

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, JULY 10, 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

The Agenda for Tuesday, July 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.

Garron wanted to thank the Halifax in Lights Committee for the great job putting on the 4th of July event with the little money they had. There were a couple of new committee members just learning the ropes as well as remaining ones who stayed on to help. Roy and Schleiff appreciated their hard word and efforts for a great day.

MINUTES

Moved by Garron and seconded by Roy, the Board approved the following Selectmen Minutes. Schleiff abstained from the vote.

Executive Session – June 12, 2012
Executive Session – June 26, 2012
Executive Session – July 2, 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 #112:

FY12 Payroll Warrant	# 112	\$ 220,720.56
FY12 Vendor Warrant	# 113	\$ 168,930.43
FY12 Withholding Warrant	# 114	\$ 75,912.31
FY13 Vendor Warrant	# 1	\$ 847,828.21
FY13 Vendor Warrant	# 2	\$ 22,256.00
Ambulance Commitment	# 6B	\$ 20,420.07

APPROVED COMMITMENTS AND WARRANTS

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

FY12 Vendor Warrant	# 115	\$ 40,286.10
FY13 Vendor Warrant	# 03	\$ 1,335,710.32
Mobile Home Park License Fee	# 07	\$ 5,160.00

Moved by Schleiff and seconded by Garron, the Board unanimously approved payment of the following FY12 Selectmen bills:

National Grid (service for concession stand)	\$ 63.18
Peter J. Epstein, Esq. (legal services/June).....	\$ 30.00
Matthew Bender & Co. (MA law updates)	\$ 317.01
AAA Halifax Glass (window damage - 6/14/12).....	\$ 236.20
C. Seelig (mileage & expenses FY2012)	\$ 815.00
Gilman & Associates (legal services/June)	\$ 370.00

Moved by Schleiff and seconded by Garron, the Board unanimously approved payment of the following FY13 Selectmen bills:

MMMA (meeting/Seelig/7-19-12)	\$ 30.00
Margret Logan (FY2011 bill approved @ ATM 5/14/12).....	\$ 101.86
Plymouth Bay Orthopedic Associates (FY2010 bill approved @ ATM 5/14/12).....	\$ 238.97
MEGA Property & Casualty Group (Assessment for FY13)	\$ 4,486.86
CNA Surety (bond/K. Roche).....	\$ 100.00
South Shore Women’s Resource Center (FY13 contract)	\$ 2,750.00
Boston Mutual Life Ins. Co. (accidental death policy-Police) ...	\$ 4,084.64
Environmental Business Council (meeting/Seelig/7-26-12)	\$ 25.00
MMA (annual dues FY13)	\$ 908.00
MMMA (annual dues FY13)	\$ 138.66

The Board acknowledged payment of the Selectmen Office Payroll for the period ending June 30, 2012 in the amount of \$5,762.06.

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2012-98	\$ 5.00
2012-99	\$ 75.00
2012-100	\$ 850.00
2012-101	\$ 25.00
2012-102	\$ 55.00
2013-01	\$ 5.00

GENERAL MAIL / BUSINESS

Use of the Snack Shed

At the Board’s previous meeting a vote was taken to allow the Halifax in Lights Committee sub lease the concession stand from Halifax Baseball on June 30th. There was a miscommunication and the intention of the Halifax in Lights Committee is to use the concession stand for a future fundraiser. The Board was just made aware of the change.

Kilroy Was Here

Susan Basile has sent a letter to the Board asking if “Kilroy Was Here” could be painted on both sides of the water tower as part of the water tower project. Dick Clark estimated that the cost would be \$2,000 per side but would get a better estimate if the Town wanted to move forward with the project. Seelig is unsure whether this could be part of the cost that the bond would cover (many towns have painted logos, slogans, pictures, etc. on their water towers) or would have to be funded separately. Roy suggested maybe paint it on one side and Schleiff proposed maybe slipping a note in the water bills asking the residents what their thoughts were on it. Seelig will check to see when the next water bills are being sent out and ask Sue about the finance part of it. Garron pointed out that maybe a small sign with the story might last longer.

