

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, NOVEMBER 25, 2014 - 7:30 P.M.
SELECTMEN MEETING ROOM

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, November 25th was unanimously approved without revision.

Garron congratulated the producer and actors at the High School for their performance of "Alice in Wonderland."

MINUTES

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

Regular Session – October 28, 2014

AFFIRMED COMMITMENTS AND WARRANTS

Moved by Garron seconded by Roy, 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 #39:

Payroll Warrant	# 39	\$ 341,788.86
Vendor Warrant	# 40	\$ 1,517,981.92
Withholding Warrant	# 41	\$ 127,161.57

APPROVED COMMITMENTS AND WARRANTS

Moved by Garron seconded by Roy, the Board unanimously approved payment of the following warrant and commitment:

Vendor Warrant	# 42	\$ 495,645.83
Ambulance Commitment	# 11A	\$ 14,899.61

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

Express Newspapers (legal notice/Lyonville Tavern & Rest.)...	\$ 35.00
Lynch, Malloy, Marini, LLP (legal services /audit 6/30/14).....	\$ 3,000.00

The Board acknowledged payment of the Selectmen Office Payroll for the period ending November 15, 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>
2015-37	\$ 28,465.62
2015-38	\$ 1,250.00
2015-39	\$ 220.00
2015-40	\$ 275.00
2015-41	\$ 1,250.00
2015-42	\$ 125.00
2015-43	\$ 1,950.00
2015-44	\$ 225.00
2015-45	\$ 35.00

GENERAL MAIL / DISCUSSIONS

Nessralla Sign

John Shea has talked with Mr. Nessralla about the sign and Mr. Nessralla said he plans on taking it down. Seelig did write to Mr. Nessralla to tell him that the Board be discussing this matter at their meeting on November 25th and asked him to notify the office if the sign is not down by the 25th and provide a date of when it will be. As of this evening the office has not heard from Mr. Nessralla. Garron said that there was nothing specific in the message received as to when the sign would be coming down and said that they need to send a letter to Mr. Nessralla stating we want it down by a certain date. This has been going on too long and Garron has a lot of respect for the guy but a letter needs to be sent. Schleiff said that he did not see if it was there or knows if it has been fixed and called him before the meeting but did not get a response. Roy did not think it has. Schleiff asked Garron what date he was thinking and he said within the next week. Roy asked by December 1st? Garron said they need to take into consideration the holiday this week therefore he suggested by the Board's next meeting, which Schleiff said was the 9th. Roy countered that date and said by December 5th this gives them some lead way before their next meeting and asked to amend Garron's date and Garron stated she may, the sign needs to be removed by December 5th.

Moved by Roy and seconded by Garron, the Board unanimously voted to send a letter to Mr. Nessralla stating that the signs needs to done by December 5th, and cc John Shea and his committee.

Regional Emergency Planning

The council is now the Sachem Rock Regional Emergency Planning Council. Schleiff asked how did they come up with Sachem and Roy said maybe they wanted to do a name to combine the communities.

Finance Committee/Appointment

Cara Lydon of Clyde O. Bosworth Road has sent in a talent bank form expressing interest on serving on the Finance Committee. The form has been forwarded to the Finance Committee.

Burrage Pond Burning

Both Halifax and Hanson have been in contact with each other regarding the burn. The chief has provided the BOS with information about the burn plan. Garron stated that this will be taking place at Bog 18 which is between Halifax and Hanson. If the fire was to escape the confines of the burn area both departments will be notified and depending on what town it occurs in that prospective chief will assume command.

BMI

The office continues to receive correspondence and emails from the music rights association. Garron thought we responded and Schleiff said he thinks that the BOS was going to see if the Finance Committee would support this. Schleiff said to hold this off for a later discussion.

West Bridgewater – Widening of Route 106

West Bridgewater Board of Selectmen has asked Halifax to contact their legislators to support the widening of Route 106 from Easton to the intersection of Route 106 & 28. Seelig sent a note to all the departments asking them for their comments (none have come in). Garron said he doesn't have a problem notifying our legislators about supporting it and Roy was also okay.

