

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, DECEMBER 11, 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:

PLEDGE OF ALLEGIANCE

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

Grant Opportunity for Stump Brook / Stump Dam Study

Health Agent, Cathy Drinnan, along with Russ Kleekamp and Paul Collins came in this evening to talk about a grant that the Jones River Watershed Association is applying for and would like Halifax to join them. The grant money will help allow them to study Stump Brook/Stump Dam, the water flow and how things can improve. Mr. Kleekamp explained that they are looking to maintain the velocity and to reestablish flow to Stump Brook. This also gives the town more leverage to Brockton supporting the fact that there is a problem with the lakes here in Halifax. Drinnan is asking the Board for their support in applying for the grant and if so the Chair will need to sign the grant paperwork once completed.

Moved by Garron and seconded by Schleiff, the Board voted to allow the Chair, Kim Roy, sign the grant.

At this time Roy wanted to thank everyone who helped make Holidays in Halifax a success. She especially wanted to thank the Holidays in Halifax Committee for putting this event together. In addition she thanked the Town Hall, COA, Water Department and Fire Station for opening their doors to the residents and offering refreshments and snacks. Mr. Egan was thanked for the fireworks. Schleiff thanked all the employees who helped out and Garron wanted to thank fire and police for making it a safe event.

AGENDA

The Agenda for Tuesday, December 11th, was unanimously approved without revision.

MINUTES

None to be approved at this time.

AFFIRMED WARRANTS

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

Payroll Warrant	# 44	\$ 347,672.07
Vendor Warrant	# 45	\$ 383,278.36
Withholding Warrant	# 46	\$ 131,762.92

APPROVED COMMITMENT AND WARRANT

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

Vendor Warrant	# 47	\$ 375,733.41
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:

Attorney Lawrence P. Mayo (legal services/November)	\$ 1,734.22
Peter J. Epstein, Esq. (legal services/November)	\$ 40.00

The Board acknowledged payment of the Selectmen Office Payroll for the period ending December 1, 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>
2013-47	\$ 500.00
2013-48	\$ 1,250.00
2013-49	\$ 245.00
2013-50	\$ 2,450.00
2013-51	\$ 5.00
2013-52	\$ 200.00
2013-53	\$ 3,000.00

GENERAL MAIL / DISCUSSIONS

Budget Forms and Deadlines

Budget packets have been placed in mailboxes along with the deadline dates relating to the budget, warrants and other documents.

Surplus Vehicle from S.L. Regional School District

The District has notified the town that they have a 16 foot utility trailer that has been declared surplus property and any interested party should notify them by December 14, 2012.

ABCC – Halifax Investment, Inc.

ABCC has returned the forms submitted to them for Halifax Investments regarding change in new officers and directors. ABCC is looking for annual reports and previous forms for past changes of officers and directors, which Seelig thinks that the original list of officers/directors was never changed through submissions with the ABCC. The country club has been notified and is working on this. No action is needed from the Board and Seelig is recommending that the Board approve their 2013 license renewal.

Road Cut – 31 Indian Path

Moved by Schleiff and seconded by Garron, the Board unanimously approved Permit #2012-37 issued to National Grid for a 24-30 inch wide road cut to install new conductor to upgrade the electrical service at 31 Indian Path.

Bond Release- UC Synergentic

Moved by Garron and seconded by Schleiff, the Board unanimously voted to release Bond #ONL000102230 in the amount of \$5,000 to US Synergentic that was being held in connection with Permit #2011-44.

Ambulance Abatements

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

November 2012 FOR \$ 13,831.93

Recycling Abatement – Bill # 460*System Error*

Moved by Garron and seconded by Schleiff, the Board unanimously voted to abate \$35 from FY2013 recycling bill on the basis that confirmation has been provided from the Building Inspector that there is no evidence of a second occupancy. Schleiff added to the motion that he would like it billed each year as a two unit therefore it can be inspected and kept under the radar.

Earth Removal Permit – Turkey Swamp Bog Realty

Barry Gates has declined to renew his earth removal permit. He has been asked to submit As-Builts and reports and once received the Board can have Land Planning go out to do a final inspection to make certain that the stipulations that were placed on the permit have been met.

