

BOARD OF SELECTMEN  
SELECTMEN MEETING  
TUESDAY, JANUARY 8, 2013 - 7:30 P.M.  
SELECTMEN MEETING ROOM

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Meeting came to order at 7:30 p.m. with Selectmen Troy E. Garron, Kim R. Roy and Michael J. Schleiff 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, January 8<sup>th</sup>, was unanimously approved without revision.

**MINUTES**

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

- Regular Session – November 27, 2012
- Regular Session – December 11, 2012
- Executive Session – November 27, 2012

**AFFIRMED COMMITMENTS AND WARRANTS**

Moved by Schleiff and seconded by Garron, 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 #48 and 52:

Payroll Warrant	# 48	\$ 329,193.93
Vendor Warrant	# 49	\$ 169,233.10
Withholding Warrant	# 50	\$ 122,900.66
Vendor Warrant	# 51	\$ 17,606.20
Payroll Warrant	# 52	\$ 322,800.24
Vendor Warrant	# 53	\$ 345,781.91
Withholding Warrant	# 54	\$ 122,667.64
Ambulance Commitment	#11B	\$ 28,310.00
Ambulance Commitment	#12A	\$ 24,026.39

**APPROVED COMMITMENTS AND WARRANT**

Moved by Schleiff and seconded by Garron the Board unanimously approved payment of the following commitments and warrant:

Vendor Warrant	# 55	\$ 304,738.46
Ambulance Commitment	# 12B	\$ 20,139.56
Mobile Home Park Fee	# 01	\$ 5,160.00

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

MMA (Roy/2013 annual meeting Jan. 25 <sup>th</sup> & 26) .....	\$ 234.00
National Grid (service for concession stand).....	\$ 18.35
National Grid (service for Town Hall).....	\$ 936.50
Attorney Lawrence P. Mayo (legal services/December) .....	\$ 2,012.50
Gatehouse Media MA (public hearing notice for Davis Auto.)...	\$ 41.25
Cushman Insurance (final audit balance 2/10/12-2/10/13) .....	\$ 392.00
Jordan Physician Assoc. (111F/Quill) .....	\$ 184.92
Gilman & Associates (legal services/Oct., Nov., Dec.) .....	\$ 2,358.75
Brockton Hospital (111F/Quill).....	\$ 65.08

The Board acknowledged payment of the Selectmen Office Payroll for the periods ending:

December 15, 2012	FOR	\$ 5,988.02
December 29, 2012	FOR	\$ 5,988.02

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2013-54	\$ 41.25
2013-55	\$ 2,595.11
2013-56	\$ 125.00
2013-57	\$ 30.00

**GENERAL MAIL / DISCUSSIONS**

Donation – Valle Property – Chestnut Road

Moved by Garron and seconded by Schleiff, the Board unanimously voted to sign the deed for property on Chestnut Road that was donated by Marie Valle and voted on at the May 2012 Annual Town Meeting Article 44.

Workers’ Compensation Filing

A cafeteria worker over at the elementary school was injured while making a deposit at the Rockland Trust. This is a normal workers’ compensation matter but her attorney has file a separate claim, which has been denied by the Town’s insurer as the town is already paying the medical expenses and loss of wages. No action is needed by the Board Seelig just wanted them aware of the situation.

Hazard Mitigation

Money will be made available as a result of the federal disaster declaration for the October 29<sup>th</sup> & 30<sup>th</sup> snow storm event. Someone from the Building Department will attend the briefing session and a one on one in Harwich on January 15<sup>th</sup>. The deadline for the grant submission is March 31<sup>st</sup>. The money will be used for upgrades for the generators at the school and the fire station.

Town Clerk / ACO

Back on December 24<sup>th</sup> a slight incident between the Town Clerk and the ACO occurred. The Town Clerk has provided a report (in the mail folder) of what had transpired. Seelig will make copies for the Board for them to review.

Posting Minutes on Website

Mr. Doherty has sent an email to Seelig in reference to the minutes that have yet to be posted on the website. Seelig responded by stating that he does not post minutes until they are approved by the Board. Seelig just wanted the Board aware of his complaint.

Quote for 2012 Town Report and 2013 Warrant

Harry B. Harding & Son has submitted a quote for the above mentioned material. The cost of the town report is \$13.90 per page and \$34.40 per page for the warrant book is. There is no increase from last year's price.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to award the printing contract to Harry B. Harding & Son for the printing of the Town of Halifax 2012 Annual Report, the 2013 May Annual Town Meeting Warrant and 2013 May Special Town Meeting Warrant

Vacancies on Finance Committee

There will be three vacancies in the near future on the Finance Committee as Peter Beals and Paul Weckbacher both will be giving their resignation within the next couple of weeks and at this time there is a vacancy. The good news is that Stuart Hall, who previously has been on the committee, is interested in coming back on board. The Finance Committee will be interviewing him next week and if they recommend him to be appointed Seelig will have him come in and meet the BOS on January 22<sup>nd</sup>.

Clawson Complaint - Harmon Barking Dogs

Scott Clawson has filed a barking dog complaint with the Board against Bobbi Harmon on Plymouth Street as well as filing four complaints over the past couple of months at the police station. Seelig has contacted the Police Chief, ACO, Building Inspector, Board of Health and Animal Inspector asking them for their input as it may pertain in reference to their particular department.

