

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, JULY 9, 2013 - 7:30 P.M.
SELECTMEN MEETING ROOM

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, July 9th, was unanimously approved without revision.

AFFIRMED COMMITMENTS / WARRANTS

Moved by Roy and seconded by Schleiff, the Board unanimously affirmed approval for the payment of the following commitments and warrants with the exception of Schleiff abstaining from the Police Department payroll in warrant FY13 #105:

FY13 Payroll Warrant	# 105	\$ 241,458.90
FY13 Vendor Warrant	# 106	\$ 67,338.57
FY13 Withholding Warrant	# 107	\$ 81,904.94
FY14 Vendor Warrant	# 2	\$ 143,520.51
Ambulance Commitment	# 5C	\$ 110.00
Ambulance Commitment	# 6	\$ 22,932.95

APPROVED COMMITMENT / WARRANTS

Moved by Roy and seconded by Schleiff, the Board unanimously approved payment of the following commitment and warrants:

FY13 Vendor Warrant	# 108	\$ 38,529.01
FY14 Vendor Warrant	# 3	\$ 1,194,202.97
Ambulance Commitment	# 6B	\$ 10,991.17
Mobile Home Park Fee	# 7	\$ 5,160.00

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

Pam McSherry (establish petty cash/FY14)	\$ 50.00
MMMA (dues/FY14)	\$ 130.58
MMA (dues/FY14)	\$ 922.00
MIIA (Worker’s Comp. renewal policy)	\$ 50,342.01
MEGA Property & Casualty Group (install. pay. #2 of 3).....	\$ 4,486.86
Boston Mutual Life Insurance (Accidental Death Policy)	\$ 3,697.68
CNA Surety (K. Roche/bond)	\$ 100.00
Virtual Town Hall Holdings (website design fee)	\$ 4,082.00
Gatehouse Media MA (ad for Comm. Ctr. Manager)	\$ 289.88
Deutsch Williams Brooks (legal/June)	\$ 3,662.71
Kopelmen & Paige (legal/June)	\$ 3,450.72
Attorney Lawrence Mayo (legal/June)	\$ 1,093.75
Jordan Hospital (deductable/111F/R. Briggs)	\$ 124.51

The Board acknowledged payment of the Selectmen Office Payroll for the period ending June 29, 2013 in the amount of \$5,988.30.

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2013-77	\$ 15.00
2013-78	\$ 5.00
2013-79	\$ 10,700.00
2013-80	\$ 50.00
2014-01	\$ 197.54

GENERAL MAIL / DISCUSSIONS

Mowing of Arrowhead Path

In previous years Mr. Gavin has complained about the lack of mowing in the cul-de-sec at the end of Arrowhead Path as Ocean Hill, Inc., the developer for Highland Woods, has failed to do the mowing. Seelig’s take on this is that with Larry Salters passing and the depressed economy, no one in the family was interested/organized enough to continue the development efforts or, for that matter, the maintenance of the property. The Building Inspector’s office has heard that development may be sold during the summer. Seelig has sent a note to Ocean Hill, which has come back, and has sent another one to a different address and is waiting for a response.

Mr. Gavin was going to come in this evening to talk about this with the Board but has asked to postpone it until the Board’s next meeting on July 23rd.

Monponsett Pond/Brian Creedon

Mr. Creedon has contacted the office stating that he was unavoidably unable to attend the meeting two weeks ago as he was waiting at his son’s house for a mover who was two hours late.

The only responses to the letter that Seelig has written to the Mayor Balozzi has been from Mr. Creedon, who will refer to the Water Commission, and Merry Scozzari, the interim Town Administrator in Hanson who will refer it to her boards.

Trash Contract - Howland Disposal

Moved by Roy and seconded by Schleiff, the Board unanimously voted to sign two (2) contracts between the Town of Halifax and Howland Disposal Services, Inc.

Reappointments

Gas and Plumbing Inspector Assistant, Thomas Leary and Old Colony Planning Council – Delegate, John Mather both have completed their online ethics training, therefore they can be reappointed by the Board.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to reappoint Thomas Leary as Gas and Plumbing Inspector Assistant term to expire June 30, 2014 and John Mather as Old Colony Planning Council Delegate term to expire June 30, 2016.

