

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, DECEMBER 10, 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:

AGENDA

The Agenda for Tuesday, December 10th, was unanimously approved without revision.

PLEDGE OF ALLEGIANCE

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

MINUTES

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

- Regular Session – October 8, 2013
- Executive Session – October 22, 2013

AFFIRMED WARRANT

Moved by Roy and seconded by Schleiff, the Board unanimously affirmed approval for the payment of the following warrants with the exception of Schleiff abstaining from the Police Department payroll in warrant #44 and Garron seconded that vote:

Payroll Warrant	# 44	\$ 362,201.91
Vendor Warrant	# 45	\$ 208,529.37
Withholding Warrant	# 46	\$ 137,038.24

APPROVED WARRANT / COMMITMENTS

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

Vendor Warrant	# 47	\$ 46,807.14
Mobile Home Park Fee	# 11	\$ 5,160.00
Mobile Home Park Fee	# 12	\$ 5,160.00
Ambulance	# 11B	\$ 10,635.51

APPROVED BILLS

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

Jordan on the Job (physical/Cushman/Police)	\$ 720.00
Atty. Lawrence P. Mayo P.C. (legal services/ Nov. 2013)	\$ 281.25
Malloy, Lynch, Marini, LLP (services/audit 6/30/13)	\$ 7,500.00

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

November 30, 2013 FOR \$ 6,034.11

The Board acknowledged the following payments to the Treasurer:

<u>TURNOVER</u>	<u>AMOUNT</u>
2014-47	\$ 700.00
2014-48	\$ 25.00
2014-49	\$ 1,200.00
2014-50	\$ 4,970.00

GENERAL MAIL / DISCUSSIONS

Grant update from Monponsett Watershed

The following is a summary of the work that has been done from August 2013 to October 2013:

- Start up costs to establish the association as a legal entity establish IT infrastructure and apply for recognition as a tax exempt.
- Secchi disks were constructed and deployed.
- Three water samples were submitted for laboratory analysis.

Halifax Cultural Council

Janine Maker and Barbara Nessralla terms were up on December 18th. Both have served two (2) consecutive terms therefore cannot be reappointed.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to send thank you letters to Ms. Maker and Ms. Nessralla.

Plymouth County Mosquito Control

There will an annual budget presentation meeting in Kingston on December 17th at 3 pm. Seelig informed the Board that the proposed increase in assessment for Halifax is small.

Board of Health – Food Vendors at Events

Seeing as the event promoter and vendors for the *Mudfest* did not contact the BOH until a few weeks before the event the BOH is asking that BOS not issue their permit large events until approvals from other department are attained. Schleiff asked how would one know to go see the BOH and Seelig feels that the responsibility lies with the promoter to contact the BOH but said going forward when someone comes into the office asking for a permit they will be told that they

need to go see the BOH. Garron asked if we had a list of the shows or does the BOH have it and Seelig said that the BOH is aware of events such as Holidays in Halifax, Halifax in Lights and the horse shows but one could be put together. As for some of the races that go through town they only provide bananas and oranges and vendors are not coming in therefore a food permit is not needed.

Garron thought notifying the promoter ahead of time was a good idea in case there was a problem there would not be a holdup in the BOS giving them their permit. Roy asked if we should send a letter to the *Mudfest* coordinator reminding him to give himself ample time when applying for the necessary permits for next years event. Schleiff did not think that a letter should be sent after the fact but for the horse shows it is a good idea seeing as they have them every year and said we need a mechanism in for us when the office gets the request. Seelig said the problem was with the event promoter as they did not get to the BOH in time and their vendors did not contact the BOH giving them enough time to check everything out. Schleiff asked how would the vendor know to do this and Seelig said that it is up to the promoter of the event.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to send a letter to Bob Bergstrom reminding him that permits need to be obtained within timely manor for next years event.

Check for School Boiler

A check has been received from Trident Insurance for the repairs to the school boiler. The amount of the check is \$4,970. The insurer was willing to pay for the repairs but the town decided to purchase and install a new one. Seelig has informed the school and the town accountant that the money can be used to defray the cost of the new boiler which will increase the amount that will be returned to the Stabilization Fund.

COA Raffle

Christmas baskets are being raffled at the COA. Deadline to purchase tickets are December 18th at noon.

Friends of the Library Silent Auction

There is an ongoing silent auction at the Holmes Public Library until December 18th at 5:00 pm.

2014 Liquor Licenses

Garron asked the Board if they were able to do their assigned inspections and asked if there were any problems. Schleiff wanted to note that Grille 58's license was in the drawer and not on the wall and told them it needed to be posted where people could see it. Garron found that not everyone at Halifax Mobil was TIPS trained and asked the selectmen assistant to send a letter to the manager stating that all personnel needs to be TIPS certified.

