of Hickory Road (and possibly Chestnut Street – Chestnut is the far intersection from her house; Annawon Drive is nearer) near her driveway.

Garron is familiar with this and took a trip over there. Their major issue was that when they were doing repairs on the street there was gravel left and they felt that it should have been picked up. Garron saw two highway workers the day he stopped over and asked them to go see Ms. Duc. She mentioned the promise from Rose Campbell that they would pave a small area at the end of her driveway. Seelig talked with the Highway Surveyor and he said he does not do work on personal property but he may do a berm. From what he has seen the person across the street plows and that is being deposited on their side.

Tim Watts – Reappointment

Moved by Roy and seconded by Garron, the Board unanimously voted to reappoint Tim Watts to the Taunton River Stewardship Council, with a term to expire on October 1, 2016.

Randall/Hilliard Property/Conservation Restriction

The Wildlands Trust has sent a draft conservation restriction and copies have been given to the Board. Seelig has forwarded it to the Town Counsel for review and has not heard back from him.

Tag Sale Signs

Mr. Doherty e-mailed a complaint that the Town is not enforcing the policy that residents cannot use utility poles and other poles to post tag sale signs. Seelig does not plan on replying but felt that the Board should receive a copy of the email.

Conservation Commission/Halifax Country Club

In late August, John Peck, a member of the Conservation Commission, asked Tina Tonello, chair of the Conservation Commission, for permission to do work in or near wetlands on the Country Club property. Ms. Tonello gave him that permission. Because of calls from abutters, the Conservation Commission met on September 2nd and voted to give permission by written letter. The abutters then contacted DEP, who then asked Mr. Peck to refrain from any work until a *Notice of Intent* was filed and an *Order of Conditions* was granted. The work has stopped and Mr. Peck is working on the Notice of Intent filing and once this is done the abutters will be notified and a hearing scheduled. Mr. Peck will need to

recuse himself from any Conservation Commission actions on this matter. It was noted that Ms. Tonello is a member of the Country Club.

Roy stated that the concern of the neighbors is that proper procedures were done. Schleiff said that DEP will find out seeing as they are involved and Seelig stated DEP has only asked that the work cease.

Dog Report

Brandie Jones, dog owner of Takoda, has provided a progress report regarding his training. They have another two weeks of training to complete.

SCHEDULED APPOINTMENTS

Swearing in of Firefighters

Chief Viveiros wanted to introduce the two newest members of the fulltime staff, Firefighters Michael Delcourt and William Palma. Mr. Delcourt has been on the call department since 2011 has worked very hard and is currently in paramedic school. Firefighter Palmer started in 2008 as a Call Lieutenant. He left the town for a short period of time but realized that he wanted to come back and the chief is proud that he chose work here in Halifax.

The chief struggle with words to describe these guys as both are hard workers but after looking at the department mission statement - team work, professionalism respect for others, positive outlook he said these words characterized what both firefighters are.

Both firefighters were sworn in by Assistant Town Clerk, Susan Lawless.

Tax Classification Hearing

At 8:00 p.m., the Board convened a Public Classification Hearing for the purpose of allocating the local property tax levy among the four property classes for Fiscal Year 2015. Present for the hearing was Principal Assessor/Appraiser Karen Trudeau; Assessors Holly Merry, Thomas Millias and John Shiavone.

The following was discussed:

1. Single Tax Rate

A split rate would drive business out of town and would not reduce the homeowner's tax rate enough to make a difference. The Board of Assessors recommended continuing with the single tax rate.

Moved by Roy and seconded by Garron, the Board unanimously approved a single tax rate in all four categories for Fiscal Year 2015.

2. Open Space Discount

The Town does not have any properties categorized as open space; therefore the Board of Assessors did not recommend a separate "open space" tax classification.

Moved by Garron and seconded by Roy, the Board unanimously voted not to grant a discount on open space.

3. Residential Exemption

Given that the Town does not have a large seasonal population; the Board of Assessors did not recommend this exemption.

Moved by Garron and seconded by Roy, the Board unanimously voted not to adopt a residential exemption.

4. Small Commercial Exemption

The property owners (and not the business owners) generally benefit from this exemption. The Assessors did not recommend this exemption be granted.

Moved by Garron and seconded by Roy, the Board unanimously voted to accept the recommendation of the Board of Assessors not to adopt a small commercial exemption.