Town Government Study Committee - Human Resources Director

After meeting with a number of town employees and going over the details for the request of a Human Resources Director the TGSC did not feel that there is a sufficient need for the position. Because departments are unwilling to cut budgets to finance the position and the Town has other needs that require appropriations, there is no money available for the position. The Committee did not propose any changes that might deal with the issues presented by the departments.

Liquor Violation - Twin Lake Liquors

The ABCC has scheduled a hearing for Tuesday, September 24th at 10:30 am in Boston concerning the underage violation. A disciplinary hearing has also been scheduled with the Selectmen for July 23rd.

No Fireworks Complaint

Resident, Caroline Harrington, wrote to the office to say that she thought that the Town had not done enough to inform residents that the fireworks were canceled and that they were canceled due to the lack of funding. Halifax in Lights Committee member, Shannon Hadorn, wrote her back apologizing and invited her to their next meeting on Tuesday, July 16th.

Both Shannon and Gordon Andrews, member of the Finance Committee, have mentioned the possibility of setting up an on-line donation system. Kathy Shiovone is checking with UniBank (manages the Town's on-line tax payments) to see if something could be done.

Roy stated that she did hear from people who were also disappointed and wanted to say that it takes people to volunteer and the committee tried to fundraise but the last event they had only three attended and the family fun day that was held in June raised about \$1,500 and it cost \$10,000 to put on a fireworks display. She continued to say that they did have volunteers from Stop & Shop, Rockland Trust and high school students but the committee needs more volunteers and asked the audience if anyone was interested to please call the Selectmen's Office.

SCHEDULED APPOINTMENTS

Helen Doucette – Appointment to COA

Ms. Doucette came in this evening as she has expressed interest in joining the Council on Aging. Garron began by saying that he has known Helen for years and hopes that she now has the time to volunteer. She began by saying for the last two years she has been doing the meals on wheels on Tuesdays and continued to say that she cares about the town and the seniors and wants to be more involved and thought joining the council was a good start. Schleiff wanted to thank her for stepping up and volunteering and COA Director, Barbara Brenton said that she is glad to have her come on board as they have had numerous volunteers on the COA who have stepped down.

Move by Roy and seconded by Schleiff, the Board unanimously voted to appoint Helen Doucette of B3-1 Lydon Lane to the Council on Aging term to expire June 30, 2015.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Line Item Transfers

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

FROM	TO	AMOUNT
Board of Health Clerical #01-511-5113	Board of Health Expense #01-512-5230	\$ 18.13
Water Department Insurance #65-455-5745	Insurance #01-193-5753	\$15,503.38

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

FROM	TO	AMOUNT
Treasurer’s Expense #01-146	Banking & Payroll Expense #01-145	\$ 185.05
Office Machines #01-199	Selectmen’s Expense #01-123	\$500.00
Water Tower/Well Maintenance #65-453-5884	Water Retirement #65-454-5638	410.62

Moved by Garron and seconded by Schleiff, the Board unanimously approved the following line item transfer:

FROM	TO	AMOUNT
SPED Transportation #01-312-5325	SPED Tuition #01-311-5324	\$ 32,500.00

Selectmen Bill

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

Charlie Seelig
(reimbursement for FY13 travel & general expenses)..... \$ 1,095.14

Beautification “Don’t Litter” Signs

The Beautification Committee is asking permission to put up black and white wooden don’t litter signs in various locations such as the HOPS playground. Roy felt that if you are a “litterer” you will just look at he sign and still do it and asked if there was a real need for the signs and that maybe the money could be spent on plantings or other items to beautify the town.

On the sign it states that fines start at \$200, which both Roy and Schleiff thought that should have been discussed with law enforcement authority. Seelig said that the State law says that one can be fined up to \$5,500 for littering. Roy would like to see where the signs will be posted and would like to bring the police in on this.

