

BOARD OF SELECTMEN  
SELECTMEN MEETING  
TUESDAY, NOVEMBER 13, 2012 - 7:30 P.M.  
SELECTMEN MEETING ROOM

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Meeting came to order at 7:30 p.m. with Selectmen Troy E. Garron, Kim R. Roy and Michael J. Schleiff present.

The following business was discussed:

**PLEDGE OF ALLEGIANCE**

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

**HEALTH AGENT – REGIONAL GRANT**

Health Agent, Cathy Drinan popped in this evening to ask the Board to sign off on a grant that she is applying for. She wanted to apologize for presenting this at short notice but she just found out today that it needed to be endorsed by the Board of Selectmen.

Drinan explained this grant, Community Innovation Challenge Grant, will provide board of health services on a regional basis. Drinan is very interested in this and feels that everyone should help one another. The current Board of Health structure will not be eliminated but this grant will supplement the services and programs that they already provide.

Last year the BOS had endorsed this grant and as Garron stated he sees no harm in signing is since it will help with services and Schleiff also was in agreement with Garron.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to sign the letter of support for the Community Innovative Challenge Grant.

**MINUTES**

Moved by Schleiff and seconded by Garron, the Board approved the following selectmen minutes:

Regular Session – October 23, 2012

Moved by Roy and seconded by Garron, the Board voted as follows to approve the regular session minutes of November 1, 2012:

Troy E. Garron	-	Yes
Kim R. Roy	-	Yes
Michael J. Schleiff	-	Abstained (not present at meeting)

**AFFIRMED COMMITMENTS & 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 #36:

Vendor Warrant	# 35	\$ 431,644.50
Payroll Warrant	# 36	\$ 329,327.01
Vendor Warrant	# 37	\$ 311,251.31
Withholding Warrant	# 38	\$ 124,579.03
Ambulance Commitment	# 10A	\$ 22,428.49
Ambulance Commitment	# 10B	\$ 7,417.56

Moved by Schleiff and seconded by Garron, the Board unanimously affirmed approval for the payment of the following Selectmen bill:

Borhek Insurance Agency (renewal/underground storage tank)	\$ 917.00
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**APPROVED COMMITMENTS AND WARRANTS**

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

Vendor Warrant	# 39	\$ 12,712.72
Mobile Home Park Fee	# 11	\$ 5,160.00

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

National Grid (service for concession stand) .....	\$ 27.78
National Grid (service for Town Hall) .....	\$ 766.73
Lawrence P. Mayo (legal services/Oct.) .....	\$ 881.25
Peter J. Epstein, Esq. (legal services/Oct.) .....	\$ 300.00
Deutsch Williams Brooks DeRensis & Holland (legal services/Oct.) .....	\$ 38.00
CGS Communications (2 mobile radios/Police Dept.) .....	\$ 940.00
Plymouth County Treasurer (services for FY13) .....	\$ 150.00
Jordan on the Job (physical/Highway) .....	\$ 90.00
W.B. Mason (supplies/Selectmen’s Office) .....	\$ 27.50
Pam McSherry (to replenish petty cash) .....	\$ 13.10
South Coastal Counties Legal Services (services for FY13) .....	\$ 2,750.00

The Board acknowledged payment of the Selectmen Office Payroll for the period ending November 3, 2012 in the amount of \$5,988.02.

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2013-29	\$ 125.00
2013-30	\$ 25.00
2013-31	\$ 1,200.00
2013-32	\$ 1,250.00
2013-33	\$ 225.00
2013-34	\$ 345.00
2013-35	\$ 1,400.00
2013-36	\$ 150.00

**AGENDA**

Garron wanted to add a thank you to all those who participated in the Veteran's ceremony this past Sunday and wish those who have returned home the best of luck.

With the above statement, the agenda for Tuesday, November 13<sup>th</sup>, was unanimously approved.

**GENERAL MAIL / DISCUSSIONS****Plymouth County Gasoline Bids**

The Plymouth County Commissioners Office is preparing bid specifications for gasoline and is asking towns that are interested in participating to submit a form to them. The town is its third year of the gasoline contract and the re-bid will be in spring 2013. Seelig has asked Plymouth County what their current increment over the rack price is so that he can compare it to what the town has. As of this time he has not heard back from them. Seelig stated that in the past the town's is low and for this reason it has not made sense to participate in the County bid.

**Kent Edwards- Road Defect Claim**

Mr. Edwards has endured some damage to his vehicle while traveling on South Street when it was being constructed. A Claim has been submitted to the town's insurance carrier and has been denied for a couple of reasons. Seelig has informed the Board that this does not mean the matter is closed as Mr. Edwards could pursue it and sue the town.

**Donelson Scholarship**

Previously the Board had asked if Seelig he could check to see if the interest earned or the principal amount was to be used when awarding the scholarship and as requested he did not find any restrictions. With that being said Roy thought that \$1,000 is too generous and stated that usually scholarships are between \$250 and \$500. Schleiff asked if the funds could be put in a CD and Seelig said yes and at this time Rockland Trust has a 5 year CD that is paying 1.5%, hence the CD would earn about \$105 a year so in 2015 a scholarship could be issued with the interest that has been accrued. Roy added that if the Board wanted to give \$250 then they would have to wait 3 years.

Garron said that when it first came up it was asked what would be a good amount to give out and he said that if they awarded \$500 every year it would take about 14 years to deplete it. Schleiff stated that if it was put in a CD then the interest earned could be used instead of bring down the account and the scholarship could be given out every two years because at this point we have not given it out in three years so waiting another two years would not be an issue.

Roy suggested putting \$6,500 in a CD and use the remaining money for the next couple of years to award the scholarship until the interest accumulates.

Garron wanted to be realistic and stated that \$250 does not get you much these days and suggested \$500, but stated that it is the Board decision. Roy added that these are economically tough times and said that college students could use this money at this time and suggested that Seelig look into what CD's are paying, which he stated he already did. Schleiff said that in five years the rates could be different. Roy suggested giving one \$250 scholarship. Schleiff continued to say that a scholarship has not been issued in three years because the Board has not decided on how to continue with it but if we decided tonight to collect interest and proceed with the way it has been done in the past and feels that they should continue in doing that. Roy stated that was fine.