This has been an issue in the past and the Board had decided not to hold a hearing as there was lack of evidence in connection with the problem. Roy wondered why all of a sudden this has resurfaced as the Board has not heard anything in over a year. A report has been submitted from ACO, Annie Brown, and copies have been made for each Board member to review it will be brought up at their next meeting.

Fieldstone Farms 2013 Horse Shows

Scott Clawson has provided the office with the dates of his 2013 horse shows. These dates have been distributed to various departments.

Cell/Water Tower

Seeing as the cell tower equipment will be changed, a historical property review has been prompt. No action is needed from the Board unless they feel that this work will change the historic standing or characteristics of the Town Hall, Congregational Church or the cemetery.

**SCHEDULED APPOINTMENT**Cable Advisory Committee

Members of the committee Dick Wright and John Shiovone came in this evening to bring the Board up to speed regarding the studio and the contract with Comcast. The contract between Halifax and Comcast expired this past fall and at this time Halifax is working off of Plympton's license who's contract will be up December 2013. In the meantime they have been trying to figure out what they are going to do as to whether they want to continue on with the studio. They also wanted to introduce Karen Foye to the Board. Ms. Foye is a member of the Middleboro Cable Advisory Committee and is the Cable Access Administrator for that town. Knowing that we are interested in starting up our own studio, she has offered to help us as she has gone through the process and has years of knowledge in the media field that she can bring to the table.

The committee is excited about working with her as she was highly recommended by Michelle and that her knowledge would be a great asset. Wright stated they are thinking about filing as a non-profit and Shiovone will be filling out the paperwork to apply for a tax id number as well as getting a post office box. Roy asked if they had an expense account to pay for the box and he said they will pay for it up front and later get reimbursed. Garron asked why going to a non profit. Ms. Foye went on to say that Comcast is getting out of the business of local access and that there are only two studios left in the state of Massachusetts; Plympton/Halifax and Dover. There are two ways you can go, one is municipally and the other is access corporation, which is a non profit.

Wright said that Comcast does not want to be responsible for the studio but is willing to give Halifax funding to operate it under the past agreement and will give as much as 5% of the gross income of the subscriber's fees from Halifax and Plympton.

Garron asked why take this on and what is the benefit to the town. Wright said a couple of years ago they sent surveys out to the residents asking for their input and some responses they received were that they wanted the studio to stay open, more programming and thought that local cable it is a vital part of the community. Ms. Foye added that the town has more control with the programming where Comcast may only cover certain things.

Roy asked what their plan was for fundraising for the non profit and Shiovone said that at this time they did not have that part of it figured out but will later on in time and initially they plan on relying on the subscriber's fees to get started. Ms. Foye added that you can negotiate a start up fee in the negotiations.

Wright said that it cost about \$160,000 to operate the Plympton/Halifax studio and added that once they become a non-profit maybe they could approach Cumberland Farms with the hope that they would donate the office space, which could be a tax break for them as they are contributing to a non profit. Schleiff asked what the rent was for the year and Wright said about \$110,000. Roy said even if they discounted the rent anything would be great. Wright brought up the issue that Pembroke is having with PAC TV and said that is something that they do not want to get involved with. Schleiff asked what was going on over there and Wright said the best way to put it is that is PAC TV is taking over Pembroke's access and all of their funds and that Pembroke is only allowed a small window of time for their news to be aired and for them to use the studio in Plymouth to do their stuff.

Garron asked if we would have to buy our own equipment and Ms. Foye said that would be part of the negotiations. Seelig stated that they will have someone come in and check out all the equipment to see if it meets our needs. He also said that you would be looking at two budgets one for start up and the other for capital items. Wright added that they would probably be looking at an article to support an audit of the equipment to see what is beneficial to them. The audit will cost about four hundred and fifty dollars. Garron asked if a list has been drafted to present to Comcast and Shiovone and Wright said that it is still in the works.

Ms. Foye said that Comcast has been donating the equipment to the towns because they are getting out of the business and said she has a lot of pieces, which if adequate, she is more than willing to donate to Halifax if needed.

Roy stated that the Board really appreciated the update and complimented them on the great progress.

Shiovone added that they will need a seconded article to establish the non profit.

Roy asked if they needed a vote from the Board to obtain non profit id and Shiovone said no. Schleiff asked if they needed a recommendation from the Board.

Moved by Garron and seconded by Schleiff, the Board unanimously supported the concept of the Cable Advisory Committee obtaining a non profit id number.

### **Brian & Angela Ahlstedt – Dog Hearing**

At 8:00 p.m., in accordance with MGL Chapter 140, Section 157, Roy opened a hearing to address a complaint of a five year old American Bulldog owned by Angela Ahlstedt and housed at 498 Twin Lakes Drive was loose and attacked another dog. The hearing was held at the request of the complainant, Susan Jablonski.

The following individuals were present and sworn in by Notary Public, Pamela McSherry:

Susan Jablonski	558 Twin Lakes Drive
Ruth McKillop	567 Twin Lakes Drive
Annie Brown	Animal Control Officer

*Roy:*

Thank you, how are you? So what were a going to do I am going to have you... are you the owner of the dog ... that was injured.

*Jablonski:* yes, that was attacked.

*Roy:*

Okay. So I'm going to just ask you to give a brief statement of what happened that day.

