

BOARD OF SELECTMEN  
SELECTMEN MEETING  
TUESDAY, SEPTEMBER 23, 2014 - 7:30 P.M.  
SELECTMEN MEETING ROOM

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Meeting came to order at 7:30 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 23<sup>th</sup> was unanimously approved without revision.

**MINUTES**

Moved by Garron and seconded by Roy, the Board unanimously approved the following Selectmen Minutes with the exception of Schleiff abstaining from Executive Minutes of June 24, 2014:

Regular Session – June 10, 2014  
Regular Session – June 24, 2014  
Executive Session – August 26, 2014

**AFFIRMED COMMITMENT / WARRANT / BILL**

Moved by Garron and seconded by Roy, the Board unanimously affirmed approval for the payment of the following commitment, warrant and bill:

Vendor Warrant	# 22	\$ 173,552.71
Ambulance Commitment	# 8B	\$ 10,854.00
Selectmen Bill payable to: Brockton Hospital		\$ 250.00

**APPROVED COMMITMENTS AND WARRANTS**

Moved by Garron and 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 #23:

Payroll Warrant	# 23	\$ 346,908.32
Withholding Warrant	# 24	\$ 178,132.39
Withholding Warrant	# 25	\$ 129,788.05
Ambulance Commitment	# 8C	\$ 16,620.49

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

Matthew Bender & Co., Inc (MA law books).....	\$ 352.31
Epstein & August, LLP (legal/August).....	\$ 1,596.65
W.B. Mason Co., Inc. ....	\$ 99.62

The Board acknowledged payment of the Selectmen Office Payroll for the period ending September 20, 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>
2015-18	\$ 1,736.77

**SCHEDULED APPOINTMENTS**

***Kozhaya Nessralla***

Seelig received notification from Treasurer -Collector that Mr. Nessralla has worked out the following agreement with her:

\$ 8,500	by mid-November, 2014
\$ 1,500	by January 31, 2015
\$ 500	by February 28, 2015
\$ 500	by March 31, 2015
\$ 500	by April 30, 2015
\$ 1,500	by May 31, 2015

Moved by Roy and seconded by Garron, the Board unanimously voted to reinstate the permit for a fuel storage tank to Mr. Nessralla.

Mr. Nessralla then informed the Board that he would like to have a concert as part of his maze. Seelig asked if he would be using speaker and if so he would need a Live Entertainment Permit. He also said he would like to sell beer and wine. Seelig then suggested that he set up an appointment with the BOS on October 14<sup>th</sup> for the Live Entertainment Permit and a Beer & Wine Permit (for October 26<sup>th</sup>).

***Cathy Drinan & Russ Kleekamp - SWMI Grant***

Ms. Drinan & Mr. Kleekamp came in tonight to discuss the grant application for the first step in designing automatic controls for the dam structures on Stump Brook. Ms. Drinan began by saying last year they worked on this proposal but did not have matching funds. At Town Meeting this past May an article was presented and passed to allot the matching funds. Mr. Kleekamp stated that the first implementation step is having the gates open automatically. Garron asked once implemented who will be responsible for maintenance and he said that there will be a maintenance plan. Garron was concerned about them doing what they are suppose to and Mr. Kleekamp said there is a log-in where you can see what is happening. Garron then asked if they would get a report and he said you can set it up any way you want to get the information. Garron thanked Russ and Cathy for their efforts.

Seelig wanted to say that at the last meeting of the Monponsett Working Group they talked about have a meeting with the Brockton Water Commissioners and since the group was created under the opus of the town he is suggesting that the

Board send a letter to the Brockton Water Commissioners telling them what the working group is about, what they are doing and ask them to meet with members of the working group in the near future. The Board thought that was a good idea.

Moved by Roy and seconded by Garron, the Board unanimously voted to send a letter to the Brockton Water Commissioners.

Moved by Roy and seconded by Garron, the Board unanimously voted to authorize the Chair, Michael J. Schleiff, to sign the application for the grant.

### **GENERAL MAIL / DISCUSSIONS**

#### League of Women Voters/Plymouth Count Report

Copies of the report were given to the BOS and no action needed on this but the LWV of Hingham had written a report about Plymouth County in connection with the proposed Plymouth County Charter question (this did not get on the 2014 ballot).