Garron asked Schleiff if that was his recommendation and he said yes, which Garron seconded.

Schleiff asked how much would the Board want to give and Roy suggested at least \$250 stating that the Board would have to wait three years to issue a \$250 scholarship.

Seelig will ask the Treasurer to put the funds into a 5 year CD with the best rate available and will report back to the Board in three years to confirm that the Board would like to move ahead on issuing the scholarship.

### **SCHEDULED APPOINTMENTS**

#### **Board of Assessors – Solar Project**

Joining Principal/Assessor, Suzan Duggan, were members of the Board of Assessors, Tom Millias, John Shiavone and Holly Merry. They were in this evening to talk with the Board about PILOT (payment in lieu of taxes) plans for solar energy. Duggan began by saying that originally when this was brought up a year ago the developer, Independence Solar V, LLC, wanted the town to purchase the land but now he is interested in doing so. At this time Independence Solar V, LLC has signed up with Bridgewater State College to buy the power on the Monponsett Street site. Originally they proposed that the Town of Halifax buy the power but they could not come to a agreement about how that was going to come about because of the legal fees, which are high, and the Duggan and the Board of Assessors did not want to put the town at that risk with legal fees and the developer was not willing to pay for any of it. Garron asked if it was the same people as last year and Duggan said yes.

The developer called to let Duggan now how they were proceeding with the permitting of the property and Duggan stated that they were not signing anything until they were willing to pay for the legal bills. They did show Duggan the purchase agreement that they have with Bridgewater and now are interested in a PILOT for 20 years in which the town will receive \$45,500 a year. This amount is more than what was offered the first time. Again the subject of legal fees came up and they came back stating they could pay \$5,000 towards legal fees. Duggan has passed this by town council and the agreement it states that the developer will pay \$2,500 upon signing the memorandum of understanding and \$2,500 due upon execution of the PILOT.

Duggan continued to say that has reviewed a lot of samples of PILOT agreements and said that this one is pretty basic. Garron had asked if they were still talking about putting the solar panels on Rt. 58 and the Assessors said yes.

Duggan thinks that the town will be in pretty good shape and Garron asked if legal was okay with it and Duggan said yes and continued to say that Attorney Mayo will draft the PILOT seeing as the town has received \$2,500 and once signed they will get the other \$2,500. Garron wanted to explain to the audience that the town is in agreement for them (Independence Solar V, LLC) to pass through Halifax to give power to Bridgewater and that in lieu of paying taxes they will be giving the town a set amount each year for the next twenty years.

Charlie asked if the next thing would be that the BOS would need to vote to establish a revolving fund. Duggan said yes they would like to establish a revolving fund to put the money in. The \$5,000 will probably be used but in the future this money will be used for expenses involved to get to the end point.

The developer has also offered to look at town owned property that is suitable for a project of our own in which he would lease the property and the town would be the owners of the power (i.e. old landfill on Hemlock Lane).

Roy wanted to say that typically a revolving account is approved by Town Meeting. Seelig stated that the State allows a revolving account to be established mid year as long as the Board of Selectmen and Finance Committee agree. As stated this revolving account will be for consultants and attorneys fees.

Schleiff questioned: *“the PILOT amount shall be \$45,500 per year with no annual escalation for the term of the PILOT. If the Facility’s actual nameplate capacity is more or less than 2.5 MW the PILOT amount shall be adjusted accordingly to reflect a rate of \$18,200 per MW per year”*.

Duggan went on to say that they are measure the electricity in megawatts and with this project they are hoping that there is going to be 2.5 megawatts of electricity before it enters the grid but if it is more or less the amount of megawatts will be multiplied by \$18,200. This is more than what other town’s are seeing but less then if the town had done this last year because the price has gone down as things have changed in the industry over the past year. Schleiff asked if she was comfortable with this figure and Duggan stated she is as it is better than the most recent ones she has seen and Millias said that it is a gamble as no one knows what is going to happen. In addition he said that they are going to generate \$30,000 in building and permit fees and said to keep in mind the town does not own the property and that the property owner is responsible but we will have the funds to if we need to intervene for some reason.

There was a figure of \$22,000 that Schleiff asked where that amount was coming from and it was stated it is a bond

Garron wanted to confirm that it is not costing the town anything and that all the money was being paid up front, and it was stated that was correct. Millias said to keep in mind that the town is getting tax revenue but that amount is next to nothing. Garron then asked that as a Board they needed to establish the revolving account with \$5,000. Seelig suggested establishing the account with \$15,000. Schleiff questioned that amount saying that last time is was recommended \$10,000. Garron did not think it was discussed but Schleiff though it was in

Seelig's notes. Seelig stated that the PILOT is for \$5,000 but then there is the purchase agreement.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to establish a revolving account in the amount of \$15,000 on an annual basis.

In addition to the Board's vote, Schleiff added that this still would need to be approved by the Finance Committee.

### **GENERAL MAIL / DISCUSSIONS (CONTINUED)**

#### **Contract for Rehab Pit on Route 36**

Moved by Schleiff and seconded by Garron, the Board unanimously approved the contract for refurbishing the Water Pit on Route 36.

#### **Debora Kane – Resignation from Website Committee**

Due to Ms. Kane moving to Maine she is unable to remain on the Website Committee. She stated that she would be happy to be an advisor if need be.

Moved by Garron and seconded by Schleiff, the Board unanimously accepted, with regret, the resignation of Debora Kane from the Website Committee, effective immediately and asked that letter of thanks be sent to her.

#### **Dog Waste Memo**

The Town Clerk was asked by the office if she would hand out a summary of the Board of Health's regulations on dog waste when owners come in to license their dogs. Ms. Gaynor has no problem in handing out the memo to dog owners when registering their dogs.

### **SCHEDULED APPOINTMENTS CONTINUED)**

#### **Kimberly Cunningham – Junk Dealers License**

Ms. Cunningham came in this evening to get approval for a junk dealer's license. She began by saying that she would like to open a consignment shop at 356 Monponsett Street. Her intention is to sell slightly used household items, toys, clothing and women accessories. Garron had asked how many employees will be working there and she said it would be just her.