*Jablonski:*

Okay. I had been to a meeting so when I got home I took my dog out it was about quarter of ten.

*Roy:* and you have a small dog. It's a Shih Tzu?

*Jablonski:* a Shih Tzu it's fifteen pounds.

*Roy:* Okay.

*Jablonski:*

And I took for a walk just across the road from where I live and as we turned to come back I heard a noise and the unit door for 498 had opened and there was a guy standing on the door step with a dog beside of him. I never seen the dog before so I went to pick up my dog because I didn't want my dog barking and as I turned, thank goodness I didn't pick him up cause this... it was about ninety pound white Bulldog, American bulldog he came and got my dog in his mouth shook the daylight out of him and then pinned him to the ground and I'm pulling on my leash trying to get. pull my dog away and the guy came running down he yelled at the other dog and grabbed him. My dog got loose from his lease and he just scurried home and so I went home and took my dog in the house and had him on the kitchen counter and he had two puncture wounds one on the shoulder and one in the rear, and I called my daughter who lives in Medford and she's, she isn't now, but she was a veterinarian technologist so...

*Roy:* That's a picture of the puncture wound (Roy is showing Garron this).

*Jablonski:*

So she suggested what I should do which I called the Police Department or the animal officer.

*Garron:* That's the puncture wound (Garron showing Schleiff the picture).

*Jablonski:*

While I'm waiting for the police to arrive I brought my dog to the couch because I didn't want him moving because he got these wounds and, um I noticed that the guy came out of unit 498 about ten minutes later with the dog on a leash but the dog was not leashed when he attacked my dog. And then Annie, the animal inspector, came over and, she ya know treated my but he had to go to the vet the next day for stitches and have drains put in. And the thing that I'm concerned with... I so glad I didn't pick up my dog because I think I would have been hurt pretty bad myself and my home is my sanctuary and I feel that I should be able to walk my dog whenever I chose. I am walking now with a golf club and I am getting a permit to have pepper spray because it was very frightening.

*Roy:* I'm sure it was.

*Jablonski:* Very upsetting, very frightening, my poor little guy ... I mean.

*Roy:*

I should make note that the owner of the other dog could not be here because he's working and couldn't get the day off. So, I think there's a report in everybody's folder about it.

*Schleiff:*

Would you be reading his letter? Would you be reading his letter for the record?

*Roy:* I can.

*Seelig:* You might want to.

*Schleiff:* Ya I mean after the hearing.

*Roy:* Yup.

*Garron:* (inaudible)

*Roy:*

Yes I just wanted to make note of that. I'll do that when it comes but um do you have anything else to add?

*Jablonski:*

Well I have over five hundred dollars in vet bills and somebody needs to pay this. I don't think I should have to pay it.

*Roy:* Okay.

*Jablonski:*

I wasn't doing anything I shouldn't and unfortunately I walk now with a golf club because if anything anybody anything comes near me or my dog they're going to get creamed and that's no way for me to live or anybody else to live.

*Roy:* Right ... right.

*Jablonski:* But I don't know what can be done but something does need to be done.

*Roy:* Um do you have anything to add. Did you witness this?

*McKillop:*

I, I did not witness it. I did see her dog. Um her dogs spent time in the vet hospital there and I did see him when he came home and he was in sorry shape and he was in a lot of pain. And, um I live right in the same area and I have a small dog so naturally I'm concerned so.

*Garron:*

You said you hadn't seen the dog that attacked your dog you have never seen the dog in the area before.

*Jablonski:*

No. I have never seen that dog before and probably I think they only had it like two weeks from what I understand but I have never seen the dog.

*McKillop:* They still have the dog.

*Garron:*

So have there been any other incidents that you are aware of that this particular dog has been involved in.

*Jablonski:* Not to my knowledge. No it was just this one.

*Garron:* So theres one incident.

*McKillop:*

They said that ... that somebody had given them the dog because they could not keep it. Don't know why they could not keep the dog... don't know them.

*Garron:* Could be ... could be for the same reason that...

*McKillop:* Could be.

*Jablonski:* Um hum.

*McKillop:* Obviously he does not like dogs.

*Jablonski:*

The thing that bothers me is that where that unit is there's a big grassy area a lot of the children play there and that's what scares me more than anything. I mean my dog is little his fur will hide the wounds he survived it but it really concerns me because of children that are living in the vicinity and there's a few in the better weather ya know and that is really a big concern.

*Roy:* Ya.

*Garron:* I understand she has a question.

*Roy:*

Annie would you ... I can read the um the owner of the dogs letter if you want.

*Annie:* Ya

*Roy:* Or you can make a statement. Would you like me to ...

*Annie:* I haven't heard uh the letter or read the letter.

*Roy:* Okay. Would you like me to do that before you make your statement?

*Annie:* If you wouldn't mind.

*Roy:* Okay that would be great.

*Schleiff:*

May I ask a question ... do you know... so you've talked to the owners of that dog now the owners that attacked your dog?

*Jablonski:*

The day after um ... this happened on a Thursday night. Friday I took the dog to the vet. My vets in Millis so it was an hour and ten minutes one way so but anyway we brought him home because I left him up there, came home and my daughter came down from Boston and she came up to get the dog with me and as we pulled in one of my other neighbors that has a little dog was pulling in and I wanted to warn my neighbors because we have small dogs just to be aware be aware of this dog if you see it move fast and um the owner that lives in the unit his name I can't remember his name well anyway, um, Brian I think it is.

