

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, APRIL 24, 2012 - 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

Schleiff added to the agenda a discussion about water and a vehicle for the town.

PLEDGE OF ALLEGIANCE

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

MINUTES

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

Regular Session – March 13, 2012
Regular Session – April 5, 2012

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

Executive Session – March 27, 2012
Executive Session – April 10, 2012

Schleiff abstained from any parts of the executive session pertaining to Police Department negotiations.

AFFIRMED COMMITMENTS AND WARRANTS

Moved by Garron and seconded by Roy, the Board unanimously affirmed approval for the payment of the following commitments and warrants:

Withholding Warrant	# 86	\$ 118,094.84
Vendor Warrant	# 87	\$ 15,912.63
Ambulance Commitment	# 4A	\$ 27,263.05

APPROVED COMMITMENTS AND WARRANTS

Moved by Garron and seconded by Roy the Board unanimously approved payment of the following commitments and warrants with the exception of Schleiff abstaining from the Police Department payroll in warrant #88:

Payroll Warrant	# 88	\$ 318,320.75
Vendor Warrant	# 89	\$ 45,472.42

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

National Grid (service for concession stand).....	\$ 21.33
Community Newspaper Co. (legal notice for 80 Franklin St.)....	\$ 41.25
Attorney Lawrence P. Mayo (legal services/March)	\$ 849.75
The Enterprise	
(public hearing notice/Kenzies Path & Lamppost Dr.)	\$ 319.92
The Enterprise (public hearing notice/Autumn Ln.)	\$ 148.92
Cushman Insurance (audit balance 2/10/11-2/10/12)	\$ 954.00
Margret Logan	
(reimbursement for co-pay to rehab visits & mileage)	\$ 80.48
Gilman & associates (legal services/March)	\$ 2,173.75

The Board acknowledged payment of the Selectmen Office Payroll for the period ending April 21, 2012 in the amount of \$5,761.70.

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2012-68	\$ 41.25
2012-69	\$ 21.33
2012-70	\$ 159.96
2012-71	\$ 5.00
2012-72	\$ 225.00
2012-73	\$ 159.96

GENERAL MAIL / BUSINESS

Walnut Street Truck Exclusion

The Town of Bridgewater has declined to support the Walnut/East Street truck exclusion. With that being said a couple of things can be considered to make the road safe for drivers as well as the residents.

- Put up “Thickly Settled” and “30 mph signs” - Board needs to approve
- Make improvements to the road - earliest this will be done is fall 2012
- Put in sidewalks - Highway Surveyor stated that this is not a priority

Moved by Garron and seconded by Roy, the Board unanimously recommended that a “Thickly Settled” and a “30 mph signs” be placed on the street and to send a letter to Badore asking if he would be in favor of putting in sidewalks and send a letter to the Police asking if they could boost up patrols.

Schleiff stated that once the street is done and a center line is painted he thinks that the residents will see an improvement and that with the painted line it will allow us to ticket if drivers pass other vehicles on the road.

Live Entertainment – Martin Winstead & Joanna Gately

Martin Winstead came before the Board requesting a live entertainment and road block permit. The Fire and Police Chiefs were okay as long as the standard stipulations that are enforced for all permits were met. The stipulations were outlined on both permits. Garron just wanted to reiterate that individuals are not permitted to drink on public way (the street) and are to remain on Mr. Winstead property if they choose to do so.

Moved by Garron and seconded by Roy, the Board unanimously approved a Road Block permit to Martin Winstead & Joanna Gately of 7 Radcliffe Terrace from September 1, 2012 to September 3, 2012 for a wedding reception and a Live Entertainment permit on September 2, 2012 from 3:00 p.m. to 9:00 p.m.

Truck Exclusion - Pine Street

There are three options the Board could do regarding the truck exclusion request for Pine Street:

- move forward and approve a truck exclusion
- have the Traffic Safety Committee review the request
- do nothing

Schleiff suggested that they table it for the moment. Garron asked why did this exclusion come up and Roy stated that if the exclusion went through for Walnut Street then Pine Street would be used as an alternate route to get to Rt. 105 and this would have put added traffic on this road.

Carver Street

Residents of Carver Street have written stating that speed limits and traffic rules are not being observed on this street. Seelig stated that people in general will speed if not enforced and this tends to be area where this happens.

Schleiff talked with Badore and he was unaware that the sign that was posted on that street was knocked down and has since replaced it. He also said that he will repaint the center line. Seelig will ask the Police Chief to up patrols on this street as well.