Seelig explain that previously when the Board issued a junk dealer's license the owner was asked to keep a log of all items taken in and send reports to the police department on a weekly basis. Ms. Cunningham stated that she is not expecting to sell anything of high end quality and the items she is going to be selling would be dishware, second hand clothes, shoes and pocketbooks etc. She understands the concept behind the other junk dealer's license that was issued stating that the items brought in are of some value and did not think she would need to keep a log and submit to the police on second hand clothes but respects if she has to she would be willing to do so. Garron explained that there could be some items that are brought in that might have been stolen out of someone's car and someone could use her as the middle person in stolen items and she understood that.

Roy then asked when she takes in items will she have registered consigners on file and she said yes. At this time she is still working on the agreement and has gone to other stores to see how they do their agreements and will have one that works best for her. She added that when she takes in items she will work on an agreement with the person whom she received them from and will keep track of what she sells and then they will get paid on the split that they decide on. She added that she can deny something that she does not feel comfortable taking.

She stated that she will be keeping her log of everything that is taken in. Roy suggested that maybe the Board make up a different type of license for a second hand store where the items are clothing as opposed to a shop that is taking in jewelry and gold. Schleiff asked if she was asking for the options to bring in stuff other than clothing articles and she said other things would be household items, coffee pots, dishes plate cups. She cannot see it escalating into a TV set or an entertainment center and what she is gearing towards is bring in items you would find in your mother's closet growing up that you were not allowed to wear or the fun things she had, that is the product she is looking for. She is not looking to get big and rich and wants to do something fun, help the community and sell items at a low cost.

Roy asked about any jewelry that someone may bring would have to be tracked and Ms. Cunningham stated that it will be costume jewelry and is not looking at bring in real pearls, gold or platinum. Schleiff asked how would this be written up and Seelig said that if you are placing stipulations then you would write it up on the license.

Police Chief Manoogian was present so Roy asked him what he thought about the logging thing. He stated that these items still belong to the people and she is just facilitating them and there is no bartering going on and that she is taking in people's product and selling it for them and that no cash is exchange until the items are sold. It is different then someone coming in with gold, coins, or silver and getting immediate cash. Her items will take some time to sell and he feels that there is no need for her to have to purchase the software unless it was and cash and carry shop.

Schleiff questioned that she did not need the junk dealer's licenses. The chief stated that she still needs the license but does not need the stipulation as stated on the most recent one issued. Schleiff did not like the idea that one source having to get the software and Ms. Cunningham not needing to and questioned that she would not have to submit weekly reports. Chief said the items she will be taking in might take weeks or months to sell it is not like coming in with a piece of stolen jewelry and getting money for it right away. Garron said the key to this is that there is no immediate cash exchange and the chief stated that was correct. Garron did not feel that the stipulations needed to apply to this particular license and Schleiff said as long as we don't see any gold watches or jewelry. The chief said that if she changes her business as a cash and carry type of thing then the Board has the right to bring her back in.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to grant a Junk Dealer's license to Mum's Closet.

**GENERAL MAIL / DISCUSSIONS (CONTINUED)**Town Administrator's Job Description

Wage and Personnel has asked for a copy of the Town Administrator's job description, in particular the role this position plays pertaining to the human resource part of it. Copies also have been given to the Board and Roy has reviewed it and thought that the job description did not have enough regarding the human resource side and the department heads role. Seelig suggested that they put it on a future agenda to talk about it, which Roy agreed and stated that she would work with Seelig on updating it and bring it to the Board.

Winter Parking Ban

Edward Doherty is still upset about not receiving a response to his previous email and has asked who the insurer is for the town's vehicles. Seelig has provided him with that information and has asked the Board if they wanted him to send something to Mr. Doherty. Chief Manoogian was in the audience and Schleiff had asked if he looked at another *slant* regarding the winter parking ban. Manoogian stated that he has but it is very complicated therefore he is not pursuing it. He suggested that you could clarify *overnight* as that seems to be the trouble. People tend to stay till 1 or 2 in the morning then people call to complain stating that cars are in the road overnight then at 2:00 a.m. they are gone as the people are not staying overnight. He continued to say that maybe next year it could be more defined such as stating cars are not to be parked on the road from 11:00 pm to 6:00 am and added that sometimes it is a way for people to get at their neighbors and added that unless you are there at dawn knowing that they were there over night there really is no way to prove it.

Schleiff questioned if it does not snow for over a month is this a way for someone to get another person off the road and chief said yes sometimes if they have something that they want to *tickle their neighbor* with they can call us up and I'll give them the answer that it is not an interference. As what Mr. Doherty is doing the law is the law and you need to enforce it.

Schleiff asked if there was any way of tightening it up and is the ban primary for snow and for certain hours or snow removal. Garron said the only way you can tighten it up is to station it off and ruling is that in winter months you are not to park on certain streets whether there is snow or not. Schleiff understands that was the policy but asked is the primary reason for the ban is because of snow and nothing else.

Roy asked the highway surveyor (present in the audience) for his thoughts seeing as he is the one who is really impacted by this. Badore said that it has been working the way it is and that he has had no problems. Garron suggested that Mr. Doherty be notified either through email or a letter stating that it has been spoken of and that we are trying to take care of the situation.

Schleiff asked if he was expecting someone to park there and that we come over and look and ticket or have car removed. Roy thinks that may be correct. Schleiff asked if it is not a snow emergency and a car is parked in the road would we look at it another way. Chief said a warning but if you have two tires on the grass it is not on the road. It is complicated and he said in the past the highway surveyor has called the station to say that a car is in the way and could they find



someone to move it. That may be the alternative to this and forget the parking ban. There also is a problem off of Lingan Street and Ocean Ave where there is just no yard for them to pull into and there is no town parking lot for them to put their vehicles. This is a subject that needs some thought before going into. One solution the chief suggested was that the Board could remove the snow ban and the station will wait for highway to call and then have the cars moved. He again said if it is in the way and we are getting snow they will ask the people to move them. He wanted to say that the first time someone is parked in the road there is a warning, second time a ticket and then if they are really in the way they would be towed but they cannot go out to every car to make sure that it is not in the road every night.

Garron stated that this is not going to get resolved tonight but they can give it some thought. Schleiff said in the letter we can say that we are discussing new ways of approaching parking for winter months. Roy asked if the Board wanted it on a future agenda and Schleiff said maybe they could look into it after budget season.