*Roy:* Yes.

*Jablonski:*

Okay. He came over and he was and he was very kind he was very apologetic. He was so sorry that this had happened and he said ya know it's not my dog it's my wife's dog. He insisted on that. Well it doesn't matter to me who dog it is.

*Schleiff:* Ya it's all in the family.

*Jablonski:*

Its nothing and he said to me, he said the dog was not leashed and I said I knew the dog was not leashed because I didn't see one when the dog made the attack. But that happened so quickly ya know sometimes you don't see everything but he, he confirmed that the dog was not leashed. For that alone I want to shake them because you just don't bring a dog outside without a leash.

*Schleiff:* Have you had any further conversation with him since?

*Jablonski:*

No. I didn't ... nobodys ever contacted me just that one time the day after. They never came over to see if the dog was okay, see if I was okay ya know the night of the incident nobody came around. Which I thought was....

*Roy:* Well.

*Schleiff:*

They're not, they're not are they? ... are they aware of the dog's injuries or not? At that time were they made aware of it?

*Jablonski:* Oh yes they were aware ya.

*Roy:* Um I'll read you the letter

*Jablonski:* Okay. Thank you.

*Roy:* So this is um this is from Brian Ahlstedt.

Roy then read the letter from Brian Ahlstedt (*copy attached hereto and made an official part of these minutes*)

*Schleiff:*

Well I'm a little confused. If they pulled away with the leash and you saw the dog and there was no leash on it where did the leash go in between the door and the...

*Jablonski:* No there was no leash.

*Garron:* That's what I'm saying.

*Jablonski:*

And he reiterated it and my daughter and the other neighbor in the area was there when he said the dog was not on a leash. And that's what infuriates me more than anything any dog can break away for somebody things happen but um the dog was not on a leash and that I swear to.

*Roy:* Yup. Annie would you like to make a statement.

*Annie:*

Um I um, saw Tetley and I helped out with his I am vet tech as well and over his I did a quick assessment of him. Um we saw one puncture wound on him, um he was stable for the night but I did tell her she needed to take him to the vet and she did that. Um he the gentleman, Brian, was made aware that he would be stable for the night but he did, he needed veterinary attention. She did find a second wound on him afterwards. I was told by the gentleman that was left in charge of the dog that there was a leash involved. Um that he the dog had gotten away from him, um the dog has a heavy prey drive um so that would make up for why he is going after, she was going after a small dog and small dogs would be an issue but um and I would suggest at the very least training for the dog but its kind of mute point where the dog is leaving town so.

*McKillop:*

I don't know if it is or not though because ya know we've seen him their step.

*Roy:* Really. When was the last time you saw him there?

*McKillop:* Probably about two days ago.

*Roy:* Okay. This letter was dated... this was today.

*Schleiff:* Twelve thirty-one is the fax

*Roy:* Ya so this was today.

*Seelig:* No.

*Garron:* No that was December thirty first.

*Roy:* Oh I'm sorry that date is not on there.

*Garron:* You're talking eight days ago supposedly.

*Roy:* It just has the time on this.

*Seelig:* Right.

*Roy:* Okay.

*Schleiff:*

I mean the leash I mean if they bring it in the house they generally would take it off and it could have darted out but to say it had a leash and then not have a leash is confusing.

*Annie:*

I was told I was told that it had a leash by the gentleman that was in charge of the dog taking the dog out, um and I was told um by Mrs. Jablonski that she did not see a leash on the dog at all.

*Roy:* Does it matter at this point because they were unable to restrain the dog.

*Annie:* They were unable to control the dog.

*Roy:* So that right.

*Jablonski:* (Inaudible)

*Annie:* So either way um there's a problem with the dog.

*Roy:* Right.

*Annie:*

Um and like I said um this dog has a heavy prey drive. Um and that's a problem in this particular area because there are so many small animals in this particular area so um my suggestion would have been if they had kept the dog that there would be some restrictions put on the dog um as well as the owners get some heavy duty training with this dog to be able to control the dog. I don't care if it's the wife's dog and she is not home and he's in charge of it. They both need to be in charge of this dog and take ownership of what happens with this dog so ...

*Roy:* Um could I, could I can I see your vet bills is that okay?

*Jablonski:* Yes.

*Roy:* And has he offered at all to assist you with those.

*Jablonski:*

No nothing was said and I didn't do anything with it I have a letter going to them certified mail. They haven't picked it up yet but I didn't want to give before ...

*Garron:* Because I was gonna ...

*Jablonski:*

I wanted to wait till after Christmas I didn't want to say Merry Christmas you owe me five hundred dollars you know.

*Schleiff:* Yeah, yeah.

*Garron:* I wanted to ask this.

*Schleiff:* You never want to do stuff that ...

*Garron:*

He states here he extended his phone number and asked if he could assist you in any way and you said no.

*Jablonski:* He didn't give me his phone number he did...

*Garron:* Is that true.

*Jablonski:*

He did say if there is anything I can do let me know but no there was no phone number and at that point all I wanted to do is get my dog in the house. I mean he was on three different medications, I wanted the antibiotics after they removed the drains from my dog um there was still an infection so we had to change and put him on a stronger antibiotic and more pain pills but he was on antibiotics he was on pain pills and something else, and they did give him he just had his um rabies shot in July but she gave him a booster because I just wanted, I didn't know the situation with that dog I just wanted to make sure my dog was protected.