SCHEDULED APPOINTMENTS***Cathy Drinan & Russ Kleekamp***

Garron started by saying that Ms. Drinan and Mr. Kleekamp are in this evening asking for a letter of support and a signature from the Board on the Monponsett and Stump Brook Priority Project application.

Mr. Kleekamp explained that given the size and complexity of this project the State has resources where they can pool grand funds from smaller organizations and once they have enough money they then can decide on a stagey for the proposed site. For this site there are multiple projects that can be done.

Garron asked what does the town have to do to apply for theses grants and Mr. Kleekamp said the first step is to fill out application and then get selected as the project priority site and once identified you get put on a list with the department. They then reach out to the town and start taking the next step of implementation. He thinks that this is complicated solution for the ponds but stated that the wheels are in motions.

Ms. Drinan mentioned that in the report they wanted to highlight that this is not an anti Brockton application and that there is evidence emphasized in the report, that there is enough water to restore flow to the streams and for Brocton. The goal is to achieve both. Mr. Kleekamp added that Brockton is always going to have to draw some water from the ponds but because of the lack of maintenance and accessibility it is creating issues such as overdraw, the flooding of the Jones River, damming the rivers creating artificial elevations on the ponds. A lot of this can go away with better management.

Schleiff asked about his statement saying that Brockton is always going to have a draw on the water and Mr. Kleekamp said right now Silver Lake is Brockton's primary source of water and he believes they have one other well at a water treatment plant. He continued to say that they draw twenty-three million gallons per day from Silver Lake but interesting fact is that their permit only allows them to pull ten to eleven million gallons a day so the question is where is the water going and he said down the Jones River. Roy asked if they were selling water to Whitman and Ms. Drinan said after they get the water and treat it then they sell it to Whitman but there is water that never gets to Brockton that goes down the Jones River making excess water that coincides with the migratory fish.

Garron clarified what they are asking from the Board this evening which is to support the application which will give Halifax more leverage to the problems in the ponds.

Tim Watts – Cotton Gin Mill Dam

Garron asked Mr. Watts to come on up and he said that he does not know Ms. Drinan or Mr. Kleekamp but he is essentially looking for the same thing. He continued to say that they working towards removing the Cotton Gin Mill Dam in East Bridgewater on Rt. 106 as is obstructs fish passage and is in bad shape. He too Looking for a letter from the BOS to the in support of Cotton Gin Mill Dam project and added that The Nature Conservancy, Mass Audubon and Mass Division & Fisheries are working together to get this project done. Back in the late 90's the owner of the dam had preservations about the project and whole thing fell apart. Over the past year he has come on board and now is in support of

the project. Garron asked how does it help Silver Lake and the Monponsett Ponds and Mr. Watts said the Cotton Gin Mill Dam is the first obstruction to the fish getting up stream and by removing the obstruction it will help the fish get back into Robbins Pond. He added there are a couple of obstructions from Robbins Pond to Monponsett Ponds, which will have to be addressed in order to get the fish back to the Monponsett Ponds.

Garron asked if Mr. Watts talked with the County Commissioners because they received a grant recently to do dredging along the shoreline, streams and ponds on the south shore and the cape. He thinks it would be great if he was to send a letter to them letting them know what they are trying to do for the ponds so when they receive another grant they may be able to help.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to send a letter of support for the application.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to send a letter of support for the cotton Gin Mill removal project.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to have the Chair, Troy E. Garron, sign the grant application for the Town of Halifax for the Department of Ecological Restoration.

Mr. Watts added that Cathy with The Nature Conservatory is getting the grant application together so at this time he does not have anything to present to the Board. Garron thanked all three of them for doing this as it has been something he has wanted to happen for years.

Revocation Hearing – Richard Pasquariello – Class II License

Garron began by saying that a revocation hearing has been scheduled for Richard Pasquariello regarding his Class II License. Seelig stated a letter has been sent to him by certified mail and the green card has been returned to the office therefore he is aware of the hearing. He has checked with the Collector's Office today and Mr. Pasquariello has not made any payment to his taxes that are in arrears so Seelig's recommendation to the Board is not to renew his license for the calendar year 2014. Garron added that this has been an on going issue. Schleiff asked when his license expires and it was stated December 31, 2013. He asked what if he was to come in between now and the end of the year and Seelig said that if the Board wants to delegate that decision to him and if Kathy Shiavone is satisfied with his payment then you can do that but considering that we have gone through this with him before he is well aware of his situation and had every opportunity to make payment by today but has been inclined to do so. Garron asked if he made any contact to the office or Kathy and Seelig said he has not.