#### Wetlands/Halifax Country Club

DEP has issued an enforcement order (cease and desist) for the work at the 11<sup>th</sup> hole. Tina Tonello has provided the Town Clerk with a disclosure stating that while she is a member of the Country Club she feels that she can make a decision on this project (and any other at the Country Club) on its merits. The Country Club has requested a list of abutters in preparation for applying for an *Order of Conditions*.

#### Recycling Bill Adjustment

The Treasurer-Collector is asking that the bill #1442 for FY2014 be adjusted to show that it has been paid (two units for \$76) as the owner has a receipt that it was paid, even though there is no record in the Treasurer-Collector's office of the receipt being issued.

Moved by Roy and seconded by Garron, the Board unanimously voted to adjust FY2014 recycling bill #1442 in the amount of \$76.

#### Solar - Payment in Lieu of Taxes

The developer of the proposed solar field on the Plympton line has sent the Town a revised agreement, changing the name and contact information for the developer and the dates of the agreement. Town Counsel has reviewed the proposed agreement and is working with the Board of Assessors on the final details. Copies of the "red-line" (showing the revisions) and clean copies have been given to the BOS.

#### Earth Removal/Turkey Swamp

Webby Engineering has drawn a plan showing the current conditions for Turkey Swamp. If the Board is interested, Seelig can ask Mr. Gates request a renewal of the permit from the date of the expiration of the old permit but he'll need to list his request for variances to the stipulations in the by-law. Once that occurs, the hearing date can be set up, abutters notified, etc. The Board was in agreement to have Mr. Gates request a renewal of his permit with the appropriate conditions/stipulations he is seeking. Seelig will contact Mr. Gates.

**SCHEDULED APPOINTMENTS (CONTINUED)*****Cristo Wong - Hawaii Garden***

The office has received police reports from the three incidents in Halifax for which Hawaii Garden was allegedly the “Last Drink” venue. One of the incidents occurred elsewhere and Seelig is waiting to see if the Police Chief can get a copy of the report. The Board wanted to have Mr. Cristo come in just to let him know of these reports and to see what can be done to alleviate any other issues.

Schleiff began by saying to Mr. Wong that this meeting tonight is nothing formal as they would like him aware that they have some copies of reports of a couple of incidents where two people have gotten stopped and it was stated that they left your place. The BOS just wanted some feedback from him and see what can done so it does not happen again.

Garron said it could be that someone is not following TIPS or that they may need to be more observant of who they are serving.

Mr. Wong said that he had a meeting with staff/managers to make sure they do not serve excessive drinks and to monitor their behavior. Also he told the waitresses if they notice something to let the bartender know so that we can get them a safe ride home. He told them this is a serious matter.

Garron realizes that some people may be over aggressive whether they are friend of the wait staff but they need to make sure that they are not intoxicated when leaving.

Roy asked when did he have the meeting and did he know about the stops. He said he had the meeting after receiving the letter and he did not know about the stops. Roy said that it is the Board’s intention is to keep his business in tack and nothing said they definitely were at his establishment they just wanted to bring it to his attention.

Schleiff reiterated the same as Roy and said he was surprised that ABCC did not notify him. Seelig stated that AG issues a quarterly report when a DUI occurs but will contact the AG’s Office to see if they have a way of letting the businesses know that their place was the last one visited.

Schleiff said to Mr. Wong that this is his place and it is up to him to keep it off the radar. The Board thanked him from coming in and Garron wanted him to know that the Board of Selectmen is not accusing him of not being a good manager.

***Cable TV Advisory Committee***

Members of the Cable TV Advisory Committee Dick Wright and John Shiavone came in this evening to update the Board on the cable agreement between Halifax and Carver. John recently attended the Cable Advisory Committee meeting in Carver and he said that Carver wants to wait until Plympton’s license gets a little closer to being finalized to get a better idea of the funds that might come in. A preliminary budget has been put together by the executive producer of Carver and will be given to the Board. A meeting of all three towns has been scheduled for October 8<sup>th</sup> at 7:00 pm at the Plympton Town House.