### **SCHEDULED APPOINTMENTS (CONTINUED)**

#### **Mike Egan – Proposed Fire Works Display for Holidays in Halifax Event**

Matt Shea from Atlas PyroVision and Mike Egan (nephew of Peg Fitzgerald) came in this evening to get an approval from the Board to put on a fireworks display at the Holiday in Halifax event in December. Seelig has notified all departments who might have an interest in this to attend tonight meeting.

Roy began by thanking Mr. Egan for his generosity in donating fireworks to the town and Garron said that he was fine with this donation as long as he was willing to conform to the same policies as we do for the Fourth of July for safety so that it is safe for people who are driving up and down the street if there snow or any other type of bad weather that day and that it won't be costing the town any money.

Mr. Shea stated that it is going to be a smaller caliber than the town's July 4<sup>th</sup> display but will be in the same exact sight, with a snow fence, and they will have permit by the fire chief and the State of Massachusetts.

Schleiff asked how he came up with doing something like this in Halifax and Mr. Egan said that his aunt, Peg Fitzgerald and uncle, Tom Fitzgerald were like second parents to him growing up and without the hospitality of Halifax and both his aunt and uncle he probably would have not gotten married and had children. He has attend Halifax in Lights as far back as he can remember, he likes fireworks and heard that Holidays in Halifax was in need of something special and wanted to give back to the community.

Schleiff then asked what would the size of the fireworks be and the duration of the display and Mr. Shea said 4 inch max stating there will be plenty of room and the field, which will be picked up and have a thorough search, is perfect for that event. The fireworks will be computer fired to music and nineteen minutes long.

Members of the Holidays in Light Committee, Joy Marble & Tania Massa, were present and Ms. Massa said that it is a wonderful idea as long as it is done safely

but is concerned about the crowd this may draw. She wanted to add that they welcome new ideas to make it a better event.

Roy asked if it snows will that limit them and Mr. Shea said no it would not and that the snow makes it very nice. She also asked if there was foot of snow on the ground would that limit you to doing the display and Mr. Shea said no.

Schleiff has a problem if there is a foot snow posing public safety issues as people will be driving to and from town and added that there are other things to think about if it snow such as plowing, shoveling as well as having public safety out there driving around. Mr. Shea had asked the committee members if they postpone the event because of snow and Ms. Massa could not remember it ever being cancelled and Sue Basile (in audience) said it never has been.

Ms. Massa wanted to say that there are lots of towns that have an event like ours with fireworks and as long as our public safety personnel can handle this... she then asked Chief Carricio if they could handle this if it snows.

Chief Carrico stated that earlier someone said that is would not be a financial burden to the town but it is because he would have to staff the fire department like he would in June which will cost him about \$1,200 and he knows that the police also will have an expense and he feels that this will be bigger then the July 4<sup>th</sup> event. Roy said that it was her understanding that Mr. Egan was going to donate the funds to help cover the public safety expense and he said that within reason he would be able to do that but does not know what that amount would be. Roy stated that they should establish what *within reason* would be at this time. Schleiff stated that it would be similar to the July 4<sup>th</sup> if not more and Mr. Egan assumed that there would be personnel already “deployed” and that extra would need to be added and Roy said that is correct and said that they would need to bring in the Sheriffs Department to help assist costing between \$6,200 – \$6,500, which Mr. Egan stated would be too much for him to fund. Mr. Egan did question that amount seeing as we already would have people scheduled to work at the fire and police department.

Schleiff then asked how many are usually on for the Fourth of July event. Ms. Massa stated that for officers they usually have Sgt. Broderick and another officer that does the crossing and then volunteers from the CERT team. Chief Carrico said that he could get some volunteers but added that he will have to staff two ambulances and his engines just like he does on Fourth of July. Mr. Egan asked if that would cost him \$6,200 and Chief Carrico said that it is around \$1,200 for his department and then Roy said that it is about \$5,000 for the police department because again we need to bring in the Sheriffs Department. Mr. Shea asked how many men for the sheriff’s department would be needed and Roy directed that question to Sgt. Broderick. Sgt. Broderick said it is about \$5,000 and they would bring in between 10-12 officers beyond the Halifax staff and said that it is going to be hard to determine the amount of people who will be at this event but will work with the figure but said he needs to plan for the worst and hope for the better.

Garron asked if we could use the CERT volunteers to man certain stations and Ms. Massa said they are already being used. Garron pointed out that Fourth of July we have activities all day long where security is needed and then asked what time the display was going to be and it was said 8:00 pm.

Ms. Massa said a couple of things could work in their favor one being many people might be heading home after a long cold night with the kids and the other is that they have less than a month to get the word out but she does understand the police departments concerns that this may draw a large crowd.

Garron asked what time the event started stating that the amount of hours of this event is less than to the one in July where officers are out for the whole day. Ms. Massa said that it starts at 4:00. Sgt. Broderick added that the routine event is very small and he has only a couple of officers if the fireworks are going to be right after and are only for 20 minutes then he feels he can adjust his personnel to cover that period of time and work on his numbers.

Mr. Egan said that he could reimburse the town up to \$3,000. Roy said that was fair and they can go back and review the staffing. Roy then asked if anyone else had anything to share and Ms. Marble said that it is not so much about the fireworks and/or the amount of people in the streets but the fact that they need to be safe walking around.

Sue Basile submitted an email opposing the fireworks but wanted to state it verbally and said she was on the board of this committee for many years and this is a fun evening for Halifax residents and their relatives who live out of town and added that people have already heard of fireworks for December. She also asked where everyone will park as well as many other issues that need to be thought about and it is not so much the weather as they have never cancelled this event She does not feel that December is the time for such an event and would like to see Mr. Egan donate the money for our Fourth of July fireworks. Another thing she brought up is that you need to think about is the people who are in the buildings from 4 to 8 because there have been times that she does not get out of the museum till 9:00 as there is cleaning up that needs to be done and you cannot rush families out because of fireworks.

Roy asked if there was anyone else who wanted to share their thoughts/concerns as no one came forward she then read an email from the Municipal & School Building Committee (copy attached hereto and made an official part of these minutes). She then asked Garron and Schleiff if either of them had anything to add and suggested again that they sit down and discuss staffing to see if they can meet that figure that Mr. Egan is willing to pay.