Moved by Garron and seconded by Roy, the Board recommended sending a letter to the Police Chief stating that there are issues on this street and if he has the manpower to patrol the area. Schleiff abstained from the vote but then withdrew abstaining. The Board was all in favor of this recommendation.

Lamppost Drive

This is one of the developments where a lot is being held until the road is completed. Seelig suggested to the Board to send a letter to Mr. Peterson (developer) stating that the Board is not going to accept the street unless the outstanding issues that conservation has are moving forward. Schleiff would be more comfortable accepting the street if Peterson was to file the necessary permit with Conservation. Garron stated that he is already doing the work so why does he not want to get the necessary permits.

Move by Roy and seconded by Garron, the Board unanimously voted to send a letter to Mr. Peterson stating that they would like him to file with Conservation the necessary permits to finish up the work on Lamppost Drive.

Kenzies Path

The Town has no leverage with the developer in getting any work completed on this street as we have on Lamppost Drive. Nothing has changed over the past year. Conservation is requesting data from Mr. Springer, which he does not plan on giving it. Seelig added that Springer is not going to spend any more money.

Roy mentioned that Tina Tonello stated that the Conservation Agent wants plants. Garron added that first Conservation wants one thing now they want plants, which there was no mention of at the hearing, and added that Conservation needs to firm up what they want.

Schleiff asked about the data that Conservation was requesting regarding the pipe and Seelig said that Springer is not going to get that data.

Garron stated that the residents are suffering and Seelig said not really because water is draining and Roy added that the street is getting plowed.

At the Board's last meeting Garron mentioned that Conservation wanted the trash and trees to be cleaned up that were in the basin.

Schleiff would feel more comfortable if he could see the flow chart that Mr. Springer said he would do. Garron also heard that if he got a copy from Webby Engineering then Conservation was okay. Garron asked if we could request that a flow chart be submitted from Mr. Springer. He added that the Highway Surveyor says the street is okay by him and with that being said Garron thinks the Board should move forward on it. Seelig agreed and recommended that the Board accept Kenzies Path.

Roy agrees with Schleiff regarding the flow chart and stated that the Board still had one meeting before Town Meeting giving Mr. Springer a little more time to get a flow chart. Seelig will get a message to Mr. Springer asking for a flow chart.

Autumn Lane

Moved by Roy and seconded by Garron, the Board unanimously voted not to support the acceptance of Autumn Lane.

Visibility on Corner of Rt. 36 & Rt. 106

A resident has called the Selectmen's Office regarding trees that are creating poor visibility that the above intersection. Highway Surveyor, Bob Badore, went out there and said that he will trim a few small branches to clean it up.

Stop sign at Hudson & Pond Street

The Traffic Study Committee is in favor of placing a stop sign at the intersection of Hudson and Pond Street for southbound traffic on Hudson heading west onto Pond Street.

Moved by Garron and seconded by Roy, the Board unanimously approved to amend the Traffic Rules and Orders, Chapter 193-10 by adding a Stop Sign at the following location:

<u>STOP SIGN ON</u>	<u>AT INTERSECTION OF</u>	<u>DIRECTION OF TRAVEL</u>
Hudson Street	Pond Street (heading west)	South

Ellis Auto Body Sign

The Traffic Safety Committee voted to recommend that the Ellis Auto Body sign be allowed to stay at its current location as long as it remains the same size. Mr. Greeley has sent a letter opposing the 4x4 and 5x5 sign but is in support of a 2x3. The Board did not get into a lengthy discussion because it is on the agenda for their next meeting on May 8th and all parties involved will be in attendance to voice their concerns.

Conservation – Wetlands Fee Fund

Recently the Finance Committee had asked Seelig to request from the Conservation Commission to approve the release of \$7,623.45 from the Wetlands Fees Fund to help pay for the Agent's wages for FY2013. The commission voted not to do so and transferred the funds to the "Open Space Account"

Roy stated that this should not be an issue every year and that this part of an agreement that was made quite some time ago should be honored. FinCom will be meeting with ConCom on May 1st and will be asking for a 50% contribution. Roy said that if they are not collecting on fees then that is one thing but if there is money in there then it should be used to go to the Agent's wages, which was part of the agreement. Seelig said approximately \$23,000.

Schleiff said that this was a issue last year and Seelig stated that FinCom reduced the hours from twenty to ten and conservation did not want to release the funds because FinCom was not going to support twenty hours a week.