Garron wanted to get it right and said that Carver wants to go with Halifax but they want to know what Plympton is getting before making an agreement with us and Dick said it is correct as they just want to know what benefits Plympton may get from Comcast before they finalize the agreement. John explained that they need to know the revenue before making the final budget that will incorporate all three towns. Dick added that Carver and Halifax have already negotiated with Comcast and Plympton is still seeing what they are going to get from them.

Dick and that the Board of Selectmen in Plympton believe this is going to be a good thing for Plympton. John stated that the selectmen and the cable advisory boards in all three towns are in favor of this and it just a matter of getting the final licensing agreement together so that we can establish a proper budget. They are looking for a prime location because the plan is to leave the Carver school.

John said in November we will be given access to *the group* that does the leasing at Cumberland Farms and will sit down with them to see what the possibilities are if it goes beyond the December 31<sup>st</sup> transition date. One of the contingencies is to be able to transmit from that location or here in Town Hall but ultimately they would like to be able to set up robotic cameras here at Town Hall.

Schleiff summed it up stating that Carver can still operate beyond December 31<sup>st</sup> date and Halifax can operate here until we find a studio and then get everyone all in one studio once a location is found and agreed on and they said that was correct.

John said that the selectmen will be choosing the executive board and it will consist of five members from Carver, three from Halifax and two from Plympton. The numbers were determined by subscriber levels.

Each town is going to list the required coverage (i.e. BOS meetings, Town Meeting and School Committee meetings) in the agreement and other events that each community would like covered will be taped through staff and volunteers as each town may want coverage on different events that go on in each town. This will all be firmed up in the contract before the BOS signs it. At this time we are in a holding pattern until Plympton jumps in giving the Board more time to review the contract while we are waiting. The Board thanked them for all their hard work.

### ***Robert Veno - Eagle Scout Project***

Boy Scout Robert Veno came in to get the Board's approval regarding his proposal to repair the dugouts at Shea Field behind the school.

Robert explained that he is going to repair and paint the dugouts and to help with the cost he plans on having a pasta dinner fundraiser either at the Congregational Church or the Upland Club.

Garron asked why he chose to do this project and he said that he has played baseball all his life and wants to give back to the organization so he thought fixing them was a way to do that. Garron then asked if he approached any business and he said not yet and continued to say that he has received his Beneficiary Approval from Dick Steele, Director of Youth and Recreation and Halifax Baseball said they want to help. One last question Garron asked was

when he was going to start and he said he would like to start in October and be done in November because he'll age out.

Schleiff suggested asking the Building Department so see if they have any material hanging around.

Seelig said that he has notified the school so that they have the heads up and Youth and Recreation are on board. The Selectmen Assistant has spoken with the Building Inspector and he too is okay with it and no building permit is needed.

Garron suggested it would not hurt contacting the Lions, Kiwanis Tom Calter (he was an Eagle Scout) and Building Maintenance and Roy said to contact Girls Softball as they use the dugouts.

Moved by Roy and seconded by Garron, the Board unanimously voted to approve the proposed Eagle Scout Project presented by Robert Veno to repair the dugouts at Shea Field.

### **GENERAL MAIL / DISCUSSIONS (CONTINUED)**

#### Patrol Officer Contract

Moved by Roy and seconded by Garron, the Board voted as follows to approve the contract between the Town of Halifax and the Halifax Association of Police Patrolmen, effective July 1, 2014 through June 30, 2017:

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

#### Transfer of Officer Brandon Hanss

Moved by Roy and seconded by Garron, the Board unanimously voted that the Chair, Michael J. Schleiff, sign on behalf of the Board for the lateral transfer request of Officer Brandon Hanss to the Natick Police Department.

Roy left at 8:50 P.M.

#### Zoning By-Law Review Committee

Tom Millias is recommending that Robin Bellinger be appointed. Seeing as the Board has previously met with her about appointments to other committees he asked if they still wanted to interview her. Garron said he does not feel they need to meet with her since they have already done so.

Moved by Garron and seconded by Schleiff, the Board voted to appoint Robin Bellinger to the Zoning By-Law Committee, term to expire June 30, 2016.

#### Community Innovation Challenge Grant/Fire Department/Lucas Machines

The Fire Department would like Halifax to be part of a joint grant application to obtain funding for "Lucas Machines". The machines which are automated devices that perform chest compressions will be used in cases of cardiac arrest. The cost is \$11,000 per machine and Halifax would receive two if funding is approved.