Schleiff asked if the committee did any fundraising to come up with money for detailing and Ms. Massa said a couple years ago they did do some fundraising that helped with the event but they have a budget they work with. He asked if they saw this as an opportunity to do some fundraising for next year with this influx of people coming this year. She continued to say that over the past couple of years people have stopped coming to this event because it is the same thing every year and suggestions have been made to try different things and they do have a lot of ideas but money is tight therefore they cannot add other things to the program but having the fireworks would change things up a bit.

Roy again said that they could sit down and work on the figure needed for public safety and see if we can meet Mr. Egan's budget and the towns. Schleiff added his concern is the weather with it already being night time and there could be icy conditions, drizzling or black ice and is worried about public safety maintaining

the crowd if there is an influx of people as opposed to the summertime where the weather does not play a role in the event. Mr. Egan did understand his concerns.

Roy made a motion to support the fireworks as long as we can meet the budget number for public safety. Garron was okay with it as long as we can provide safety for those coming out whether it snows or not and if the chief can fit those things in. He does not see any reason why we cannot have the fireworks as there will still be movement of people going from building to building or walking around the grounds to different scenes whether we have them or not. Roy said that they appreciate the gesture and said that they do not have it in the budget to fund over and beyond. Mr. Egan said that he appreciates the opportunity to do this and understood the financial burden it would bring to the town. Roy then asked Garron if that was his motion and Schleiff wanted to say that he also appreciates this and that it is a nice thing but is concerned about the safety of the people in town and the weather and if it is not ideal weather for travel or out on the sidewalks and if highway is out salting and sanding... the weather has to be more than ... Mr. Egan said if the event is cancelled then they are more than willing to cancel the fireworks but as Schleiff said that this event has never been cancelled... then Schleiff asked how many more people would be in town because of the fireworks? No one had any idea. Asked twice as many... Mr. Egan said yes maybe that much, which as Schleiff said would depend on the weather and how cold it is. Schleiff asked the fire chief what his thoughts were on the amount of people who may attend seeing as he has dealt with the fireworks and events such as this in town.

Chief Carrico said that one thing that has not been discussed is an alternate date for the fireworks as there was a rain date of December 9<sup>th</sup> on the permit. Ms. Massa said the Holidays in Halifax event would go on no matter what on December 8<sup>th</sup>. Roy then suggested that if there are poor conditions that the fireworks not be held on the 8<sup>th</sup>.

Mr. Shea had a question; presuming that the weather was bad he is assuming that there would be people sanding the walkways and the streets, would there be a certain time that they would start doing this or would they be doing this earlier because of the event? The highway surveyor said that they do the parking lots and streets and as far as the sidewalks they have not salted them but if they had to they could.

Roy stated that they had a motion and did they have a second. Schleiff said the motion was to ... Garron said the motion was that we grant the permit with the assumption that they will meet the criteria for them to pay for security. Garron said that he is not going to have it go on if they feel that there is going to be some problems.

Roy wanted to reiterate the motion which was that we will support the event as long as we are able to come with an agreement of covering the public safety and if that is not possible the fireworks display will not take place.

Schleiff then asked who would make the decision if there is inclement weather and Roy's guess was that it would be the fire chief. Schleiff then asked at what point he would cancel. Carrico was unsure how the fireworks would be if it rained. Mr. Egan said they would do them up to winds of 20 mph and asked if it was an evening of freezing rain or a foot of snow would the Board be okay with

that because they can shoot the fireworks no matter what but he is aware that they are concerned about public safety. Schleiff said that if snow was already on the ground and salting and sanding has already been done. Mr. Shea then asked what if there was a weather advisory then they could cancel then and Schleiff said as long as it is okay with the other department as it is their men out there doing this and if he is comfortable with it he just wants to make sure that everyone is safe. He wanted something in the motion that would cover them in an event it needed to be cancelled. Sgt. Broderick did not think it would be a problem cancelling at the very last minute and would be happy to close it down. Garron did say that there have been times that it was miserable out there and Ms. Marble wanted to clarify that this is about cancelling the fireworks and not the event.

Chief Carrico said that he will contact Mr. Shea a week before the event and make sure they are both on board about what the forecast is looking like and Mr. Shea was in agreement with that suggestion. Garron asked up to how many days before the event could it be cancelled and Mr. Shea said they could cancel up to two days before.

Garron first and Schleiff seconded Roy's motion above and added that the Fire Chief can cancel if need be for any extenuating circumstances.

#### Dog Issue – Odie

Odie has found his way back to Halifax and was picked up by ACO, Ann-Marie Brown. At this time he has been placed at an area kennel until a home can be found for him. The first step is to find out if Chrystal Joseph is the owner of record and if so we can see if she would like to transfer ownership over to the town and then the town can adopt the dog out. Sgt. Broderick stated that the dog is not a bad dog and that they do not want to destroy him and added they have been notified by the owner signing over the dog to be placed in new home. Seelig asked if she has given written documentation and Sgt. Broderick believes that she has. Roy has spoken with ACO and she had mentioned that she wanted to see how Odie socialized with other dogs. Sergeant said that whoever adopts the dog, that aspect of it would be part of the process as well as making sure it is safe to adopt out and has a safe home. Unfortunately, he cannot be adopted by someone in town so they will have to use other resources to help place him.

Moved by Garron and seconded by Roy, the Board voted as follows to accept the transfer of ownership of Odie to the Town of Halifax and give the Animal Control Officer and the police department the permission to find a nice home for Odie:

Roy asked if we had a second and Schleiff said that he thought they should have kept the dog in town and stayed at the residence on the property but as Roy stated the owner did not have the means to do that and that decision had already been made at a previous hearing.

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

Schleiff then had another question which was if it was cold outside will there be enough room in the buildings for people to come in to get warm. Seelig stated that we only have a certain amount of interior places and yes it could be more

crowded then previously because of addition people who may be coming because of the fireworks. Roy stated that there is a lot on the agenda and would like to move on. Garron brought up the point that a lot of people may not come until 8:00 and that there are many unknown factors. Schleiff asked if the COA and Water Department are open and it was stated that they are but the capacity is small. Garron added that the library, town hall and museum were also opened. Schleiff asked if the school was open and Seelig said that it only open for the concert and a dance that is at 4:30 pm. He also asked if there would be the need for additional porta potties brought in because of the fireworks. Garron stated that it has been talked about with the police chief and that it will be addressed. Garron then said that the decision has been made.