*Garron:* You heard ... heard the reading of the letter from (inaudible).

*Jablonski:* Ya.

*Garron:*

Was there anything else other than the leash that you didn't see that was is this report accurate up to that point?

*Jablonski:*

Basically yes. Ya basically but like I say I'm very firm on the leash there was no leash and he ... Brian did say that when he came over the next day, so, like I say accidents happen there I mean ya know.

*Schleiff:*

The officer reports says I asked Kelly about the situation Kelly stated that ... that he was going outside to take his friend dog for a walk. Kelly stated that he under restrained the dog, underestimated the dog's strength and leaving the residence at the door lost the grip of the dog leash. So that's reported to the officer.

*Jablonski:* Ya.

*Garron:* Well irregardless.

*Schleiff:* ya.

*Garron:* Ya it looks like the dog was not under control at all times.

*Jablonski:*

When I got a copy of the report from the police department they had spelled my name incorrectly they spelled it with a "y" instead of an "i" so I called to correct but I also reiterated to the police officer that the dog was not on a leash even though they said it was it was not.

*Garron:*

Do we have a report from Mr. Kelly because I .... I have some real problems with the narration that the owner of the dog gives it doesn't say he ran out and witnessed everything that was going on.

*Jablonski:* Right.

*Garron:* it sounds like you got this second hand.

*Jablonski:* He wasn't even there.

*Garron:*

So I ... I almost like to have a report from Mr. Kelly as to what actually happened since he was there on the spot because what he is saying here is ...

*Jablonski:* Hearsay.

*Garron:* Is hearsay.

*Jablonski:* Ya exactly.

*Schleiff:* Okay go out and do your job and be right back.

*Roy:* Um so um the bills came to I added it up 506.03.

*Jablonski:* Yes.

*Roy:*

So again so I guess what need to be because we don't have Mr. Kelly here I guess we need to just agree that the dog was not restrained regardless if there was a leash on him or not he was he was not restrained. And that this is an area as Annie stated that has a lot of children and small animals and so he could be a threat to be in that area so I think that um ... Charlie could you, could we insist on somebody paying someone's vet bills is that something under our jurisdiction?

*Garron:* No.

*Schleiff:* No.

*Seelig:* No I don't think I have seen it before no.

*Roy:* No. Okay.

*Garron:* That falls unfortunately under a civil matter.

*Jablonski:*

Well It will be even more because my contact gives me ten percent off which you notice and also the third visit instead of taking dog all the way back to stitches to be removed my daughter did it for me so she was able to remove the stitches.

*Roy:*

So do we want to continue the hearing and have Mr. Kelly come and then in the interim have an eye out for the dog?

*Annie:*

I can um I ... I would feel more comfortable if I went and spoke to um the owners and made sure that they've made arrangements for this dog to actually leave town.

*Garron:*

I was going ask you that there a two things I was going to ask first of all you said that you've have sent certified letter to them concerning the costs.

*Jablonski:* Yes I did.

*Garron:*

I would really like to see the response from that and like to find out from you (Annie) that the dog actually been removed from town.

*Annie:* Right.

*Garron:*

Because on my side before I make that decision I want to make I think that there is no doubt in my mind that the dog you know did attack your, you know dog you know, leashed or not leashed it was not under control when it came over.

*Jablonski:* Right.

*Garron:*

Um and we can deal with that later. There's some other circumstances I want to find out at least in my mind I'd like to carry it over until our next meeting before we make a decision and you see the response to what you (Jablonski) get from your letter and what you (Annie) find out about the dog being removed from the town and any other information that might not have been presented to us because as I say, I believe in hearsay here, because that this is a letter not from Mr. Kelly submitted from the owner of the house and in no time in his letter did he say exited his house to see what was going on to see the witness what went on with the dog together.

*Roy:* Mike do you agree?

*Schleiff:*

I ... I like to continuation ... I like to see that they are they going to take responsibility.

*Garron:* That's what I mean.

*Schleiff:* Taken care of whats happened.

*Jablonski:* Well I'm retired I'm on a very fixed income.

*Schleiff:* Right I'm not saying ... I'm saying I'd like to see him answer to it.

*Jablonski:* Yup.

*Schleiff:* Annie have another chance to talk to him.

*Annie:*

I had left my phone number on the night of the incident for them to contact me and I did make it expressly clear that I needed to hear from the owner and I have not, so and now that I know that she's home during the day or at least there is one person there I will make it an effort to get there.

*Schleiff:*

I think ... enough in with dealing this the harshness ya know of how to deal with this to see someone get something back to see if they're willing take responsibility.

*Jablonski:* Responsibility ya take some responsible.

*Schleiff:*

Try and try and make it right that shows us that ya I know I messed up it won't happen again or I'm gonna try and make it right.

*Jablonski:* We all make mistakes.

*Schleiff:*

And move forward if we can get to see that within the next two weeks. If not ...

*Jablonski:*

Like I said I'm very thankful that I didn't pick up my dog when I went to because I know I would have been hurt. So its animal instinct you can't really blame the dog for it ya know.

*Roy:* So I guess we'll have a motion to continue the hearing till ...