Moved by Roy and seconded by Garron, the Board unanimously voted to send a letter to our legislators asking them to support the widening of Route 106.

Silver Lake Article for Stabilization

The Silver Lake Committee is asking that an article establishing a stabilization fund for SL be placed on the May 2015 warrant. The same article was place on the warrant last year but was voted down. Roy was not for the stabilization account being under the control of only the School Committee and said it should be voted by Town Meeting. She continued to say that they have a plan to spend the money for improvements at the schools seeing as they are ten years old but she thinks it should be used for capital items. Yes money should be set aside for Silver Lake improvements, but we do have equipment that could/needs to be purchased. Schleiff thought it was okay to put on warrant because if not they can do a petition and get it put on anyway. Roy pointed out that it failed in Kingston and Plympton. Garron asked if the Board of Selectmen was sponsoring it and it was said no and then said that he feels uncomfortable putting it on the warrant.

Moved by Garron and seconded by Roy, the Board unanimously voted to place the above mentioned article on the 2015 Town Meeting warrant.

SCHEDULED APPOINTMENTS***Debra Trotta – Lyonville Tavern and Restaurant***

At 7:45 p.m., the Board convened a hearing for the purpose of considering an application for an All Alcoholic Beverage Restaurant and Common Victualler License submitted by Lyonville Tavern and Restaurant LLC, d/b/a Lyonville Tavern and Restaurant– Debra L. Trotta, Manager on property located at 315 Plymouth Street, Halifax, MA.

The Board acknowledged the hearing had been duly advertised and abutters notified. Present for the hearing was Debora Trotta; no abutters made their presence known.

Ms. Trotta began by saying that and said that business in Halifax is good and this opportunity came up and she wanted to take advantage of it because there have been times that customers at her existing place cannot get a spot this now will give them another place to go. This restaurant will be different than Grille 58 and will be more like a “Cheers”. Roy asked will it be more pub-like and Ms. Trotta said no basically like what I have now but re-vamping it to look like an old tavern she continued to say that the restaurant is named after the historic district here in town. Roy then asked about the size of the place and she said it is almost the same size as Grille 58. She is excited to open and is shooting for January 1, 2015 as ABCC has thirty days to act on her application but if not by January 1st it will happen at a later date. In closing Ms. Trotta said that she will be managing both places.

Moved by Roy and seconded by Garron, the Board unanimously voted to approve the applications submitted from Debra Trotta for an Alcoholic Beverage License and Common Victualler License for Lyonville Tavern and Restaurant LLC.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Resignation – Joy Firth - Dispatchers Union Steward

Joy Firth has resigned as the Union Steward and Neil Whitley will be the new one.

Fire Department

Robert Inglis will be in on December 9th to be sworn in as a firefighter.

Resignation - Sandra Nolan - Cultural Council

Sandra Nolan has resigned from the Cultural Council due to the provisions in Massachusetts General Laws, Chapter 41 Section 55.

State Aid

State Aid might be cut in FY2015 and with that being said the Town may want to lobby its legislators not to approve any proposed cuts.

Moved by Roy and seconded by Garron, the Board unanimously voted to lobby the legislators not to approve any proposed cuts.

Solar Farm – Hemlock Lane

There has been a proposal for a solar farm at the capped landfill on Hemlock Lane. There may be presentation on December 9th. Garron stated that he has a problem with someone using it as it was suppose to be a place for the leaves and asked if it was settled enough to place the panels on the property.

SCHEDULED APPOINTMENTS (CONTINUED)***Lycott Environmental***

Brittany and Marc Bellaud, both who are biologists at Lycott Environmental came in this evening to update the Board about the treatment of the ponds.