SCHEDULED APPOINTMENTS

Town Vehicle Usage

Mr. Andrews had previously asked if he could be notified when the Board was having this discussion, hence he was present in the audience. It appears that at Town Meeting Mr. Andrews had addressed employees using town vehicles to go to a second job. What he is questioning as well as others who do not feel comfortable coming forward, is a town vehicle being used by a town employee five days a week, back and forth to a job out of town, fifty two weeks a year to work for a guy who is his boss in town. He also asked if it was a conflict of interest.

Roy wanted to clarify about alleged deliveries being made with the vehicle and stated that deliveries are only being made to the Town of Halifax. She continued to say and that the Water Superintendent, Richard Clark, who works for the Housing Authority and Gerry Elliot, Head of Maintenance both have their vehicles available to them for emergencies. Garron agreed with Roy.

Schleiff added that the Highway Surveyor, Bob Badore, has requested to take his vehicle home at night and will not be used for a second job.

Mr. Andrews suggested parking the vehicles in a certain spot and give a second key to another individual in case the head person cannot get back in town if an emergency arises. He said that the concern was that the Board wanted to put another car on the road and what he wanted at Town Meeting was clarification as to what the “Town Shared Vehicle” policy was going to be.

Garron wanted facts regarding the misuse of the vehicles that were in question so that they can be addressed. He also said that because of the *eyes of Halifax* the policy was made and maybe it needs to be modified.

Mr. Andrews said he was just asking what the policy is. Roy thanked him for coming forward and that the Board needs to have everyone come in so this can be straightened out. The office will let Mr. Andrews when the next discussion on this matter will be.

In Seelig’s notes it stated that the Water Superintendent indicated, to his knowledge, there are no violations by members of his department and that if someone feels that this is incorrect, he would like to know about it. Seelig also notified the appropriate departments about this meeting.

Website Committee

Below are a couple of issues that Seeig pointed out that need to be considered if the Website Committee was dissolved:

- Billing - Transfer responsibility to IT Director/Town Administrator
- Training - Continue to make training available to users through webinars, information on the VTH website and off-site workshops (money is in the budget for the latter; money is not needed for the first two; IT director sends out announcements when appropriate.
- Maintenance - Every six months, send a note out to the departments to review that department's section of the website for accuracy and try to have IT director meet with each department once a year about making improvements to that department's section of the web site.

Roy stated if the committee stayed together then it would be a resource for departments to go to. She asked if the town would be able to fix problems without the committee.

Website Committee member Keith McElman went on to say if any problems came up he would be willing to help and added that the reason why Virtual Town Hall was chosen was because it does not have to be constantly maintained and because of the training they provide therefore any problems that came up could be addressed through VTH.

Roy is concerned that Seelig has enough of his own work to do and does not want to add another responsibility to his plate. With that being said Seelig stated the following:

- billing is easy
- there is offsite and VTH website training
- there are supervisors who have access to entire website and second users restricted to their site of the website
- webinars for training
- he could send out emails about training
- maintenance can be done once a year

The only thing that Seelig felt would take some time is making improvements and suggested that maybe the committee can help the departments on that.

Schleiff stated that the committee did what was asked and did a wonderful job but if the Board wants to keep them on they need to give them a responsibility. Roy then asked Mr. Elman and Ms. Kane if they were interested in staying on and Mr. Elman said that he has no problem with helping out but wants to know what is expected of him and who will they be helping out. Ms. Kane asked if the departments would be open to their suggestions and also said she too would not mind helping out.

Garron suggested that they table this to give them some time to think about it. Roy asked if they could get in touch with the others members to see if they would like to stay on to help and get back to Seelig with their thoughts and thanked them for staying on.