ABCC/Sunday Hours

The ABCC has advised licensing authorities that if the municipality allows Sunday sales then the decision whether to open at 10 am (or some other time) is solely up to the license holder and not the Board. License holders will have to notify the Board of their intent to change their hours. This change will go into effect on October 23, 2014. The Selectmen's Office will notify all four license holders of this change.

Live Entertainment – Halifax Congregational Church

Moved by Garron and seconded by Roy, the Board unanimously approved Permit #2014-24 issued to Susan Mahan for live entertainment at chicken BBQ and Harvest Fair on September 13, 2014 from 12:00 a.m. to 3:00 p.m. and waive the permit fee. The request for the use of the electrical outlets at the back of the Town Hall for the band's instruments had also been granted by the Board.

Seelig suggested that seeing as the Board previously voted to waive the \$5 fee for tag sales that they should think about waiving it for live entertainment permits as well. He brought up the point that it is worth collecting then turning over to the Treasurer's Office. Schleiff said he figured that people are having tag sales to make money because they are hurting, therefore waive the fee. Garron suggested collecting the fee for live entertainment on a case-by-case basis.

SCHEDULED APPOINTMENTS (CONTINUED)

Fuel Storage Permit – Kozhaya Nessralla

Seelig stated that he has not received anything from the Treasurer-Collector, Kathy, about a payment plan for Mr. Nessralla therefore the permit has plan been revoked.

Mr. Nessralla said that he will set up a payment plan with her the 1st of October. He asked why the permit was revoke and explained that he has fallen under some hard times and if the permit is revoked then he will have no storage to put the fuel in for his equipment then be *dead in the water*. The tanks have been taken out of the ground but he keeps the permit just in case it is needed. He is trying to correct the problem.

Schleiff said he understands that things happen but the Board needed him to come in and there was no communication. Mr. Nessralla then said he will set up something with Kathy on Monday morning.

Roy said that she made the motion to revoke because there was no communication and they saw him over a month ago and he said he was going to talk with Kathy and he didn't. You have had the opportunity now it is a month later and you have not made a phone call or an attempt.

Garron pointed out that to a certain extent he needs this to run the business and if he can't run the business then the town will not receive the money. Mr. Nessralla said he could not come up with amounts she was requesting. Garron said he understands not having the money but the relationship and trust was violated. If he did not have the money a phone call to Kathy saying that would have been fine.

Roy stated that the Board needs to be sure that they are following the same procedure for everyone. She too understood his situation and hopes that things straighten out for him. Schleiff asked him to go see the Kathy and be put on a schedule then come back to see the Board on September 23rd.

Sign Corner of Hemlock Ln. & Plymouth St. – Kozhaya Nessralla

Mr. Nessralla told the Board that the sign is being re-done at this moment.

Mudfest

Robert Bergstrom, organizer of the Mudfest, came in this evening to meet with the Board as he is requesting a live entertainment permit for a Mudfest event on Sunday, November 9th from 8 a.m. to 5 p.m. The Selectmen Assistant has contacted the appropriate departments and is waiting for comments. Seelig has sent a note out to the households on Hemlock Lane inviting them to the meeting this evening and Mr. Bergstrom has done the same.

Mr. Bergstrom began by saying the event is going to be the same as last time but less hours and vendors. The same stipulations apply from fire and police. He has spoken with the neighbors and one said that trucks began coming down the street at 4:00 a.m. and he told her that he is starting the event at 8:00 a.m. As for the concern of speeding he will have a detail officer and staff member out there to keep the speed down.

Garron said that he has talked with several people and there were no major complaints of speeding. He has not heard anyone saying that they do not want the event and are in support but the residents at the end of Hemlock are concerned because the drivers tend to speed when leaving the event.

Dennis Knudsen - 33 Hemlock Lane

The residents on the street all support it. The problem last time was there was suppose to be a detail office on the street but there wasn't one. Mr. Bergstrom said he might have dropped the ball because they asked me where I wanted them and I pretty much had them inside at the event but this time I will have them on the road.

A gentle man in the audience suggested putting up the electronic speed sign.

Mr. Bergstrom said he posted on the website “please be considerate of the neighbors on Hemlock.”

Another resident in the audience said that she was woken up at 4:30 a.m. and Mr. Nessralla said it was probably him riding his truck down the street but she said this person had music blasting.

Garron said that we can eliminate the concerns about the speed by putting up the speed signs and have officers along the road. He does understand what she is saying about the early hours.

Schleiff suggested posting on the website “no drivers allowed on site before a certain time. Roy did not think drivers could be prevented from arriving that early as it is a public way.

Mr. Bergstrom said that he will tell the drivers as they register to keep it down.