Schleiff asked how big will the signs be and it was said 12 inches tall by 18 inches long. He too said that this should have been brought to the police and Garron agreed adding that they should have come to the Board but did say the signs are needed and also asked where would be placed. Seelig stated that he can ask the committee where the signs will be hung. Schleiff asked if it was a State regulated sign and Seelig said it was not. Roy suggested that the Beautification Committee send the description of the sign to Highway and the Building Inspector. Seelig said he can ask Nicholas Lonberg (person making the signs) if they have been made yet and if not will ask him to hold off. Garron again said he was okay with having the signs up just wants to find out the location and asked Seelig to find out if the signs have been made and if not would like to have a open discussion on this.

Zoning By-Law Committee

At this time the Board is waiting for nominees from ZBA and the Planning Board. Seelig stated that as far as he knows no one has sent in a Talent Bank form. The Building Inspector would like to meet with the Selectmen on August 13th regarding this committee.

Solar Revolving Fund

Seelig is recommending re-establishing the solar revolving fund as it ended on June 30th. The BOS and the Finance Committee set this up in November 2012 but it was for FY2013 in connection with the solar farm at the Plympton/Halifax line. Seelig would like to set it up again for the same amount, \$15,000, with the intent to add it to the list of annual revolving funds approved at Town Meeting. This would be helpful in case the Town received another request for a solar farm and/or if someone wanted to build a farm on Town land. Revenue would come from any potential developer, not the tax rate.

Moved by Garron and seconded by Roy, the Board unanimously voted to continue the Solar Revolving Fund Account.

Live Entertainment – COA Annual Cookout

Moved by Schleiff seconded by Garron, the Board granted a request from the Council on Aging for live entertainment (Mel Simons) at the Senior Annual Cookout on August 14, 2013 from 12:45 p.m. to 2:00 p.m.

Bond Release

Moved by Garron and seconded by Roy, the Board voted as follows to release the \$5,000 bond that was issued by Columbia Gas of Massachusetts held in connection with Permit #2012-42 for work done at 12 Lingan Street.

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

Moved by Garron and seconded by Roy, the Board unanimously voted to release the 5,000 bond that was issued by Columbia Gas of Massachusetts held in connection with Permit #2013-18 for work done at 525 Monponsett Street.

Search Committee for Communication Center Manager

Seelig began by saying that ten resumes had been submitted but only four were applicable and that monster.com website listed the job as Community Center Manager.

Schleiff suggested asking the Fire and Police Chief who they would like on the committee. Roy said that she talked with the chief and he did not have a problem with someone from the union being on it. Garron thought that Fire and Police Chief and someone from the Union would be enough. Schleiff said that he has not had time to think about it. Garron asked when do they want this person in place and it was said ASAP as the deadline for accepting applications was yesterday. Garron entertained a motion to establish the committee with the three people that was suggested.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to establish as search committee consisting of the Fire Chief, Police Chief and a member of the Union for the hiring of the Communication Center Manager.

SCHEDULED APPOINTMENT (CONTINUED)***Dick Wright, John Shiavone & Peter Epstein – Cable Contract***

Mr. Wright began by saying that they wanted to come in to bring the BOS up to date regarding the town's cable. He stated that he thinks Halifax is going to go forward as a single entity as Plympton can not come any decision on whether or not they need a studio in town as they do not feel that they would have any use for it and don't think they will miss it if they lost the studio. Garron said that he had a conversation with one of the selectmen and it was his understanding that they could go to Plymouth and get the service they want. Wright said that was one of the options that they were considering and another one was to set up remote cameras at town hall and tape their BOS meetings then send off to another community. As Mr. Shiavoine said that door is not closed completely but they are not looking in the same direction as Halifax is. Garron stated that they are

looking to save money any way they can. Schleiff asked if there were fees to send the taping off to another community and it was stated yes.