Garron left for a very brief moment

At this time Roy stated that they have a lot to talk about this evening and asked that they move on. Schleiff stated that the event is happening in three weeks and wanted to point out a few things and cover their bases.

Garron returned

Roy again stated that they have a lot on the agenda and would like to move on.

#### Monponsett Pond Watershed Association

The association is asking if the town could assist them in becoming a non-profit and if they do become a non-profit they will be eligible for grant opportunities as well as any donations will be tax exempt. Seelig has run this by town council and it is feasible but will need to be brought up at Town Meeting. Roy asked if the Board would need to vote on this before going to Town Meeting and he said that that would depend on who is sponsoring the article.

#### Plymouth County Mosquito Control

Plymouth County Mosquito Control FY2014 budget meeting is scheduled for December 13th with the hope that each of the project communities will have representation at the meeting. Seelig has noted that the town's assessment is up 2.5% from last year as well as the overall budget. He also would like more backup information before recommending or not recommending that the town support this budget. He asked if any of the Board members were interested in going and is unsure if someone from the Board of Health would be attending (Garron stated he would not be attending). Schleiff asked what happened last year? Last year they sent a letter around asking for support for the budget and Board declined because it was off. Again this year they are asking for support as well as someone to attend the meeting. Schleiff asked what happened last year and Seelig thinks they ended up reducing their budget due to the lack of support.

#### Fieldstone Farm

The Selectmen's Office received an inquiry of trucks traffic on Fieldstone Farm's property. Seelig contacted the property owner, Scott Clawson, and he explained that he was doing some routine cleanup in the riding rings which required him to remove material from them and should be done within the next few weeks, weather permitting. Seelig asked the Board if they would like him and Tom Millias to investigate it further they could. Roy commented that he previously had a big horse show and that he could be cleaning up the area.

Schleiff asked what conservation found the last time they went out there regarding the berm (last year) and at that time was it being questioned that material was being removed. Seelig stated that the berm issue had nothing to do with an earth removal operation and Schleiff asked would it hurt to go out there Seelig said that he could have conservation go out there but they do not handle earth removal and that the BOS did. Schleiff understood that but they would know if something has changed since they had been out there. Roy asked if Seelig could ask Millias to go out there.

#### Greggory Quill – 111F

Moved by Garron and seconded by Schleiff, the Board unanimously voted to place Firefighter Greggory Quill on 111F status as of October 31, 2012.

#### Emergency Declaration and Storm Day

Moved by Schleiff and seconded by Garron, the Board affirmed the Emergency Declaration for October 28, 2012 and approved a storm day for Monday, October 29, 2012.

#### Inspection List for License Holders

Each Selectmen have been assigned to do annual inspections at the following locations:

<b>LOCATION TO INSPECT</b>	
All Seasons Restaurant 327 Plymouth Street	Roy
Bella's Pizzeria II 319 Plymouth Street	Roy
BR's Monponsett Inn 550 Monponsett Street	Roy
Country Club of Halifax 100 Country Club Drive	Garron
D's Grille 58 284 Monponsett Street - Unit 4	Schleiff
Hawaii Garden Restaurant 300E Plymouth Street	Roy
Halifax Mobil 576 Plymouth Street	Garron
Harmony Two Liquors 284 Monponsett Street	Schleiff
Lindy's General Store 134 Holmes Street	Garron
Twin Lakes Liquor & Convenience 655 Monponsett Street	Garron
Unit 5 Bar, LLC d/b/a The Tee Box 284 Monponsett Street Unit 205	Schleiff

Halifax Gold and Silver Coin Shop

According to the Police Department the owner of Halifax Gold & Silver Coin Shop is failing to enter information into the data base on the goods being bought and sold at the shop as stated in the agreement. It also appears that the owner is hardly ever there as officers have been trying to get in touch with him. Therefore as Seelig stated he is not in compliance with the stipulations on his license.

Roy stated that the stipulations were that he was to input items taken in and it appears from a police report that there was a month in which no data was entered. In addition he was to be the only one working in the store and it seems that his step son and mother are there and he very rarely is.

Garron suggested having him come in because he started off not getting the proper permission to open the store and when he did come in to explain to the Board why that happened he told them that he would be the only one there. Seelig pointed out the stipulation on his license stating that if others were working in the store, the Board of Selectmen was to be notified. Garron felt that this was a major violation of his license. Schleiff would like him to come in at the Board's next meeting and stated that if other people were working they too should be put on the license. Seelig recommends that if the Board wants to revoke his license it would need to be done by certified mail and within two weeks of the hearing. Roy suggested that he come in at the Board's meeting on November 27<sup>th</sup>.

The Board decided to invite the owner of Halifax Gold & Silver Coin Shop to meet with them on November 27<sup>th</sup> to discuss the possibly of revoking his license but in the meantime Seelig will send a certified letter stating that a revocation hearing will be scheduled for December 11<sup>th</sup> and if the Board is satisfied on November 27<sup>th</sup> then the Board does not have to do anything on December 11<sup>th</sup>.

Massachusetts Cultural Council Signature Authority

Moved by Roy and seconded by Schleiff, the Board unanimously authorized Charles Seelig to sign, on behalf of the Town, the contract for the transfer of FY2013 Local Cultural Council funds from Massachusetts Cultural Council to the account for the Halifax Cultural Council.

Land Donation – Clyde O Bosworth Road

J. Walsh Real Estate has contacted the town about wanting to donate a very small piece of land at the corner of Plymouth Street and Clyde O Bosworth Road. This piece of land was left over after the subdivision was approved. They have approached the abutter asking if they would like to purchase it but have not heard back from them. Seelig has asked the highway surveyor if he had any objections as he would be the one mowing it if the town accepted this donation and he was fine with it. Seelig mentioned that the donation will need to be approved at Town Meeting in May 2013 and added if it is not accepted it will go into tax title and cost the town more money. Seelig stated that he could send a letter to the abutter to see if they want it, which the Board was in agreement of him doing.