Brittany (summarized the key points of the report)

Monitoring report was submitted early in November 2014 to Charlie Seelig for the work that was conducted in June 2013. The purpose of the monitoring report was to observe the effects of the low doses of alum treatment on the mussels and dragon flies species in the west basin of Monponsett pond and also to observe the impact to the habitat and the water quality before, during and after the treatment. There were no significant changes in the PH. The treatment did produce “flock” and the concern with flock is that seeing as it floats to the bottom of the pond it might suffocate the mussels. Seeing as it was a low dose treatment very little flock was produced. Flock devises were installed at each of the mussel monitoring locations and they did not find any more than an inch of flock at any location. They did short term video recording of the mussels during the treatment to monitor behavioral responses to the alum and did not see any mussel showing any “stress”. Three or four days following treatment she went back to monitoring locations and there were no dead mussels. Long term mussel and dragon fly monitoring was done and they did not observe a lot of spent or dead mussels.

Brittney continued saying that the purpose of the program is to move phosphorus. After one month following treatment and then one year later the phosphorus levels were back up to pretreatment levels. Moving forward, they need to wait for Natural Heritage’s response to the monitoring report to see if we can continue to do low dose alum treatments; do external phosphorus loading; and possibly investigate internal phosphorus floating from the sediment. The phosphorus was at 10 locations in the pond. The levels in June 2013 were 50; a month later between 19-32; and one year from then it was slightly higher.

Schleiff asked if they were going to try and nail down what is causing the phosphorus to spike. Brittney said the Monponsett Pond Watershed is looking into remediating the external phosphorus loading and Lycott could work on looking at the internal phosphorus loading within the sediment if that is their true initiative. Marc said the results of the treatment are pretty typical with some of the other treatments they have seen at the same magnitude. The objective is to strip the phosphorus out of the water. The problem with the Monponsett is that you are getting a lot from the watershed and if probably not worth it to do higher rates that will cost more money because you take out what is there at the time but it will be replenished by the flow of water coming back in.

Garron asked how the weed/plant growth in the pond affect the application and Marc explained that some of the weeds are able to take some phosphorus out of the water but most of the weeds are getting their phosphorus out of the sediment. If you have more weeds they may be using up more of the phosphorus. Usually it is the reverse if you have a lot of algae then you’re not allowing light to get to the bottom and not having a lot of weed growth so sometimes by increasing the clarity of the water may increase the chance of weeds to survive.

Roy asked why there was a delay in getting their report and Brittany said that there was a delay on the initial part of the report but they did have to wait for the one year (July 2014) post results but it was their intent to get it in quicker than November from the July sampling. Roy asked why so long from July to November and Marc said on our end it was that they were in the heat of the field testing; had a sub contractor they were waiting on; and the long term mussel monitoring as well, therefore tried to coincide everything.

Roy said that it really was hard for us because we had a pond we could not use this summer and we waited for this report. Garron asked what the turn-around time would be for getting the reports for the second dosage to the ponds and Mark said hopefully after they speak with Natural Heritage they will have some input from them and talk about what will be required in terms of long term monitoring. If they can get approval from them they could provide a plan or scope of work with moving forward with treatment.

Garron said the Board is responsible for the people who live along the lake and this puts them in a bad light if we do not have any reports to give them and suggested that they could get a monthly report from Lycott until the project is finished. Marc said that this was a one year post but going forward they can certainly work on being more interactive with updating the town.

Roy said that based on the report, within 30 days the treatment made some sort of effect but then within a year it was back to the level and Marc mentioned that it would not make financial sense to do a higher treatment so she asked if he was suggesting they do the same amount of treatment but more frequently? Marc said that they would need to talk with Natural Heritage then talk more about it with the town. In terms of moving forward where we seem to have a lot of external loading feeding the system it probably makes sense to continue with these lower dose applications providing seasonal benefit.

Garron asked if there was any particular area that was higher in phosphorous because there are outside sources such as the cranberry bogs and sediment from the roads and if so then they can go after the source that is causing the problem. Brittney said that they did not notice anything and would have to look back because a lot of the results are inconsistent.

Marc stated that once the phosphorus is in the system it can move around quite a bit and you would have to look at the sediment flow and do some sampling to find if some of the inflow sources are higher than others.