Garron asked if the agreement was part of the by-laws. Seelig and the Town Accountant did some research and what Conservation wants to do with the money is a legitimate use of the Wetlands Fees Fund.

Roy hopes that this can be worked out between ConCom and FinCom. The only information that Seelig has for the Board this evening is the memo from Conservation stating that they denied Seelig's request to release money in the Wetland Fees Account to fund the Agent's salary and that the money is being transferred to the Open Space Account. The secretary is working on the minutes and will get them to Seelig once they're done. Garron wanted to get it straight and said that they don't want to pay the Conservation Agent out of the Wetlands Fee Fund but they want her to go out and look at open space but have the townspeople pay for salary as opposed paying her out of the Wetlands Fee Fund.

Moved by Garron and seconded by Roy, the Board unanimously voted to move on and to close the discussion on this issue.

SCHEDULED APPOINTMENTS**Concession stand – Lease Agreement**

Lisa Hillcoat from HYB and Dick Steele from Y&R came in this evening to go over the lease agreement for the concession stand. The Municipal and School Building Committee was asked what they thought the projection of the wear and tear of the building would be and the cost to maintain the building over a period of time but the Board has not received any feedback from them. Schleiff asked Hillcoat and Steele of they had any recommendations as to how they want to see it run for the first year.

Roy suggested that the lease agreement is for one year seeing as this is new and there may need to be some changes which Hillcoat was in agreement to. Schleiff asked what expenses would the town have and Seelig stated that the MSBC was insistent that the town be responsible for pumping of the septic because the town already has a contract with a company that does the other buildings and it would be best to keep it under one contract.

In the agreement it states that \$500 be put aside for the regular maintenance of the building which does not include cleaning and the electricity (HYB is handling these two expenses). Also a revolving fund needs to be established so that when expenses occur that are not consider part of the weekly maintenance, there is money put aside to get them taken care of. Seelig stated the HYB suggested \$500 and along with \$200 there would be a total of \$700 to start with for the first year. It has not been determined yet how much should be set aside to cover future repairs for large scale items such as replacing a roof or siding but this is a starting point.

Schleiff asked HYB if they carried their own insurance and Hillcoat said that they did. He also asked if they knew how many events would be using the concession stand and Hillcoat state that a schedule was submitted this evening and mentioned that it also is on their website. At this time it looks like HYB will be using it for about 25 nights over the baseball season. Steele thinks that the elementary school is going to use it for their annual field day and there may be a couple of camps for various sports that will ask to use it. He added that a procedure needs to be written up for the use of the building as well as a fee to use it but this will need to go through HYB.

Roy asked Hillcoat if HYB had a proposal and as of yet they did not. Steele suggested that they see how the first full year goes and then discuss it. Roy asked if they will be keeping track of the sales generated and Hillcoat said yes they would.

Schleiff wanted to clarify that the \$700 will be used for the septic and put aside for large maintenance issues. Hillcoat thought that \$700 was a lot but stated that they see what happens in the first year. Schleiff suggested that once the season ends in September to have HYB meet with the Board to let them know how they made out. Schleiff asked how each organization will differentiate between what supplies/food belongs to whom and Hillcoat said that at the end of the baseball season that they will sell what they have left to the other organizations.

Moved by Roy and seconded by Garron, the Board unanimously voted that the lease be dated from April 1, 2012 to April 1, 2013 and that the rent be in the amount of seven hundred dollars (\$700).

GENERAL MAIL / BUSINESS (CONTINUED)

Summit Street Field

Mark Hall wrote regarding the poor condition of the Summit Street field and was hoping to get soil from the Town's compost pile and having a well installed. It was stated that when Nessralla sold the land the town was told that they could use the water from a reservoir that he used to water the corn in the field. The installation of a well will require a town meeting article. Y&R has been informed of the request.

Veterans' Agents Position

The Board had interviewed three really great applicants for the Veterans' Agent position. Garron stated that Ms. Smith had so much energy to bring to the table but was slightly more impressed with Mr. Fowler.

Roy was torn between Mr. Fowler and Ms. Smith and said that they could not go wrong with either one.

Moved by Garron and seconded by Roy, the Board voted to offer Edward Fowler the Veterans' Agent position.

Schleiff congratulated Mr. Fowler and thanked the applicants for coming in for an interview and was sorry that he was unable to be there for them.