Moved by Garron and seconded by Schleiff, the Board voted to have the Chair, Michael J. Schleiff, sign the grant application to obtain funding for “Lucas Machines.”

#### MA Office on Disability

They would like the Town to send a note out to all license holders about the Massachusetts (Non-Driver) ID card stating that they are valid for identification purposes. The Selectmen’s Office has done this. No action is needed from the Board.

#### Cultural Council

Joy Marble has expressed an interest in serving on the Halifax Cultural Council. Seelig is recommending that she be appointed to the council.

Moved by Garron and seconded by Schleiff, the Board voted to appoint Joy Marble to the Halifax Cultural Council, term to expire September 23, 2017.

#### Wetlands/Fieldstone Farms

DEP is working with Fieldstone Farms and has issued an Administrative Consent Order with fall plantings, grading and two acres of wetlands replication.

#### CERT

The Fire Chief, after consulting with Jeff Boltz (CERT Director) and Michael Manoogian (Assistant HEMA Director), is recommending that Tom Schindler be appointed as Assistant CERT Director.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to appoint Tom Schindler as Assistant CERT Director.

#### Chapter 90 Reimbursement Request/Pothole Money

Earlier this year, the State allocated additional funds for “pothole repair” in all communities. Halifax was allocated \$40,641 and spent it all (as part of a \$48,086.06 project to pave Lake Street, Holly Street, Standish Avenue and Wamsutta Avenue). A reimbursement request needs to be signed by the Board.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to sign the Chapter 90 Reimbursement Request.

#### Ten Towns to Eight Towns Comparison

Seeing as there are not enough communities in Bristol and Plymouth Counties that fit the criteria set by the Finance Committee they are planning to use only seven communities plus Halifax for its comparisons. The communities are Acushnet, Berkley, Carver, Dighton, Freetown, Hanson and Holbrook.

#### Walnut Street Road Cut

The road had sunk down where the cut was made. Blue Diamond has gone out there to fix it. The office is still waiting for the bond from them.

Water System Extension Account

After paying \$13,000 for the Hayward Street extension project there will be \$92,175.71 in the account according to the Town Accountant.

Traffic Lights

A consultant is taking a look and will report back to the Highway Department. As for after-hours they are going to get the timing change.

Randall/Hilliard Property/Conservation Restriction

The draft is under review at Wildlands Trust.

Regional Emergency Planning Council

Chief Viveiros will attend this meeting on September 30<sup>th</sup>.

Road Cut - 16 Ocean Avenue

Moved by Garron and seconded by Schleiff, the Board unanimously approved Permit #2015-27 issued to Columbia Gas of Massachusetts for a 3' x 5' road cut to install new gas service at 16 Ocean Avenue.

Road Cut - 343 Holmes Street

At this time the Board did not approve this road cut due to the size of the cut (3x25). They would like Columbia Gas notified to see if it feasible for them to do it under the road.

Road Cut - 18 Ninth Avenue

Moved by Garron and seconded by Schleiff, the Board unanimously approved Permit #2015-28 issued to Columbia Gas of Massachusetts for a 3' x 5' road cut to abandon service 18 Ninth Avenue.

Recycling Abatement - Bill #2060

Garron said that the homeowner never provided a letter stating that they used another facility for trash and recycling but he is willing to look at another time if they provide proof. Schleiff agreed with him.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to hold off on a decision and notify the homeowner to provide further proof of the use of another facility.

Recycling Abatement - Bill #994 & Bill #995

Moved by Garron and seconded by Schleiff, the Board unanimously voted to abate \$19 from Bill #994 and #995 on the basis it is a seasonal home and the owners have provided proof that the house is shut down for six months or more.

Recycling Abatement - Bill #164

Moved by Garron and seconded by Schleiff, the Board voted to off on a decision and notify the homeowner to provide documentation verifying that they dispose of their trash and recyclables with a private hauler and that they provide a recycling program.

**MEETING ADJOURNED**

There being no further business, moved by Garron and seconded by Schleiff, the Board unanimously voted to adjourn the meeting at 9:20 P.M.

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Troy E. Garron  
Clerk

/pjm