Schleiff asked how many treatments are/is there and Garron said he thinks originally three and that if we do not keep this problem at bay the lake will get to the point where we will be able to use it at all. Brittney said that there was a treatment in 2013 and then monitored in 2014 and if we get approval and we're allowed to do a single treatment in 2015 but it is contingent on Natural Heritage. Garron asked what the time-frame was for Natural Heritage to get back to them and Brittany said she had no idea but could find out. Garron explained that money needs to be appropriated at Town Meeting therefore we need to know if more treatments will be needed.

Marc said because this was new Natural Heritage conditioned it that we had to do the one year monitoring round so that they could they had to analyze the results before they would allow any additional treatments. Our hope is now that we have

that data and it didn't show any adverse impact they will be able to proceed. He said that there will still be some monitoring but hopefully not the level that was previously and we will not have to wait for another one year post.

Roy stated that they need a plan right now and there is money set aside for the next batch of treatments. Marc stated that after they speak with Natural Heritage and get direction from them they can put together some type of time line and a figure for the cost.

Gentleman #1

You mentioned that there was it phosphorus – how do we know where it is coming from? Marc said that there is probably a combination of what is coming in and what is coming out of the sediment. The sediment can be tested which will determine what types of phosphorus are in the sediment. He continued to say that Monponsett is so shallow so you do not see the driving being internal loading and it is worth it to test the sediment long term to see what contribution is coming from the sediment and what is coming from the outside. Schleiff asked if there were programs that could do this to help identify the areas and Marc said yes.

Gentleman #1

You mentioned a second treatment during season – three years ago they were told treatment needed to be done before a bloom so if we are talking about a second treatment how do we know when to do it? Marc said that you want to time the treatments just right as it is not efficient if you go too early with the alum because it strips it out of the water. The “flock” is needed because it blankets the water so when there is more junk in the water, it helps the “flock” to form better so that why waiting a little bit later (early June) is important to make these low dose treatments work. Then it would be a function looking at water clarity regularly and testing phosphorus, which would be done weekly or bi-weekly then if we start to see the trend of phosphorus going up and going up and clarity going down, you then want to schedule the application before a full bloom sets in. Garron asked if they could list in the report what causes the phosphorus bloom so we have an idea of what things cause it and Mark said sure.

Mr. Collis, President of Monponsett Watershed Association

The June 2013 treatment occurred on or about June 7th they finished it up, we had eight of inches of rain, then Brockton diverted water for 12 days. Mr. Collis asked if those circumstances have an effect on the effectiveness of treatment and Mark said yes, if there is external loading then it is replenished much more quickly. Brittany added that 2013 was a year that we got a tremendous amount of rain. Mr. Collis then asked if there was a contract between Lycott and Town of Halifax for another treatment and Roy said no and Garron said that it was per diem.

Mr. Collis said that Town of Halifax had a report from Princeton Hydro and in the report they identified sources of external loading as agricultural corroboration storm water runoff, septic and cranberry bogs and asked if there was anything else that contributed to the external loading and Brittany said the habitat.

Mr. Collis asked the BOS how do we go about dealing with the external loading and Garron said filters for the road run off; find out how other lakes and pond divert the cranberry bogs; and tight tanks are needed for septic. Schleiff also said

the unnatural flow that Brockton does to the pond when they divert is a factor. Marc said that all those factors can be contributors. Garron said Lycott are the experts and we need to get the answers from them.

Roy wanted to applaud the MWA and the working group for all their hard work and asked Mr. Collis if they should invite invited Lycott to MWA meeting and Mr. Collis thought that would be a great idea and said more importantly he thought that the cranberry growers should start to attend the meetings as they have not been to any of the meetings in the last four months and felt that was a concern, seeing as all the reports that he has read, agricultural operations is the largest contributor. Roy invited Lycott to the MWA next meeting which is on January 8th. Marc said once they talk with Natural Heritage they will put together a memo that outlines the discussion, next steps and timeline budget. The Board thanked them both for coming in.

Cable TV Advisory Committee

Members of the Cable Advisory Committee John Shiavone and Maureen Roger along with Richard Goulart from Carver came in this evening to ask the Board of Selectmen to vote to accept the contract to form a new community access corporation between Halifax Community Access and Carver Community Access and to appoint Dick Wright for a 3 yr term, John Shiavone for a 2 yr. term and Maureen Roger for a 1 yr. term as officers to the Board of Directors.