Garron asked if anyone was against the Mudfest and Mr. Knudsen said no that the residents are all for it but police presence is necessary and suggested having an officer by the Town Barn. Mr. Bergstrom said that if the chief says I need the six officers on foot then I am fine with it.

One of the residents said that she thinks a police officer is needed when people are leaving the event.

Moved by Roy and seconded by Garron, the Board unanimously voted to approve the Mudfest event on November 9th from 8 a.m. to 5 p.m. with the stipulations that have already been laid out by the police chief, the fire department and all the other departments Mr. Bergstrom visited. In addition that the office checks with the police chief to ensure that proper coverage for the street is addressed and that the speed sign trailer gets up.

Katherine Swain - Trailer Permit Extension

Katherine and John Swain of 17 Buttonwood Road are requesting a ninety extension of their trailer permit (expires on September 26th). A letter (Schleiff read) has been submitted from Gordon Andrews of Andrews Bros. Construction about the status of the work.

Moved by Garron and seconded by Roy, the Board unanimously approved extending Building Permit #13-20 for a temporary trailer for ninety (90) days.

Water Extension/Hayward Street/Contract

The Water Department received the following bids for the Hayward Street project:

Morse Construction	\$13,000
Dandel Construction	\$16,895
Blue Diamond	\$21,500
E. Watson Excavating	\$23,900

The Water Commissioners have voted to award the contract to Morse Construction. Two copies of the contract are ready for the Board’s signature.

Moved by Roy and seconded by Garron, the Board unanimously voted to award the contract for the Hayward Street water connection project to Morse Construction.

Regional Emergency Planning Council

There was going to be a meeting on September 19th, but has been cancelled. Chief Viveiros plans to make recommendations to the Board by the end of September.

Fire Department Grant

The fire department has received a grant from MEFA in the amount of \$4,435 which will be used to purchase an ID system (magnetic stripe) for department personnel:

Moved by Roy and seconded by Garron, the Board unanimously voted that the Chair, Michael J. Schleiff, sign the grant for the ID system.

Walnut Street Road Cut

Blue Diamond, the company that put in the connection to the water main on Walnut Street, has requested a bond from its bonding company.

Monponsett Pond

Lycott should be providing the Town with the survey report on West Monponsett Pond endangered species by October 31st along with an estimate and timetable for the invasive weed eradication program in East Monponsett Pond.

Fieldstone Farms

There has been an anonymous allegation about the filing of wetlands. Seelig has forwarded this to the Conservation Commission and the Building Inspector and asked for a report from them by September 9th, if possible. Fieldstone was written up by the Army Corps of Engineers in July 2014 and by DEP in June 2013. Seelig has asked the ConCom to check in with both for any updates. There are no updates from the State or Federal governments.

School/Town Custodian

There will be a meeting on this on September 10th at 8pm at the school.

Cemetery Lots

There are more than one hundred double-stacked cemetery lots still available and there is an interest in trying to set up some type of wall for cremation urns, but they are unsure where it could go. They would like to know whether the old landfill would ever be available. Seelig has recommended that they contact the Board of Health and talk with the engineers to find out whether it would be possible, even decades from now.

Surplus Vehicles

Seelig has talked with the Town Mechanic, Dave Neault, who has estimated \$500 per vehicle for salvage and also stated that none of the vehicles should be saved for parts. Seelig asked the Board if they were okay with him setting the minimum bid at this amount (The Board okay with this).

Bella's Pizzeria

The owner of Bella's Pizzeria plans on moving to the old Halifax Pizza site. But before they re-open, the Board will need to approve the change of location for the common victualler's license (waiting for a written request from the owner). The owner has told Pam that he does not plan to request a transfer of the liquor license to the new location, but plans on trying to transfer it to the new tenant of the old location, whoever that might be. No paperwork in yet, hence no action is needed from the Board.

Road Cut – 2 Richview Avenue

Moved by Roy and seconded by Garron, the Board unanimously approved Permit #2015-22 issued to Columbia Gas of Massachusetts for a 3' x 5' road cut to install new gas service at 2 Richview Avenue.

EXECUTIVE SESSION

Moved by Schleiff and seconded by Garron, the Board voted as follows to enter into Executive Session at 9:10 P.M. to discuss contract negotiations for Patrol Officers and Highway:

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

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

MEETING ADJOURNED

There being no further business, moved by Roy and seconded by Garron, the Board unanimously voted to adjourn the meeting at 9:50 p.m.

Troy E. Garron
Clerk

/pjm