2013 MS Bike Ride

The National Multiple Sclerosis Society has contacted the office regarding their 29<sup>th</sup> annual Cape Cod Getaway MS Bike Ride on June 29<sup>th</sup> and 30<sup>th</sup>, 2013. The ride is scheduled to run through Halifax on the 29<sup>th</sup> and they are requesting the use of the town hall parking lot as a rest stop and Town Hall as an emergency shelter. Seelig has sent out a note out to the departments and have yet to hear back from anyone. He has recommended to the Board that they give approval for this request.

Schleiff had asked if it coincides with the Halifax in Lights event. Roy stated that it has not been confirmed but the committee has tentatively scheduled it for June 29<sup>th</sup>. A couple years ago the MS event and the Halifax in Lights event was scheduled on the same day and there was a conflict with who was using what part of the parking lot and some safety issues where cars were parked. As stated by Roy and Schleiff the MS Society will need to understand that if there is another event going on that day they would need to coordinate the use of the parking lot with the other group. Garron asked if there was another sight the MS Society could use but a Seelig pointed out this location is in the flow of their route.

Seelig is recommending having all parties involved to come in together and meet with the Board so that they can designate a certain area of the parking lot for each group.

Chapter 90 Reimbursement

Moved by Garron and seconded by Schleiff, the Board affirmed the signed approval of the Chapter 90 – Reimbursement Request for South Street Reclaim & Resurface – Final Contract #50821.

Ambulance Abatements

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

October 2012	FOR	\$ 11,730.66
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Halifax Investments, Inc. - Application for Change of Directors/Officers

The Board reviewed the application submitted from John A. Peck requesting a change in Directors/Officers for Halifax Investments, Inc., d/b/a Country Club of Halifax. The change will be from John A. Peck to Joseph G. Peck and Robert A. Peck.

Moved by Garron and seconded by Schleiff, the Board voted as follows to approve the application for a change in Directors/Officers for Halifax Investments, Inc., d/b/a Country Club of Halifax located at 100 Country Club Drive:

Troy E. Garron	-	Yes
Kim R. Roy	-	Abstained (member of the Country Club)
Michael J. Schleiff	-	Yes

Aldana Road

The Board wanted to be notified when Aldana Road had been graded. The office received an email from the highway secretary stating that it has been done.

Finger Printing By-Law

The above by-law that was presented at the Annual Town Meeting on May 14, 2012 has been approved by the Attorneys General office with the following changes:

- The Town cannot fingerprint license holders just applicants
- The Town must be specific about which license application they will check
- Only applicants can be checked not employees or volunteers
- The Town cannot require that the State Police & FBI do anything

Any amendments that are needed can be done in May 2013.

Fire Department MEMA Grant

Fire Chief Carrico wanted to let the Board know that he has been awarded a MEMA Emergency Management Program Grant in the amount of \$2,500. He has indicated that these funds will be used to cover additional time for Jordan Hill to continue to do the eCEMP and preplans.

Walnut Street

Harold Sprague, a resident of Walnut Street, emailed Seelig asking the status of the proposed repaving of the street. Seelig did update him stating that they are working on the reimbursement process and have to play it out to see if the money comes in before the asphalt companies close. He also stated that the road has gotten worse due to the increase of truck traffic because of the bog harvesting and new building that is going on in the area. Also he noticed the thickly settled signs had 30MPH posted in the middle of them and felt that it looked somewhat ridiculous as he never has seen a sign posted within another sign. Lastly he felt that the sign was too small to see and has called the Highway Department on it but has seen no action. Seelig did say that it is not the standard sign but it is an alternative.

Regional Dispatch

Seelig wanted to bring the Board up to date on the status of regional dispatch. Two different routes are being taken but both are comparable. One is the consultant who is continuing to work with OCPC on various alternatives and the other is groupings of surrounding towns. Seelig stated that there needs to be a standard set of stipulations to compare the different scenarios against so that there is starting point. Seelig pointed out that the Board can look with other towns on these scenarios as there have been other towns that have already started doing this.

Roy explained that the numbers they were given were based on certain amount of hours and shifts. They are not comfortable with the number given but they needed to give him one to work with. The call volume number that Plympton put in was incorrect and Roy suspects that Mike Dye will look at the revised numbers

and then the towns will be sending Dye their revised numbers which will in effect change the report. She added that they need to find what towns are really into regionalizing because the numbers will change again and until then they will not know how much Halifax will save.

Garron asked how Scituate, Cohasset and Hingham are doing as they already have a system in place. Seelig said there is no formal report but he could check with his counter partners in those towns. Roy said that she has done studies on regional dispatch and found that a lot of the studies fall apart and that a couple of towns that have been part of a five town study have broken away and are just working with two towns.

After looking at the numbers, Roy contacted Norfolk County Control and spoke with Mr. Cook as she wanted to see how he calculated the cost of \$100,000. Mr. Cook stated that he just came up with that figure and that there was no formula used to get that amount. She then contacted the chair of the Finance Committee for Norfolk County Dispatch and was informed that at this time they are just breaking even on the services they are providing. With that being said Roy stated that because regional dispatch is so new there aren't any real formulas to follow therefore Halifax will have to decide on their own to create a formula to keep the town protected.

Seelig stated that the Board needs to realize that the numbers coming in may not be fully accurate. Roy stated that if Halifax was going to have a center with Plymouth, Plympton, Kingston and Duxbury we would save \$250,000. Seelig pointed out that we would be saving more money than what we are spending but as Roy said it was based on the number that the other towns have submitted and seeing as Plympton has to revise their figure theirs will go down and Halifax will go up.

Garron asked if the Sheriff's Department was involved and Seelig said that the folks were not interested in working with them because of two reasons one is the concern that it was close to the power plant and second is the way the agreement reads from the Sheriff's Department as they would be running the show. Roy mentioned that when she and Schleiff visited Duxbury they were concerned about being close to that zone but there since has been talk about that not being so important now. Seeing as Plymouth has joined the study this will help with the numbers but Roy said they do not know how serious they are.

Garron said that the Regional Dispatch meeting should continue and from his stand point is not whether it saves the town money but is it going to be more efficient to aid the public and provide better service. Roy said that if we join a regional dispatch center there will not be someone at the station 24 hours a day which is something they need to think about and Garron said that we want two people there one to watch whoever might be locked up and the other at communications desk. Roy said that these are things that you need to think about because you may be saving money on one end but if the station was to be kept open then that would still cost the town money. Garron is for regionalization as he stated said this is what they do in the mid west and is very successful.