Schleiff asked what the following meant:

To achieve mutually beneficial economics of scale by serving and receiving support from Carver, Halifax and Plympton” meant and Shiavone explained that the two towns will be using the same equipment and the same people will generate the meetings that are going on instead of the two separate towns. In other words Garron said no duplications of services for each town.

Schleiff asked what the following meant:

In the event a participating Town issues an additional cable license to a competitive cable provider, said Town shall require such competitive cable provider to contribute to the regional Access Corporation in an amount not less than the annual funding percentage set forth contributions to access corporation annual support.

Mr. Goulart explained that this protects the cable company that you have contracted with because it would not be fair if another company came in and did not pay the fee.

Schleiff asked if Halifax got permission to have access to the Carver high School (studio location) and Mr. Goulart said they are looking at another location outside the school located at Carver Crossing on Rt. 58 with the hope to sign a lease at the end of next week if the agreement is signed by all parties. He stated that it a great space seeing as it is already broken down into offices and not much needs to be done.

Schleiff asked what the following meant:

The Regional Access Corporation shall provide each issuing authority not less than ninety days advance written notice of Regional Access Corporation filing any petitions for dissolution, sent to each issuing authority by certified mail in the event of a Regional Access Corporations dissolution, if an Issuing Authority

timely designates a qualified alternative nonprofit, tax exempt access designee to receive post-dissolution assets and equipment hereunder, rather than such town itself, the Regional Access Corporation shall cooperate to transfer assets and equipment to such access designee in accordance with the foregoing.

Garron answered that it means if for some reason if Halifax wants to dissolve their relationship with Carver they have to go to another agency that is nonprofit and the money can only be used for cable.

Schleiff said he did not see any language about future people coming on board and Shiavone said that will be in the by-laws. Schleiff asked if they wanted Seelig to look at the contract and Mr. Shiavone said yes as a courtesy he thinks he should see it.

Garron said that seeing as we have had two lawyers look at the contract and they are okay with it then he is okay with it also.

Moved by Garron and seconded by Roy, the Board unanimously voted to accept the contract as presented with that that our Town Administrator has the opportunity to look at it.

Moved by Garron and seconded by Roy, the Board unanimously voted to appoint the following individuals to the Board of Directors:

3 year term	Dick Wright	term to expire December 31, 2017
2 year term	John Shiavone	term to expire December 31, 2016
1 year term	Maureen Rogers	term to expire December 31, 2015

Garron thanked them for their hard work and said he looks forward to a nice relationship with Carver. Schleiff said it was a nice gesture that Carver asked Halifax to merge with them. Garron asked when will they move into building and Mr. Goulart said hopefully January 1, 2015.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Monponsett Pond - Flood Plain

As of November 14th Seelig has not heard anything about this. He will check again when he returns from vacation.

Turkey Swamp/Earth Removal

Barry Gates stopped by the office and Seelig went over the by-law with him. He has submitted his application and will be meeting with the BOS on December 9th.

Surplus Items – Library

Moved by Garron and seconded by Roy, the Board unanimously declared the following items surplus:

- 2010 Xerox Phaser Printer 85650MFP
- 2005 Hewlett Packard B&W Laser Jet 1022n
- Armchair

Mayflower Municipal Health Group Business Associate Agreement

Seelig is working on this agreement.

Wetlands - Fieldstone Farms

Nothing has happened over the last several weeks. Seelig is waiting for and update.

Traffic Lights

Seelig is waiting for more information.

Randall/Hilliard Property Conservation Restriction

Town Counsel and Wildlands Trust are working on this.

Northland Cranberries Land Transfer

The Department of Capital Asset Management is sending letters to the legislature for a fifteen day comment period.

EDSAT Presentation

Seelig is trying to set something up for the first half of December.

Dog Adoption/Transfer Policy

Seelig has received a memo from the Chief Broderick stating that they do not have a written policy because adoption/transfer of dogs has not happened very often. When there a case of this happening dogs are moved to an adoption agency whether it be a rescue or MSPCA.