Patrol Officer Interview – Daniel Fitzgerald

Roy stated that Mr. Fitzgerald has been recommended by the Police Chief to fill the opening for the eleventh position. The department has been trying to fill this position for the last six or seven years. There were three candidates that were interviewed by the Police Chief and the Sergeant in which extensive background checks done all three and Mr. Fitzgerald was the one chosen by the Police Chief.

Schleiff was able to attend and take part in this interview because he has file a disclosure with the Town Clerk that is required by the State and as long it is not monetary or a supervisor he is able to partake in the discussion.

Roy asked Mr. Fitzgerald to tell them a little bit about himself. He began by saying that he grew up in Halifax on Thompson Street, attended high school at South Shore Vo-Tech where he played sports and was captain of the baseball and football team, he enlisted in the National Guard in 2010 and has been promoted numerous times, now as a medic and lastly always had an interest in becoming a Police Officer here in town.

Roy had asked why he would like to be a Police Officer and what are his greatest strengths for this job. Mr. Fitzgerald said he would like to be a Police Officer because he believes in it and wants to make a difference and that his strengths are leadership, being trusted and having common sense. He has not been trained as a Police Officer yet therefore not knowing what other strengths he possesses but he did say that he excelled in the military and that it is fairly similar in terms of rank structure and duties.

Roy noticed in his file that he has the opportunity to do some more schooling through the National Guard. Fitzgerald said that he will be attending helicopter air training the last week in August. My plan is to be a medic in the National Guard for the next twenty years.

Garron asked if being active in the National Guard would interfere with performing his duties as an officer and he said no, that a schedule is put out each year for the fiscal year. He is required to give the National Guard one weekend a month and two weeks a year. For the most part his weeks are in August and thinks that it is scheduled out far enough where he can make adjustments if need be. He added that he will be able to work his schedule around it.

Roy asked how he demonstrated his authority and he said he believes in talking through a situation as opposed to doing it in a physical way. He was a bouncer at a night club in Boston for a year and a half and there were very few times when a situation escalated into a physical altercation in which he was involved.

Roy asked if he could pick one attribute, what would be his greatest strength. He said that he works hard and feels that is a pretty big thing because if you work hard it is a big accomplishment. Roy noted that his file shows what a great worker he is.

Garron had asked that if talking does not settle a situation would he be able to deal with the physical aspect of having to take someone down if it became necessary. He said that if it escalated to a point where it might get physical then he would but in a way that he has been trained and stated he has already been trained in that area through the National Guard. Garron asked if he has ever been

in a situation where someone became unruly because of pain they were experiencing and Fitzgerald said that he has been extensively trained in that area.

Schleiff wanted to state that this job is a commitment not only to himself but to the Town and that there is a lot of stain on himself as well as his family. He continued by saying that the job is 24/7 and that you are being tested all the time. Schleiff also mentioned that he has looked through his folder and noticed some great accomplishments.

Roy mentioned that Mr. Fitzgerald has a really good work ethic and that he scored in the top 10% of basic training. Roy asked if he had any questions and he did ask if there would any more interviews and she said the next step, if appointed tonight, would be him attending the academy in September and after graduating join the department.

Garron was also impressed and gave Mr. Fitzgerald a small piece of advice that if given this position to be fair firm and consistent. He mentioned that there is always going to be surprises when dealing with people and someone might not want to talk and may want to act and that he needs to always on his toes.

Schleiff asked how long has he wanted to be an officer and if he was ready to make the commitment. Fitzgerald said that he has wanted to do this for about seven years and he was absolutely ready to make the commitment.

After Mr. Fitzgerald left Chief Manoogian (was in the audience during the interview) stated to the Board that he is very articulate and confident and has a great record to back it up and feels that he will do a great job. Garron asked if his decision was based on doing full background checks on each individual who came forward and interviewed with him and the Sergeant and he said yes.

Moved by Roy and seconded by Garron, the Board unanimously voted to appoint Daniel Fitzgerald as a student officer with the stipulation that he has a successful physical examination, passes the PAC test and the successful completion of the Police Academy.