*Garron:* I would like to table at this time until January 22<sup>nd</sup>.

*Seelig:* You want to continue it to a time ...

*Garron:* To continue it.

*Seelig:*

I am going to recommend given already the schedule for .... well we're already I don't want people to having to be up late my recommendation is that the board start it's meeting two weeks from now at seven rather than seven thirty and we can put this on for seven fifteen.

*Roy:* Is that okay Mike with you.

*Garron:* No problem with me.

*Schleiff:* Ya.

*Roy:*

Okay lets do that Charlie thank you. So we'll continue this hearing until in two weeks on Tuesday the ...

*Seelig:* Twenty second at seven fifteen.

*Garron:* January twenty second.

*Schleiff:* You'll be the first on the parade.

*Seelig:*

Well we'll do our regular business then at seven fifteen will continue the hearing that the Boards agreed about that.

*Garron:* I extend my ... I'm a dog lover so I know how you're feeling.

*Jablonski:* It's my baby my little boy I feel so bad for him.

*Garron:*

I'm sorry for the things that even occurred but unfortunately we can't do anything about it.

*Jablonski:* I thank you I appreciate that like I say ...

*Garron:* I know.

*Jablonski:* He was my retirement gift you know.

*Garron:*

Hopefully we can end this as such. Because it, from the letter doesn't seem that the gentleman is a bad person sounds like he was more, just as upset as you were.

*Jablonski:*

Yeah, oh he Brian himself the next day he was very concerned, giving me his due, he was concerned, he did feel really bad about what had happened ya know um and I appreciated that and I told him that I said I appreciate you coming over because ...

*Garron:*

well lets find out lets hopefully get back from how he responds to letters and concerning the vet bill and find out if the other dog has actually left our town and that hinges on the kind of decision we'll make.

*Roy:* Okay I have a motion and I need a second.

*Garron:* I will move that we continue this hearing until January 22<sup>nd</sup> at 7:15.

*Schleiff:*

And I'll second that. I just want to add one more thing if you see the dog loose or any dogs loose down there no collar no ...

*Jablonski:* Uh hum.

*Schleiff:* By all means call.

*Jablonski:*

They're very good at Twins Lakes as far as you know having a hold on that and no I don't usually see any dogs we had one little one running around but he's long gone.

*Schleiff:* So if you happen to see the dog by all means give her a ring.

*Jablonski:* Okay.

*Schleiff:* You shouldn't have to be scared of dogs.

*Garron*: I hope the rest of this year is much more positive note than the last one.

*Roy*: All those in favor.

*Roy*: Aye

*Garron*: Aye

*Schleiff*: Aye

### **Community Development Strategy**

Seelig wanted to bring the Board up to speed on the upcoming application for the community development grant. Three years ago Halifax and Carver together accepted applications for a Housing Rehabilitation Grant in which money was allocated to seven households in Halifax and eleven households in Carver to do improvements on their homes.

The grant round is coming up again and in two weeks there will be a hearing to discuss the grant process and the joint application from Carver and Halifax which will be due in February. As part of the previous grant, seventy households applied for housing rehabilitation loans and Seelig is certain that we will get more before the deadline is up. Each year there is less grant money available so one way to increase our chances of receiving funding is a regional approach that is why we are doing it with Carver. Another one is that Carver and Halifax would like to include a childcare voucher program in the application to give families more of opportunity to go to work. This has been incorporated under “Economic Development” section in the *Community Development Strategy* handout that was given to the Board which outlines the Town’s priorities during the next few years and decade.

Seelig mentioned to the Board that as part of this grant recipients have to fall within the category of having low or moderate income. When they were going through this process three years ago they picked areas of Halifax where the housing stock was in bad shape. They included the mobile home estates because the elderly are considered to have low or moderate income which is not to say that all seniors meet that definition based on their incomes.

Seelig realizes that there are numerous areas within the town that are in need of money such as increase recreation space, new council on aging facility, Monponsett ponds, build out sidewalk network, and purchase land for future town needs all of which are pointed out in the *Community Development Strategy*. Schleiff was asked where did this strategy come from and Seelig said that he put it together three years ago and just updated it. Roy asked if Seelig needed a vote tonight and he stated no but will need one in two weeks in order to incorporate it in the grant application. The Board thanked Seelig for his great work in putting together the *Community Development Strategy*.

### **Complaint – 132 Plymouth Street**

The Building Inspector has received a complaint in reference to the property listed above saying that there are occupant(s) living in an unattached dwelling at the rear of the property. He has forwarded the letter, which was signed but is illegible, to the Selectmen’s office. No action is needed from the Board Seelig just wanted them aware of it.

**GENERAL MAIL / DISCUSSIONS (CONTINUED)****Medical Marijuana Dispensaries**

The law allowing the use of marijuana for patients with serious medical conditions went into effect January 1<sup>st</sup> but the state Department of Public Health has until May 1<sup>st</sup> to issue regulations on who will run and work at the dispensaries and how they will be operated. With that being said, Seelig explained that the town should have zoning in place before that date and since Annual Town Meeting will not occur until May 13<sup>th</sup> a Special Town Meeting will be needed. He added that there is a the window between May 1<sup>st</sup> and May 13<sup>th</sup> in which if someone was to come in to open a dispensary it would fall under a retail store according to the current town by-laws.