Mr. Epstein stated that the problem is Comcast and its predecessors have operated the studio for twenty two years and now for the past couple of years they are saying that they will no longer do so. Therefore, when we started the renewal process we sent a RFP to Comcast saying to keep doing what you have been doing because the town did not want to have to take responsibility or create an entity to do this. Comcast then came back and said they are not doing this and under applicable law Halifax cannot force them to continue. That then led to the discussion of Halifax and Plympton joining forces assuming the responsibility through a non profit corporation. He continued to say that Comcast would provide up to 5% of their gross revenue and fees will have to be asked from the subscribers and if you need money for equipment that also will be asked for through them. With that being said Plympton is concerned that their subscribers will have to pay for this. Mr. Epstein gave an example; in Halifax if you create this access corporation and you got the maximum under federal law of Comcast's gross revenue, which would be about \$125,000 and then you got \$200,000 to buy or replace equipment and renovate space it would cost about seventy cents per subscriber. Again it is not that the cost are huge the problem is we think the cost are already in there therefore the subscribers are paying twice. After Halifax's discussion with Comcast they stated that they understand under federal law that Comcast has the right to "pass-through" to the subscribers to operate the Halifax studio. The studio total budget is approximately \$115,000 of that figure Halifax's share is about \$87,000 (3.5 %). The concept is if you went to five percent then you need to say to Comcast you can only have a new increase of 1.5% because you already have costs in there. The problem is that there is no rate regulation making it difficult to force the issue but Mr. Epstein thinks the Cable Advisory Committee and the Board wants to continue exploring those cost with Comcast. Schleiff asked if this was something that needs to be done and he said yes saying that at this time Comcast is still operating the studio and making money and nothing has changed but he thinks they will start getting impatient and for that reason Halifax needs to move forward with the assumption they will be doing it on their own. Schleiff asked if Plympton was under contract till this year (December 2013). Epstein said yes and explained that under federal law if *you deny* until there is a resolution Comcast has to keep doing what they are doing.

Seelig stated that at this time Plympton has cable equipment at the Town Hall that records meeting and they may contract with Plymouth and pay a minimal amount for programming and bring their tapes to Plymouth and they will handle broadcasting for them. Mr. Epstein said that the problem with doing that is Plymouth does not have the ability to broadcast to Plympton. Seelig said that it is technology problem but Plympton could work with Plymouth on getting them in the *broadcast loop*. Doing this may cost Plympton money but it could be less than them running a studio.

Mr. Epstein said that they were just using the 5% figure and it could be done for less as it depends on your rent, salaries for employees and what kind of coverage Halifax may want. If you rent to the non-profit then the non-profit could pay rent

to the town and that money could then be put in the general fund. Decisions have to be made as to whether Halifax wants to proceed or wait and see what happens.

Garron's gut feeling is that Plympton is not going to make a decision on this any time soon and will go the least expensive way. He thinks that we need to do what is best for the town and go ahead with this and if Plympton wants to join us later we can talk terms with them. He continued to say that he does not think Comcast wants to get into a battle because federally it does not put them in a good light.

Schleiff thought that we should get the cost on regionalizing with other towns. Garron said that we have tried to partner with Plympton on ambulance service but they went in another direction and when making decisions on school matter there also seems to be some friction with them and as a Board they need to make a decision and not be concerned about what is going to happen to Plympton. Schleiff asked what it would take to partner with Bridgewater or Hanson so we can keep the cost down for the residents.

Mr. Wright said that the studio is important. The Town of Pembroke found this out when they broke away from Comcast and became Pembroke Community Access as they had volunteers and their studio flourished. Mr. Shiavone stated that Halifax does not have to be a full studio just giving the resident public access would suit the needs.

Roy understands that this important but feels that \$125,000 is a lot of money and was concerned about a capital plan being associated with it. Schleiff stated the rates through Comcast would pay for that but Roy said at this time the town is involved because they are funding it to become a non-profit and asked if there was any way down the road that Comcast could not put money towards this studio and say that they do not want to do this any more. Mr. Epstein said that the federal law could change but if you were to have a ten year license federal law could grandfather you for at least the remaining term of the contract so that you would not be left high and dry. He does not think that would be a problem but you really want to make sure that if you have a non-profit that it is run well because you get the most bang for your buck as people are paying for it. Roy's only concern again was if funding was pulled would it be the town's responsibility and Mr. Epstein does not think that would happen and added as far as a capital plan there is one for the equipment that would be purchased.