GENERAL MAIL / BUSINESS (CONTINUED)

Evaluation Policy

Linda Cole has suggested that all evaluations for Wage and Personnel employees go into the personnel files that are in the Town Treasurer's Office. The Library has indicated that it plans on keeping the evaluations of its employees at the Library. Ms. Cole disagrees with this because of the following:

- there is no way of knowing whether the evaluations were done
- the Treasurer's office will have an incomplete set of files

Whether the Town wants to do this or not, given the Library's policy, the only way Seelig sees handling this is to have the W & P by-law amended to require (or be more specific) about where the evaluations will be kept. He does not see this as being an urgent matter therefore it can wait until a vote in May 2013.

Bio Ready Community

Old Colony Planning Council is working the Local Technical Assistance program to provide assistance and identify OCPC members which could be designated by the Mass BioTechnology Council as Bio Ready Communities. The initial requirements are:

- zoning for biotech laboratories and manufacturing uses by special permit
- a point of contact
- filing the application for designation

However, while the Town does allow manufacturing in various districts, laboratories are not a permitted use in any district (as they are not on the list of permitted uses). Seelig has put a reminder in the May 2013 Town Meeting folder to start discussion later this year and has told OCPC about the Town’s situation.

Water Tower Engineering Agreement

The current version of the agreement has been revised by Town Counsel and being reviewed by the Water Department and the engineer. The Board was informed that the Water Commissioners may ask for a special meeting for them to approve the contract once a final version is agreed upon.

Halifax v. Grabke

Moved by Garron and seconded by Schleiff, the Board unanimously voted to sign the settlement agreement for overpayment of wages.

Line item Transfer

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

FROM	TO	AMOUNT
Board of Health Expense #01-512-5230	Board of Health Clerical #01-511-5113	\$ 20.06

Fuel Storage Permit – Davis Automotive

On June 26th The Board voted to rescind Davis Automotive license. After doing so Davis Automotive paid the Town \$3,000 and is now on a payment plan. Seelig is recommending that the Board rescind their previous vote.

Moved by Schleiff and seconded by Roy, the Board unanimously voted to rescind the vote taken on June 26th and reinstate Davis Automotive’s license.

Fuel Storage Permit – Halifax Country Club & Halifax Farm Realty

Two permits still remain to be renewed: Halifax Country Club and Halifax Farm Realty (a vacant lot abutting Wal-Mart). Seelig has dropped off a letter at the Country Club and Halifax Farm Realty last week and has not received a response from either business. He recommended that the Board hold revocation hearings on August 14th for failure to renew the permits.

Moved by Schleiff and seconded by Garron, the Board unanimously voted to hold a revocation hearing for Halifax Country Club and Halifax Farm Realty both to be held on August 14, 2012.

Plymouth County Retirement Board

The Retirement Board is looking for employment and union contracts. Seelig has sent everything we have but has asked them to be specific about what they don't have.

Donelson Scholarship

A number of years ago a scholarship was established to be given to students majoring in the business or a related field. A scholarship was awarded in the amount of \$250 several times but has not been done so the last few years. The goal was to use the interest earned to award the scholarship but given how low the interest rate has been it appears that the Town will not be able to award the scholarship on an annual basis anytime soon. Seelig has asked the Board if they would like to use the principal amount, which is \$7,000, to award the scholarship or continue to use the interest earned. No decision needed to be made this evening, Seelig wanted to throw out a couple of options on awarding this scholarship for the future.

Monponsett Pond

West Monponsett Pond remains to be closed for swimming due to high algae counts and in addition activities ranging from boating to jet-skiing may be hazardous depending on the amount of skin exposed to water or the amount of water swallowed.

One resident has suggested closing the Pond to all activities. Additional warning signage might be helpful at the boat ramp and MA Office of Fishing and Boating Access is on-board for putting up another sign kiosk, perhaps with a color coded advisory.

A discussion with Brockton about ending the diversion before the normal June 1st cut-off date may be wise given that diversion during May moves algae to East Pond.