Seelig is suggesting two articles at the special; one which would prohibit the dispensaries in all districts and a second that would allow it in one or more districts. The second article is necessary in case the first one receives the 2/3rds majority votes needed to pass zoning by-laws. This of course will be by secret ballot as there may be residents who have medical privacy issues.

Seelig is recommending before the Special Town Meeting takes place to have a possible joint meeting with the Planning Board and hold an open forum to get feedback before drafting the second article.

Roy stated that even though a resident voted for it they necessarily did not mean that they wanted here in town but available for a patients who may need marijuana for medical reasons. Garron added that there are two sides to it as there are individuals that need it but he knows that we cannot control the illegal drugs we have on the street and thinks they have to go in the direction of the two articles that Seelig suggested. Schleiff is still not for it and questioned if anyone thought someone would come in between May 1<sup>st</sup> and May 13<sup>th</sup> and Roy said that Seelig fears that if Halifax has no regulations it will open the door for a dispensary to open as a retail store within that short window. An open forum will be held on February 12<sup>th</sup>. If a Special Town Meeting is needed Seelig stated having one in March is doable or within the first couple of weeks in April.

In addition Seelig wanted to inform the Board that the M&SBC has advertised a request for proposals for a parcel of land with a building on it for a new Senior Center. Deadline for the bids are February 4<sup>th</sup>. He expects that if they get a reasonable proposal M&SBC and the COA may request an article be placed on the warrant for either a special or at the annual to fund the purchase of the property and perhaps hire an architect. Seelig is recommending that the Board meet with the COA and M&SBC either on January 22<sup>nd</sup> or February 12<sup>th</sup> to talk about this. Roy said that she has not heard anything since touring the building and was a little taken back that they have not come to the Board with formal request/conversation. Schleiff agreed with Roy.

Letter of Commendation from Chief Carrico for Three Firefighters

Chief Carrico sent a letter to the Board commending three of his firefighters who did a tremendous job in rescuing two boys who were lost in the woods a couple weeks back. Roy stated that they did an incredible job and Schleiff added what a great job everyone did in stepping up and helping with the rescue.

Moved by Garron and seconded by Schleiff, the Board voted that a letter be sent to Lt. William Palma, FF/EMT-P Thomas Luckman and FF/EMT-P Rich Furlong commending them on assisting in the rescue of the two lost boys.

Monponsett Pond

Brian Creedon has responded to Seelig letters that he sent him last month and Seelig has forwarded the response to the Watershed Association, who is very unhappy that Mr. Creedon's reply did not provide direct answers to the Board's questions. The association would like to meet with the Board on January 22<sup>nd</sup>. Both Garron and Seelig were in agreement with the Watershed Association.

Audit Update

Seelig wanted to inform the Board that the auditors have given a punch list to the Town Accountant and stated that most of the open items need to be done by the auditors.

MMA Meeting

Roy will be attending the MMA annual meeting therefore the Board will not have to delegate someone to represent the Town at this meeting.

Odie Situation Policy

A policy should be in place to deal with situations when the town is in possession of dog, just in case another situation arises like the previous one with Odie.

IRA- Vehicle Usage

Three town employees have been informed of the new IRS regulations, which is that the town will have to include personal use of a vehicle for commuting and/or transportation to a second job or other activities in calculating gross wages for the calendar year 2013 and going forward.

Seelig suggested that the Board could vote to define *control employees* (employees earning more than \$115,000 per year). Doing this will allow employees to use vehicles to commute back and forth at a rate of 1.50 for each one way trip instead of having to keep track of all vehicle miles and having 56.5 cents per mile for personal use included in their CY2013 W-2 compensation.

Race Management Request for 5 Mile Road Race

South Shore Race Management is requesting permission to hold their 2<sup>nd</sup> Annual Halifax 5 Mile Road Race on May 5, 2013. Everything will remain the same as last year including the course. Seelig has asked public safety and public works for feedback but has not heard back from anyone. He is recommending that the Board approve this request for the road race with the same stipulations as last year. Seeing as there has been some holidays over the last few weeks Schleiff

would like to give these departments a couple of more weeks to see if they have any input. Seelig will ask again for feedback and the Board will hold this till their next meeting.

#### Town “App” for Smart Phones

A mobile app has been established to allow citizens to report non emergency community issues ranging from potholes, street lights and inspections etc. What the resident would do is submit a description, photograph and location of a service request to the local government. The City of Boston has contracted with *SeeClickFix* and will pursue a grant, which will support up to thirty Massachusetts cities and towns to be able to use this app at no cost to them for a three year contract. Seelig added that after the three years there is no obligation that Halifax continues with the contract. He is recommending that the Board approve the agreements with the City of Boston and *SeeClickFix*.

Garron was for it as long as it does not cost the town any money. Roy thought that it was a lot of work and time consuming and Schleiff had no problem with it but was also concerned about the consumption to time as well as the problem of employees being on it all the time as he has seen that when at meeting everyone is on their phones instead of giving their attention to the topic at hand. Garron asked Seelig to check with the departments to see if they are on board with it and if interested Seelig can set up the system. Seelig stated that they will start with a soft opening which will be three topics.

Moved by Schleiff and seconded by Garron, the Board unanimously voted to allow Seelig to pursue a three year contract with the City of Boston and *SeeClickFix* to develop and use an “app” for smart phones.