SCHEDULED APPOINTMENTS**Halifax Gold & Silver Coin Shop - Revocation Hearing**

A revocation hearing was scheduled this evening as Mr. Chiaramonte is not complying with the stipulations that were placed on his license. He came before the Board two weeks ago for an informal meeting to discuss this issue and since that time the Police Department has indicate that he is providing information to the database on a regular basis. He has also provided the office with copies of the licenses of the employees he has working at the shop as well as the hours they work. Garron asked if the police are aware of his workers and Mr. Chiaramonte said he has not notified them and Garron suggested letting them know and Schleiff agreed with Garron. Garron continued to say that he is okay with not revoking his Junk Dealer's license as long as he is meeting the requirements and continues to do so. Seelig recommended that the Board not revoke his junk dealer's license.

Moved by Garron and seconded by Schleiff, the Board unanimously voted not to revoke Mr. Chiaramonte Junk Dealer's license for Halifax Gold and Silver Coin Shop.

GENERAL MAIL / DISCUSSIONS (CONTINUED)**Civil Service – Access to Web Site**

Moved by Garron and seconded by Schleiff, the Board unanimously voted to authorize Beth Dubrawski, Pamela McSherry and Antoinette Ross to have access to all areas of the Massachusetts Automated Civil Service System.

Police Department – Surplus Vehicles

The Board has received a letter from Chief Manoogian recommending that they declare a 2009 Ford Crown Victoria Sedan and 2008 Dodge Charger Sedan as surplus. Roy asked if Seelig could look at the Kelly Blue Book value on the vehicles. Schleiff asked if the vehicles should be offered to other departments. Seelig said that if the Board wants him to he will stating that they (departments) have until the Board's next meeting on Jan 11th to get back to him.

Permit for Ice Cream Trucks

The Executive Office of Public Safety and Security is recommending regulations that would require ice cream trucks to obtain a permit from the municipality in which the vendors lives or operates. In order for a permit to be obtained a criminal background check will have to be done. Seelig understand the State's interest in this matter but feels if they are concerned about this then they should be the permitting authority as it is placing another duty upon the town. The Police Chief also agrees with Seelig that this should be handled by the State. Seelig and the Chief recommend that a letter be sent to the State asking that they deal with this issue.

Moved by Garron and seconded by Schleiff, the Board unanimously voted that a letter be sent to the State stating that they should deal with this issue and not pass it on to the municipalities.

SCHEDULED APPOINTMENTS (CONTINUED)**Auto Wholesale - Revocation Hearing- Class II License**

A revocation hearing was scheduled this evening for owner Richard Pasquariello of Auto Wholesale Company. Mr. Pasquariello, who was present for the hearing, is in arrears for non payment of taxes. He is on a payment plan but payments have not been made in a couple of months. After receiving a letter of this hearing he has since come in and made a payment to the Treasurer/Collector. The Treasurer/Collector is satisfied at this time but has suggested that the office checks back with her in three months. Garron said that as long as he maintains good standing with the collector's office he is okay with not revoking his license.

Moved by Garron and seconded by Schleiff, the board unanimously voted not to revoke Mr. Pasquariello's Class II license for Auto Wholesale Company.

GENERAL MAIL / DISCUSSIONS (CONTINUED)RFP for COA/Community Center

The Building Committee is looking to issue an RFP to buy a piece a property with a building already on it for a new Senior Center/Community Center. Seelig hopes that they will be able to go out to bid in a month. The process will be that they will go through a RFP, submit a proposal and then go to Town Meeting. Seelig wanted to add that they are not asking for any money for a project manager.

Odie

The animal control officer has adopted Odie out to Ms. Joseph's ex husband who lives in Hanson. He has a fenced in yard to keep the dog on the property. After the first of the year Seelig is going to write up a policy for the Board to approve to handle this type of situation for future instances.

Monponsett Pond

Letters, which have been reviewed and approved by the Water Superintendent, have been sent to Brockton, the legislators and agencies.

IRS- Personal Use of Vehicles

A meeting was scheduled last week regarding the new IRS' regulations on person use for of vehicle but no one was in attendance. An official memo will be sent to those individuals detailing the implementation of the regulations that will begin on January 1, 2013.

IRS – Clothing Allowance

A meeting was scheduled last week and again no one attended. A letter will be sent to the various bargaining units affected by the IRS' regulations providing them with some options and an opportunity to impact bargaining this issue. The town will put into place on July 1, 2013.

Electricity Contract

Moved by Garron and seconded by Schleiff, the Board unanimously voted to authorize any two of the three Board members to sign the two year electricity contract with Constellation.