Community Signs

Ken Corti will be coming in at the Board's next meeting on May 8th to talk about an LED sign.

Vaughan Field – Electricity Work

Work will continue at the field to bring electricity to the shed. The bill is already being paid by the softball association.

Halifax in Lights – Fundraiser

The Halifax in Lights Committee is proposing doing a fundraiser based on the same as idea as a coupon book but limit it to businesses in Halifax. Seelig does not see a problem in promoting this and just wanted the Board aware of the committee's intention.

Use of Town Green – Historical Society Spring Plant Sale

Moved by Garron seconded by Roy, the Board granted a request from the Council on aging to use the Town Green from 9:00 a.m. to 1:00 p.m. on Saturday, May 12th, for the spring plant sale.

Dock at Br's Monponsett

Seelig wanted the Board aware that BR's Monponsett Inn has asked for a permit from DEP to put a dock on their property. No action is needed from the Board.

House Budget – Job Training

The South Shore workforce Investment Board is looking for municipalities to support amendments to the House budget to restore funds for job training.

Moved by Garron and seconded by Roy, the Board voted to support amendments to the House budget to restore funds for job training.

Fire Chief Paramedic Certification

Moved by Garron and seconded by Roy, the Board unanimously recommended that a letter to Chief Carrico congratulating him on his paramedic certification.

Ambulance Service to Plympton

Plympton residents, Ann and Bill Burgess, wrote a letter expressing what professional service they received from Halifax EMTs who responded to their home on March 30th. The Board asked that the office find out who the EMTs were and send them a lettering congratulating them on their professionalism.

Bank Robbery – Apprehension by Sergeant Broderick

The Police Chief from Plymouth sent a letter to Sergeant Broderick thanking him for his efforts apprehending bank robbers on April 3rd.

Moved by Roy and seconded by Garron, the Board voted that a letter be sent to Sergeant Broderick commending him on stepping up and keeping the town safe.

Recycling Center

Deb Rosenberger sent in a note congratulating the staff at the Recycling Center on a great job cleaning up the place and the friendly attendants.

Moved by Roy and seconded by Garron, the Board voted to send a letter to the Recycling Center praising the staff on a great job they are doing.

Talent Bank Form – Sharon Hartz – Interest COA

Ms. Hartz has submitted a talent bank form expressing an interest to serve on the COA.

COA Meals on Wheels – Board Invited to Participate

The Board of Selectmen has been invited to participate in the Meals on Wheels program during the second and third week in June.

Old Colony Elder Services

Moved by Roy and seconded by Garron, the Board unanimously appointed Joan Jolley to represent the Town of Halifax for the Old Colony Elder Services, term to expire June 30, 2013.

Town of Lunenburg – Chapter 40B

The Town of Lunenburg is looking for support on a Chapter 40B project being proposed in their town. Schleiff suggested that Seelig forward this request to ZBA to see if they might want to support it.

South Shore Community Action Council Local Heroes

Halifax business owner, David Mayer of Mayer's Heating Service, was awarded a Local Heroes award for his work with the council's *Heartwrap* program.

Moved by Roy and seconded by Garron, the Board unanimously voted to send Mr. Mayer a letter congratulating him on receiving this award.

Single Family Group Home – 241 Elm Street

Seelig wanted to inform the Board that a building permit has been issued to build a four bedroom, single family group home at 241 Elm Street. If the Board has any questions they can direct them to the Building Inspector.

Ambulance Abatements

Moved by Roy and seconded by Garron, the Board unanimously voted to abate the following amount from the Ambulance Account:

March 2012	FOR	\$ 17,096.32
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South Shore Women's Resource Center Contract

Moved by Roy and seconded by Garron, the Board unanimously authorized the Chair, Michael Schleiff, to sign on behalf of the Town the contract with South Shore Women's Resource Center for FY2012.

South Coastal Counties Legal Services, Inc. Contract

Moved by Roy and seconded by Garron, the Board unanimously signed on behalf of the Town the contract with South Coastal Counties Legal Service, Inc. for FY2012.

Youth & Recreation Walking Track Renovations

Two copies of the contract between the Town of Halifax and Green Acres Landscaping and Construction needs to be signed by the Board. This is for renovations to the walking track located behind the Elementary School. The amount of the contract is \$11,950.

The signing of the contract was placed on hold due to the fact that Schleiff was unaware of the contract/renovations. Seelig will look into this.