#### Military Policy for Recycling Abatement

Based on the previous vote by the Board the above policy has been written out and is ready to go in the town’s by-law book under *selectmen policies*. The selectmen assistant has asked the Board to review it before doing so. The Board was in agreement to the language and now can be put in the book.

#### Surplus Police Vehicles

The Police Chief is recommending that the Board declare the 2008 and 2009 cruisers as surplus as the two new cruisers have arrived. If declared surplus those two and the old sergeant’s car will be sold.

The Kelly Blue Book quotes:

2006 Ford Crown Victoria – fair condition \$4,321

2009 Ford Crown Victoria – fair condition \$6,933

2008 Dodge Charger – fair condition \$6,937

Schleiff added that he does not consider these vehicles in fair condition as they are used day in and day out.

Town mechanic, Dave Nault, recommends not going any lower than:

2006 \$4,000

2009 \$5,000

2008 \$5,500

Seelig mentioned that we are still in hard economic times and that if they do not sell they can be put out for bid again. He is recommending setting the minimum bid at figures lower than the Kelly Blue Book and added that he will do his best to cover all avenues regarding advertising the sale of these vehicles. Garron asked how long they would keep the car if the minimum bid is not met.

Moved by Schleiff and seconded by Garron, the Board unanimously voted to go with Dave Nault's recommendation (listed above).

#### Barry Gates - Earth Removal Permit

Mr. Gates has made an appointment to meet with the Board on January 22<sup>nd</sup> to discuss his earth removal permit. He has spoken with Seelig and told him that he has not removed any material in over a year due to the slow economy but would like to renew his permit without spending money on drawings showing the current topographical data and pay to have an inspection by the Town's engineer because if he was to terminate his permit he would be required to do both. Seelig stated that he did not make any promises to him and would present to the Board this evening. Garron asked what have we done in the past in a situation like this and Seelig stated this has not happened before. He will look at the by-laws and previous earth removal permits that have been issued and bring back that information the Board at their meeting on January 22<sup>nd</sup>.

#### Boiler – School

John Tuffy has called to report that there is a leak in one of the newer boilers at the school and said the older boiler can handle the current heating load with the current temperatures. There will be some bidding/emergency issues that will need to be dealt with and a reserve fund/line item transfer later this year. The Board does not need to act on this Seelig just wanted them in the loop.

#### Affirm – Live Entertainment – Margaret Grafton

Moved by Garron and seconded by Schleiff, the Board unanimously affirmed approval of Permit #2013-38 issued to Margaret Grafton for live entertainment on the Town Green for a candle light vigil for Newtown, CT on December 21, 2012 from 6:30 p.m. to 8:00 p.m.

#### Affirm – Class II License – Pete's Auto Sales

Moved by Garron and seconded by Schleiff, the Board unanimously affirmed the approval of Pete's Auto Sales Class II 2013 license renewal.

#### Affirm – Common Victualler License – Bella's Pizzeria II

Moved by Garron and seconded by Schleiff, the Board unanimously affirmed the approval of Bella's Pizzeria II Common Victualler 2013 license renewal.

Process in Hiring New Police Chief*Job Description*

The Board was given a job description for Police Chief but it is quite old and there are no requirements for education or qualifications listed in it. Garron stated that having a degree does not give you the ability to be a chief it is experience and Schleiff agreed. With that being said the Board needs to make a decision on setting criterias for the job.

Roy thinks that the applicant should be a sergeant and have at least seven years of supervisory experience. Schleiff is aware that they need to advertise but need to set qualifications they want from the candidate. Seelig stated they can talk more about the description at their meeting on January 22<sup>nd</sup>.

*Recruitment*

Seelig is not going to place an advertisement in the local papers. Seeing as Garron has someone in mind he does not want to send out a false message to those applying for the job. Schleiff stated that Broderick knows the job and thinks he is more than qualified to do it. He pointed out the following: (a) he has served in the town for many years, (b) lives in town and (c) has covered the department on numerous occasions. Schleiff does not want to state a bachelor's degree is needed as this might disqualify him because he may not have one and suggested that schooling should come later as a stipulation. Garron said choosing from within shows the other men that there is an opportunity down the road for them.

*Finalists*

Board felt that thirty minute interviews per candidate will be sufficient amount of time.

*Selection Process, Assessment Center*

Schleiff asked if they needed an assessment Center. Roy explained that with the Assessment Center numerous exercises are administered that the applicant takes part in but asked if they wanted to spend the money on one. She asked Garron and Schleiff if they wanted a selection committee or have the committee help them or they could have the current chief help or the Board could do it themselves. Schleiff asked what qualifications would a committee have in choosing a chief.

Seelig stated that he will get a job description together for the Board to approve on January 22<sup>nd</sup> and will have a time table for them.

**EXECUTIVE SESSION**

Moved by Garron and seconded by Schleiff, the Board voted as follows to enter into Executive Session at 10:00 p.m. to discuss contract negotiations for Sergeants, Patrol Officers, Firefighters, Highway and Dispatch:

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

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

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Moved by Roy and seconded by Garron, the Board voted as follows to come out of Executive Session at 10:15 p.m.

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

**MEETING ADJOURNED**

There being no further business, moved by Roy and seconded by Garron, the Board unanimously voted to adjourn the meeting at 10:15 p.m.

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Michael J. Schleiff  
Clerk

/pjm