Moved by Garron and seconded by Roy, the Board unanimously voted to accept Charles Seelig's recommendation not to renew the Class II License for Richard Pasquariello as it stands right now.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

2014 Licenses Renewals

Moved by Roy and seconded by Schleiff, the Board unanimously voted to renew the alcohol licenses for:

Bella's Pizzeria
Unit 5 Bar LLC
Evergreen Beverage Company
Halifax Lake Street, Inc.
Jenish Convenience, Inc.
AWLGS LLC - d/b/a Lindy's General Store
D's Grille 58 LLC - d/b/a D's Grille 58
Halifax Investments, Inc. - d/b/a Country Club of Halifax
Hawaii Garden, Inc. - d/b/a Hawaii Garden Restaurant
In Season Restaurant, Inc. - d/b/a BR's Monponsett Inn
PED Ltd. - d/b/a All Seasons Restaurant and Sports Lounge

Moved by Roy and seconded by Schleiff, the Board unanimously voted to renew the following license for New Year's Eve extended hours:

Hawaii Garden, Inc. - d/b/a Hawaii Garden Restaurant
In Season Restaurant, Inc. - d/b/a BR's Monponsett Inn
PED Ltd. - d/b/a All Seasons Restaurant and Sports Lounge

Schleiff asked if these are the three that do it every year and Garron said yes.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to renew the Automatic Amusement license for:

PED Ltd. - d/b/a All Seasons Restaurant and Sports Lounge

Moved by Roy and seconded by Garron, the Board unanimously voted to renew the following Class I license:

Halifax Mobile Homes Realty Trust - d/b/a Halifax Mobile Home Estates

Garron then asked if there were any outstanding issues with any Class II licenses except for the gentleman earlier and Seelig said all licenses for all the categories are in good standing.

Moved by Garron and seconded by Roy, the Board unanimously voted to renew the Class I Halifax Mobile Home Estates.

Moved by Garron and seconded by Roy, the Board unanimously voted to renew the following Class II Licenses:

Alan's Automotive Service
Classic Tinker Toys
Corkren Auto
Davis Automotive
Ellis Auto Body
Jeepworks, LLC
Liddell Leasing Corporation
Pete's Auto Sales
R.G. Automotive
TLC Companies, Inc.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to renew the following Class III license:

Steve's Auto Recycling

Moved by Schleiff and seconded by Roy, the Board unanimously voted to renew the following Common Victualler licenses:

Bella's Pizzeria - d/b/a Bella's II
C & T Enterprises, Inc. - d/b/a Angler's Kitchen
D's Grille 58 LLC - d/b/a D's Grille 58
Halifax Investments, Inc. - d/b/a Country Club of Halifax
Hawaii Garden, Inc. - d/b/a Hawaii Garden Restaurant
In Season Restaurant, Inc. - d/b/a BR's Monponsett Inn
Man – Mohan Corporation - d/b/a Subway of Halifax
Nicolas Venture, Inc. - d/b/a Santoro's Pizza
PED Ltd - d/b/a All Seasons Restaurant and Sports Lounge
Unit 5 Bar, LLC - d/b/a The Tee Box

Moved by Schleiff and seconded by Roy, the Board unanimously voted to renew the following Public Entertainment Sunday licenses:

Halifax Investments, Inc. - d/b/a Country Club of Halifax
Hawaii Garden, Inc. - d/b/a Hawaii Garden Restaurant
In Season Restaurant, Inc. - d/b/a BR's Monponsett Inn
Unit 5 Bar LLC - d/b/a The Tee Box

Moved by Schleiff and seconded by Roy, the Board unanimously voted to renew the following Public Entertainment Weekdays licenses:

D's Grille 58 LLC - d/b/a D's Grille 58
Halifax Investments, Inc. - d/b/a Country Club of Halifax
Hawaii Garden, Inc. - d/b/a Hawaii Garden Restaurant
In Season Restaurant, Inc. - d/b/a BR's Monponsett Inn
PED Ltd. - d/b/a All Seasons Restaurant & Sports Lounge
Unit 5 Bar, LLC - d/b/a The Tee Box

Inventory Sheet

The clerk was asked to sign the annual inventory statement of equipment. The two old brown selectmen chairs with wheels cannot be located in the basement. Also the new easel needs to be added to the sheet.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to have the Clerk, Kim Roy, sign the Inventory of Equipment sheet.

Selectmen's FY15 Budget

Seelig distributed proposed budget for line items under the jurisdiction of the Board and asked that they look it over. Seelig stated he has increased Town Reports by \$100 because postage rates went up and an increase in the number of copies delivered. Schleiff asked if steps were included and he said they were.

Energy Data Authorization

The Chair was asked to sign this authorization so that Seelig could use the MassEnergyInsight to obtain energy data from the web site.

Moved by Roy and seconded by Schleiff, the Board unanimously voted to have the Chair, Troy E. Garron, sign the user authorization form allowing Seelig access to the energy data for the Town of Halifax.