MIIA – Workers Compensation

Agreement for FY2013 has been submitted from MIIA. There is a rate increase of 8.2% due to the town having a bad experience rating. Schleiff had asked how much of increase is it dollar wise and Seelig said approximately \$5,000. Seelig recommends that they continue with MIIA.

Moved by Garron and seconded by Roy, the Board unanimously voted to go with Seelig recommendation and stay with MIIA.

Halifax Country Club – Alcohol License

Moved by Roy and seconded by Garron, the Board unanimously voted to have John Peck, from Halifax Country Club, come in at the Board's next meeting on

May 8th to clear up the discrepancies on ownership issues of Halifax Investments (the license holder) and Halifax Country Club, LLC (listed on the property records as the owner of the property).

Chapter 90 Garnishment

Schleiff had asked at the Board's last meeting what the garnishment schedule was for the settlement work on Route 36. Seelig got that information for him and listed below is the schedule:

March 15, 2010	\$250,000
October 30, 2010	\$112,500
October 30, 2011	\$112,500
October 30, 2012	\$112,500
October 30, 2013	\$112,500

COA Van

Moved by Roy and seconded by Garron, the Board unanimously declared a 2003 Ford 14 passenger van as surplus. Seelig will send a letter to all departments seeing if they might have a need for it.

Road Cut – 12 Lingan Street

Moved by Garron and seconded by Roy, the Board unanimously approved Permit #2012-42 issued to Bay State Gas for a 3' x 25' road cut to install new service at 12 Lingan Street with the following stipulation:

- \$5,000 bond is required at the request of the Highway Surveyor and will be held for one (1) year.

After giving it some thought Schleiff relinquished his vote on the road cut.

Road Cut – 525 Monponsett Street

Moved by Garron and seconded by Roy, the Board unanimously tabled the approval of the road cut due to Conservation requesting that Columbia Gas submit a filing with them.

Fuel Storage Permit – Nessrella & Davis Automotive

Moved by Roy and seconded by Garron, the Board unanimously voted to hold a revocation hearing for fuel storage permits holder Kozhaya Nessrella of 139 Hemlock Lane and Stephanie Davis (Davis Automotive) of 595 Plymouth Street.

Town Hall Shared Vehicle

Schleiff wanted to try out a town shared vehicle for a month or two. He has spoken with the town mechanic, Dave and the vehicle that they want to use is in good shape and it just needs an oil change, new wipers. Schleiff added that if for some reason the car is not used then it can be put up for bid. The Finance Committee is not in favor of this and feels that it is going to cost the town money.

Schleiff was hoping that if there is mileage money left in the departments who will be using the vehicles, it could be turned over at the end of the year to be used for the shared vehicle. Garron suggested seeing what has been used in the past

and asking for a percentage of that amount. Roy was willing to see how it goes until June 30th and Garron had no issues in trying it but just had reservations of the car holding up.

Moved by Garron and seconded by Roy, the Board unanimously voted to try out the town shared vehicle until June 30, 2012.

Schleiff added that the car will need the town Seal put on it and will ask Highway to check oil, tires and that the car will be left in the town Hall parking lot and will work out where a key will be left as well as when it is used that the mileage will be noted.

DEP Award to Water Department

Once again the Halifax Water Department has been the recipient of the 2012 Public Water System Award. The Board wanted to extend their congratulations to the entire department and added that they work very hard on providing the town with quality water. Seelig will ask the Water Department to come in on May 8th so that the Board can personally congratulate them on their award.

On another note regarding town water; a couple months back residents of Dwight Street had concerns about the water quality that they were receiving. Schleiff wanted to let the Board know that the Water Department was able to do a flush out and by doing so the water is now running clean.

EXECUTIVE SESSION

Moved by Garron and seconded by Roy, the Board voted as follows to enter into Executive Session at 9:45 p.m. to discuss Dispatch, Fire, Patrol Officers, Sergeant, Highway, Fire Chief & Police Chief contracts and litigation regarding Halifax v. Grabke.

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

Schleiff announced that no statement would be made at the end of the Executive Session and the Board would not reconvene in open session and that he will not be present for Patrol Officer, Sergeant and Police Chief contract negotiations.

Moved by Garron and seconded by Roy, the Board voted as follows to come out of Executive Session at 10:20 p.m.

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

There being no further business, moved by Garron and seconded by Roy, the Board unanimously voted to adjourn the meeting at 10:20 p.m.

 Michael J. Schleiff
 Clerk
 /pjm