CORI Policy

Seelig is recommending that the Board approve the model CORI policy that was presented to them or if they would like to format one on their own that could be done also. As stated by Seelig the town as a whole is not registered with CORI instead individual departments register. Garron stated that he feels it should be a standard policy for the whole town. Schleiff asked if there was a negative part of it and Seelig stated that he did not see anything.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to adopt the model CORI Policy.

Surplus Equipment Procedures

Schleiff would like a minimum of three bids submitted when bidding out. He asked would you value the vehicles by Kelly Blue Book, would the Board decide or should be go by some guide that we follow and as Seelig said it could be done on a case by case basis and the Board will make a decision each time as to what the minimum will be. Seelig continued to say that the market determines what the item is worth and each time a piece of equipment comes in it can be brought to the Board. Schleiff then suggested that if we cannot give a piece of equipment value how about ask for three bids and Seelig said the Board could place the requirement that they will not sell anything that does not have three bids. Roy does not know if she could support something like that as she feels as long as the minimum bid required was met, getting three bids did not matter to her and brought up the point that you might not get three people interested in bidding on a particular item.

Seelig brought up the point that the value on a Crown Victoria sedan used by the police department may not be valued as the same as one that was used for personal and said what determines the value is what the item will bring. Roy said the reason for this policy is so that when different items come in such as ambulance or COA van where this is no Kelly Blue Book to go on, the Board has an idea what they might want for that vehicle.

Seelig said that he could talk with the Dave Neault, the town mechanic, regarding the surplus vehicles that are down there and bring back that information to the Board for them to review. Roy said that this could give the Board the opportunity to have a part in the pricing of the vehicles.

Schleiff said that if they cannot find a bottom number you could get scrap price for it but he thinks asking for three bids would be more in line. Seelig asked if you end up not putting a number on it and you don't get three bids then what would you do then. Schleiff said to send it out again by as Roy said you will have to pay for the advertising again and you need to weigh how much is it going to cost in advertising and Seelig's time to do this.

Roy suggested adopting the policy this evening and then the Board can work with Seelig on the next items going out to bid. Seelig will incorporate in the policy that the Board wants a minimum and if an amount cannot be determined then the Board wants at least three bids. Roy was not comfortable with the three bid thing. Schleiff felt requesting three bids was reasonable as it is no unheard of. As Roy said if we ask that and don't get three bids then they end up sitting on it.

Seelig said on the vehicle part of the policy he could put that the Town Administrator will bring it to the Board for review and they will place any stipulations on the bidding if they choose. The Board was in agreement with that suggestion.

Moved by Schleiff and seconded by Garron the Board approved the surplus property and surplus equipment policy.

### IRS Taxable Income

Recently some staff member of the Town attended a workshop on operations with the U.S. IRS regarding a review on what fringe benefits are considered to be taxable income. Listed below are two categories that the town will need to define and the brief discussion that transpired.

#### *Clothing/Uniform Allowance*

If the following criteria is met the IRS will not consider items taxable:

- Required by employer as a condition of employment
- Cannot be adaptable to general usage as ordinary clothing
- Are the items paid for under an accountable plan

Seelig said that in the end we will need to sit down with the departments to figure out the best way to handle this. This will be listed on their W2 therefore requiring them to show on their taxes. Schleiff suggested tightening up the list as to what they can and cannot buy. Roy asked Seelig if he wanted to set up a meeting and he said that he can set one up for December.

#### *Personal Use of Vehicles*

Depending on the type of vehicle and its use the IRS may or may not consider personal use of the vehicle as taxable income.

Seelig asked the Board if they wanted to set up a meeting with the individuals who use town vehicles for personal use. Garron thinks a copy of the law should be sent to them first, which Seelig said he intends to do. Seelig will send out a memo to set up a meeting with the Board with those individuals.

### License Holders - Outstanding Taxes

As the time approaches in renewing the annual licenses there are still three licenses holders who have outstanding taxes owed. Seelig is recommending sending them letters stating that revocation hearings have been scheduled. The Board is okay with Seelig sending out the revocation notices to those license holders.

### Steps in Hiring New Police Chief

Seelig began by saying that under the Wage & Personnel by laws this position would need to be advertised. After that the Board would need to decide if they wanted a screening board. Garron does not want to advertise because he has someone in mind but realizes they are required to do what the law states.

Seelig wanted the Board to think about what they would like in the new police chief and mentioned a few topics:

- more community policing
- look into the drug problems here in town
- look into the break ins
- where would the Board want the department to be in five or ten years

He suggested picking a future date to talk about this. Schleiff suggested to discuss it on a night where there is not too much on the agenda and Garron mentioned that the Board could schedule a meeting on an off night and just discuss this with nothing else put on the agenda.

Roy said she realizes that it is a bit early to be thinking about this but the Board should decide what process they want to take and doing so within the next four weeks would be good. She asked Schleiff if he intended on participating in the choosing of the next chief and he stated he did. The Board decided that they will schedule a meeting for Tuesday, December 18<sup>th</sup>.

At this time Schleiff left the meeting

#### 2013 Recycling Fee Abatement Request

Before the Board voted on this abatement Seelig wanted to explain the policy. For vacant units there is no abatement because the home can be inhabited at any time. On seasonal units there is no abatement unless the homeowner can provide documentation that the water or electricity has been shut off/not used for six months in which case the fee will be reduced to half.

Garron did not see a problem in classifying Bill #2071 as a seasonal property seeing as proof was provided that there has been no water usage in over six months.

Moved by Garron and seconded by Roy, the Board unanimously voted to abate \$17.50 from Bill #2071 on the basis that it is a seasonal home and the owner has provided proof that there has been no water usage for six months or more.

Roy asked if a vacant home have its own policy but as stated by Garron a vacant home can be occupied at any time.

Before adjourning Roy wanted to thank the community for coming to the Mass Memories Road Show that was held this past Saturday.

#### **MEETING ADJOURNED**

There being no further business, moved by Garron and seconded by Roy, the Board unanimously voted to adjourn the meeting at 10:40 p.m.

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Michael J. Schleiff  
Clerk

/pjm