Compensation to the Town - Officer Briggs 111F

In April Officer Briggs was injured in an automobile accident while on the job. He was placed on 111F and medical and wages were paid to him through the town's insurer. Officer Briggs has filed a claim against the other driver and a settlement has been reached. The office has been contacted by his attorney explaining that the town is entitled to the \$250 deductible the town had to pay and is looking for a letter from the town making the request.

Moved by Schleiff and seconded by Roy, the Board unanimously voted to have the Chair, Troy E. Garron, sign a request from the Town of Halifax to seek \$250 in repayment of Officer Briggs MGLC 40§ 111F obligation to the Town of Halifax.

Sally Wells – Resignation

Moved by Schleiff and seconded by Garron, the Board voted to send Ms. Wells a thank you letter for her serving on the Zoning Board of Appeals.

Harvard Pilgrim Community Spirit 9/11 Mini Grant

The Town has been notified by Harvard Pilgrim stating that we will receive a \$500 grant, which was recommended by one of their employees. Seelig is checking to see if there are any restrictions and if not the Board can then decide where the funds could be used.

Free Cash

The following are the amounts in each account:

- General Fund - \$501,605 – this is more than what was anticipated
- Water - \$707,706
- Solid waste - \$411,383

Tuition for Police Officer

Officer Fitzgerald has asked to meet with the BOS on January 14th to discuss the possibility of the town reimbursing him for tuition payment on classes he took. Seelig will get a definite time once we have an agenda set up.

Trash Bags

The new style wave top trash bags do not allow you to put as much trash in the bag as the draw string bags even though they are the same size. The change was made because of complaints of the drawstrings breaking. Until the inventory is gone the large bags have been reduced from \$15.00 (for 5 bags) to \$12.50.

AJ LaGambina's Eagle Scout Honor

Seelig asked the Board if anyone was going to be able to attend AJ's Eagle Scout ceremony so that a certificate could be given to him from the Board. Garron commented on the wonderful job he did and stated that he attend the ceremony that they recently had over at the library. He added that he will make every effort to get there. Roy said that she would have a better idea by Friday as to whether or not she can attend. Schleiff also mentioned that he will try and get there.

Wage & Personnel Annual Hearing

W & P annual hearing will be on January 14th. Proposals and amendments need to be in by December 31st. Seelig asked the Board if they wanted to propose anything. Garron asked if everything was okay in our office and Seelig said it was. Schleiff then asked if Seelig if he heard anything and he said no.

Marijuana Dispensaries

There have been a number of firms who have applied for State permits in Plymouth County but none have applied in Halifax. Seelig stated that something will still need to be put in the zoning by-laws.

HOPS Playground

There was a meeting on December 3rd with about eleven people showing up. Roy said that they were hoping for more but there was conflict. The next meeting is scheduled for January 15th at 7 pm to form a fundraising group and playground planning group.

Patrol Officer Negotiations

Al Hingst has asked for dates to start negotiations in January. Seelig asked which Board member will handle negotiations. Garron stated that he has no problem doing it again and Roy was okay with him doing it. Seelig will give Al Garron's schedule.

Building Inspector / Piccirilli Property / Monponsett Street

Seelig said he talked with Mr. DeFelice today and he stated that it is his feeling that the work can be done and there should not be a stop order placed. ZBA had issued a cease and desist and he and feels that the work is being done in a structural nature and not specific to having apartments in the building therefore

the work should be allowed. He said that we will be getting something in writing specific to that.

Roy then mentioned she was going to go to the ZBA meeting for the proposed 61 units but it was rescheduled for January. Seelig said that it was rescheduled and resubmitted because there were errors in the applications such as stating they wanted two buildings and the plans that the BOS saw were for four. Schleiff asked how many stories because he knows that Twins Lakes was limited to two stories but then some were made three out towards the back. Seelig said that he knows it is thirty-five feet but will check with ZBA and Planning to see how many stories.

SCHEDULED APPOINTMENTS (CONTINUED)

Council on Aging Van

The COA was supposed to come in this evening to bring the Board up to date on the possibility of renting a vehicle as the old van no longer can be driven but still have another one they are currently using. They met with the Finance Committee last night and they approved a reserve funds transfer for a four month rental. Seelig stated that Halifax is #1 on the list with the State agency to get our van. The earliest is March 2014 but this is not etched in stone. Schleiff asked how much the transfer for and are they renting a car. Seelig said he will check on the amount and yes it is a car as it was less money. Garron pointed out that having a car makes them limited on what they can do.

MEETING ADJOURNED

There being no further business, moved by Roy and seconded by Schleiff, the Board unanimously voted to adjourn the meeting at 8:35 p.m.

Kim R. Roy
Clerk

/pjm