Comcast License

The license for Comcast is up for renewal on September 1st. Seelig will talk with the Cable Advisory Committee and will find out if the Town's initial questions were answered.

3 Summit Street

The vehicles that were at the above location had been moved and in regards to the fence Seelig has read the plans and the fence is on town property. The Highway Surveyor does not have any problems with the location of the fence and Seelig has not received comments from the members of the Traffic Safety Committee and thinks that the fence is far enough from the sidewalk and does not pose any problems for pedestrians.

Seelig suggested to the Board that they might want to send a letter to the property owner mentioning that the fence is on town's property and therefore the owner is not being granted ownership of the town's property on the house side of the fence and that the Town retains all of its rights concerning the property.

Roy just wants to make sure that they have been consistent regarding fences on town property and was okay with where it is as long as it did not pose a traffic hazard.

Garron thought a letter should be sent to the property owner stating that it is on town property and was put up without permission. Schleiff wants to take a look at it first before doing anything seeing as it is a new fence.

Underground Storage Tank Certification

As of August 8th, the State is requiring all UST owners to have A, B, and C Operators for each storage system. Seelig has notified the Highway Surveyor about this but has not heard back from him. He will put a tickler in for later this month to follow up with him.

Fireworks Contract with American Thunder

Moved by Schleiff and seconded by Garron, the Board voted to have the Chair, Kim Roy, sign two (2) *amended* contracts with American Thunder Fireworks (previously was \$ 5,000 amended to \$ 9,000).

Batting Cage Fence

Because of damage to the batting cage fence, the baseball group would like to prohibit baseballs from being hit into the fence. Also they would like to put a swinging gate in front of the pitching machine to limit access to those who are trained to use it. The cages will still be available to the public.

Plymouth Country Advisory Board

The Advisory Board is looking for confirmation that someone will attend the meeting on July 12th at 6:30 p.m. in Pembroke. Garron stated that he will be attending this meeting.

Halifax/Plympton EMS

Plympton is interested in having a small meeting with one of selectman, the Town Administrator and the Fire Chief on Wednesday, July 18th at 1 p.m. The meeting is in reference to Halifax providing EMS service to the Town of Plympton. Roy said that she will attend.

Alcohol License - Halifax Country Club

The Secretary of State's Office has re-instated the Halifax Country Club, LLC. Seelig is waiting for a copy of the lease agreement between Halifax Country Club, LLC and Halifax Investments.

Herron Road Subdivision

The Planning Board will be discussing this on Thursday, July 19th at 8 p.m. Roy is unable to attend the meeting but Schleiff said that he will. Seelig will send a note to all departments.

Solar Farm on Town Landfill

Seelig will be attending a State workshop on July 26th pertaining to this concept.

Live Entertainment – Our Lady of the Lake

Moved by Garron and seconded by Schleiff, the Board unanimously voted to grant a live entertainment permit to Our Lady of the Lake Church of 580 Monponsett Street for Sunday, July 15th from 11:00 a.m. to 3:00 p.m.

Selectmen’s Chairs

Chairs for the Selectmen’s meeting room will be ordered in cranberry with the funds that were approved at the 2012 Annual Town Meeting. Schleiff had asked what type of a warranty came with them and Roy said that she would check on it.

South Shore Women’s Resource Center Contract

Moved by Schleiff and seconded by Garron, the Board authorized the Chair, Kim Roy, to sign the South Shore Women’s Resource Center contract for FY2013.

EXECUTIVE SESSION

Moved by Roy and seconded by Garron, the Board voted as follows to enter into Executive Session at 9:15 p.m. to discuss Patrol Officer’s contract:

- 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.

Moved by Roy and seconded by Garron, the Board voted as follows to come out of Executive Session at 9:37 p.m.

- Troy E. Garron - Yes
- Kim R. Roy - Yes

There being no further business, moved by Roy and seconded by Garron, the Board unanimously voted to adjourn the meeting at 9:37 p.m.

Michael J. Schleiff
Clerk

/pjm