Garron asked if there was any funding coming from the Federal or State. Mr. Epstein said that he has never seen anything available or other monies available to do this and said that there is going to be a cost whether you go with someone else or stand alone. He continued to say if you were to go with someone they may ask for 5% of your revenues then it would be a policy decision for the Board to decide if it would be better to give another entity the 5% and have them do it or Halifax does it and leaves the funds in the community. Mr. Epstein explained if and when the non-profit is established it would have a Board and they would be responsible for the budget and generally they would hire someone. He went on to say that in a relative small community you might not want an Executive Director because that person that could take up much of the budget and that maybe having a couple of good part time people would be better.

Garron said he would like to see how other non-profits are laid out in terms of the operations because for him that would be part of the decision process. Mr. Epstein said that when you have a non-profit like this the first couple of years the Board's involvement is more important because you are establishing policies and procedures and doing the budget. He continued to say that with a budget of \$125,000 Halifax could certainly do it and suggested finding other communities with similar amount of subscribers and operating budget to see how they are doing.

Garron asked Mr. Wright and Mr. Shiavone what they were looking for from the Board tonight and Mr. Shiavone said they just wanted to update them. He also wanted to mention that the funding is from the subscribers and one of the reasons that they want to look at a non-profit is as a non-profit there are avenues of revenue they can acquire that a municipal entity cannot such as donations, tax breaks, renting equipment and advertising.

Roy asked if the decision to go forward without Plympton would be the Cable Advisory Committee's decision and Mr. Epstein stated that he thinks it is the BOS decision based on the recommendation of the committee because the committee serves to advise the BOS but the BOS are the issuing authority. The Cable Advisory Committee just needs to let the Board know when they are ready to make a recommendation. Mr. Epstein perception of tonight's discussion is that Halifax is going to proceed on just a Halifax model and said that he does not think a vote needs to be taken.

Garron said that as much as he would love to partner with Plympton because they one of our surrounding towns and regionalization is the way to go, Halifax needs to build a foundation for ourselves and added that a lot of people do watch the BOS meeting and would like to continue to have access to this service.

Schleiff would like a safety net knowing that Halifax can jump on board with another community just in case it is not successful. Shiavone is confident that someone will take Halifax on if things do not work out. The Board thanked them for coming in and providing them with this information.

Ryan Kelly – Eagle Scout Project

Ryan Kelly came in this evening to introduce his idea for an Eagle Scout project to the Board. He began by saying that his plan is to put some benches at the top of the hill at the HOPS playground. There are five trees at the top and he wants to put a bench in between each tree. He will not be using wood because it would get too hot. His plan is to put footings in the ground and attach the benches to the footings. He is not concerned about water because there is lots of drainage. The sizes of the benches are going to be 8 x 3 with no backs and will be 18 inches off the ground. The reason for no backs is so that more than one person can sit on the bench and can be sitting in opposite directions. Roy thought his design was great and said that people can watch games being play and also turn and watch the kids at the playground.

Garron asked him how he came up with this idea and he said he spoke with Ms. Roy and together they came up with this proposal. Roy said he wanted to do the gazebo but that would cost too much money. Garron is very proud of the Troop and appreciates all that they do.

Ryan stated that he thought about fundraising for the materials and seeing if anyone wanted to donate a bench in honor of someone. He would like to start fundraising as soon as he gets the necessary signatures. Ryan added that it will not interfere with the sledding and hopes to have it done by the first frost if not he will have to start it in the spring of 2014.

Moved by Roy and seconded by Schleiff the Board unanimously voted to approve Ryan Kelly's Eagle Scout project which will involve building 2 - 3 backless benches at the top of the hill between the HOPS Playground and the Town Soccer Fields.

Moved by Roy and seconded by Schleiff the Board unanimously voted to have the Chair, Troy Garron sign Ryan's Eagle Scout Project Proposal on behalf of the Board.

MEETING ADJOURNED

There being no further business, moved by Garron and seconded by Schleiff, the Board unanimously voted to adjourn the meeting at 9:05 p.m.

Kim R. Roy
Clerk

/pjm