Monponsett Pond Funding

The following amounts are available now but once we talk with Natural Heritage we will have a better idea on funding.

Monitoring work	\$ 300
Invasive weeds	\$ 1,400
Algae	\$ 58,744.85

Electricity Contracts

Moved by Roy and seconded by Garron, the Board unanimously voted to authorize the town Administrator, Charles Seelig, to sign the three-year electricity contracts for the period December 10, 2014 thru December 10, 2017.

Council on Aging Holiday Party

The BOS was invited to the COA holiday party which is being held at Our Lady of the Lake parish center.

CERT Grant - Fire Department

Moved by Garron and seconded by Roy, the Board voted to allow the Chair, Michael J. Schleiff, sign the \$1,100.00 grant for CERT and to send a letter to Chief Viveiros thanking him for his efforts obtaining the grant.

Donation of Polaris

Fire Chief Viveiros has sent a memo informing the Board that the fire department has received a donation of a new 2014 Polaris Ranger 6x6 off road vehicle from the Halifax Firefighters Local 3159. The BOS will mention this at their meeting on December 9th at the swearing in of firefighter Robert Inglis.

Lieutenant Positions - Fire Department

Chief Viveiros has two vacant positions at the rank of lieutenant that need to be filled. The vacancies present a great chance to make needed changes to the fire department's promotional policy. Under the current policy rank of lieutenant is only recognized for employees who fall under the Wage and Personnel by-laws and not the collective bargaining agreement. With that being said Chief Viveiros has put forward a pay scale that could be used to draft a MOA between the union and the town, which will allow him to make the change. He hopes that the Board will consider supporting this policy change.

Fire Chief Inspections for Licensed alcoholic Beverage Restaurants

Chief Viveiros has conducted safety inspections at all restaurants in the town that are licensed to serve alcoholic beverages. The chief has provided the Board a list of items that need to be addressed at each establishment along with letters that he sent to each one.

Owed Taxes from Licensees

Treasurer-Collector, Kathy Shiavone, has submitted a memo stating that Davis Automotive, Ellis Auto Body and Halifax Investments have all agreed on monthly payments towards the outstanding debts each business owes to the town.

Hiring of Two New Patrolmen

Police Chief Broderick sent a memo to the Board updating them on the hiring process of two new Patrolmen. Recently four part-time Patrolmen have been hired. At this time the department has two open shifts therefore he is starting the process to advance two of the part-time Patrolmen to full-time positions.

Return of Closed Legal Cases

The office has received closed case files from the law office of Kopelman and Paige, P.C.

Mosquito Control Annual Budget Presentation

Plymouth County Mosquito Control Project will be holding an informational public meeting to present and discuss the district's preliminary proposed budget for FY2016 on December 16th.

Salt at Commuter Railroad Crossings

MassDOT has sent a letter reminding the town to instruct crews and contractors to refrain from salting the area in the immediate vicinity of the tracks. A copy of the memo will be forwarded to the Highway Surveyor.

Comcast

Letter has been received for Comcast regarding price adjustment for the 2015 calendar year.

Recycling Abatement - Bill #1885

The private hauler that the resident uses is stating (letter from private hauler) that they offer recycling services but will not commit that the residents is doing it. The Board would like a more definitive answer that they are recycling on a weekly/monthly basis.

Moved by Garron and seconded by Roy, the Board unanimously voted putting the abatement request for Recycling Bill #1885 on hold until the office gets a more definitive answer that they are using this service.

Recycling Abatement - Bill #1969

The private hauler that the resident uses is stating (letter from private hauler) that they offer recycling services but will not commit that the residents is doing it. The Board would like a more definitive answer that they are recycling on a weekly/monthly basis.

Moved by Garron and seconded by Roy, the Board unanimously voted putting the abatement request for Recycling Bill #1969 on hold until the office gets a more definitive answer that they are using this service.

MEETING ADJOURNED

There being no further business, moved by Roy and seconded by Garron, the Board unanimously voted to adjourn the meeting at 9:45 p.m.

Troy E. Garron
Clerk

/pjm