Recycling Abatement – Bill # 1530Deployment – Vacant Home

Moved by Garron and seconded by Schleiff, the Board unanimously voted to abate \$40 (\$35 recycling fee & \$5 late fee) from FY2013 recycling bill on the basis that deployment papers have been provided and verification from the Water Superintendent that there has been no water usage in the last sixty days.

SCHEDULED APPOINTMENTS (CONTINUED)

Davis Automotive – Amended Flammable Storage License

In attendance for this hearing were the following:

Stephanie Davis	Owner, Davis Automotive
Gaurav Fernandes	11 Clyde O Bosworth Road
Stephanie Fernandes	11 Clyde O Bosworth Road

Ms. Davis is asking that her current fuel storage permit be amended to the following:

<u>Amounts</u>	<u>Current</u>	<u>Proposed</u>
#2 fuel – aboveground	2,000	
gasoline #2 fuel – underground	2,000	
diesel / #2 fuel – underground		6,000
lube oil – underground	1,000	
antifreeze – underground	240	240
regular unleaded – underground		12,000
waste oil – tanks		900
clean bulk oil - tanks		275

Ms. Davis stated that there are no changes in tank location and that she is only changing their super tank to diesel and adding waste oil and clean bulk oil. The only thing new will be a vent. An inspection was done in October and will be re-inspected after the change. Schleiff asked if the office could get copies of the inspection and Ms. Davis stated she would get them to the office. The office has received an email Fire Chief Carrico stating that he is in full support of this change. Residents of Clyde O Bosworth were in the audience as they had a couple of concerns. Mr. Fernandes introduce himself and his wife to the Board and explained that they own the property behind the garage and just wanted clarification that there were not going to be any aboveground tanks and was wondering if the tanks would be out front but after hearing Ms. Davis’s intentions he realizes that that she is just amending her current permit and that the tanks are all underground. Ms. Davis explained the reason for this change was because she was changing from super to diesel. At this time he stated he had no further questions.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to grant the new language in the permit that Davis Automotive has submitted as long as the office gets copies of the recent inspections that were done.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

2013 Licenses Renewals

All inspections have been done by the Selectmen for the Alcoholic Beverage holders. Roy wanted to note that Bella’s had their license posted in the office and not for display and there was no lock on the liquor cabinet. Roy informed the Manager, Tony Musculino that his license needs to be posted where it can be seen

by patrons and the ABCC and that the liquor cabinet needs to have a lock put on it. She will be going back tomorrow to make sure both of these matters have been taken care of.

Moved by Garron and seconded by Schleiff, the Board unanimously approved all 2013 license renewals as read by Schleiff with the exception of Bella's Pizzeria II until their inspection is signed off by the Building Inspector and Fire Chief and Roy has completed her inspection.

NOTE: list attached hereto and made an official part of these minutes

SCHEDULED APPOINTMENTS (CONTINUED)

Tamara Dwyer - Trailer Permit Extension

A hearing was schedule this evening as Ms. Dwyer is requesting a nine month extension on a trailer permit that was issued in October due to a house fire. Ms. Dwyer wanted to state that she is taken back by the fees that have been associated with having this hearing. She began by saying that the abutters list cost her twenty five dollars and then to mail out five certified letters cost her close to thirty dollars. Then on top of that she needs to pay for the advertisement that was put in the paper, which is one hundred seventy six dollars. She is very surprised that there is nothing for a hardship and that this is not her choice to be living in a trailer.

Schleiff asked if the fees could be waived and if there was a cheaper alternative for the advertisement. He was surprised that there is nothing in place for a hardship. Seelig explained that the fee for the abutters list is requested from the Assessor's office and that a request could be made to the Assessors asking if they could waive the fee and added that no one has come before the Board asking for fees to be waived because of a hardship.

Garron added that previous requests to have a trailer on someone's property were because of construction. He suggested that maybe the COA or the Red Cross could help out and said that he is not trying to push this on another organization but if he felt that the Board could waive the fees then they would and stated that the fees are by-laws that are in the book. Seelig stated that trailer permits are town by-laws and that there are no legal ramifications to change the by-law and Garron added that the by-laws are guidelines and they do not cover every situation. Schleiff said that if the other departments might be able to waive and they probably were not aware of your hardship when you got the abutters list and Seelig added that it would have to be on a as need basis.

Seelig continued to say that the by-law states that the hearing notification needs to go out certified and the fee for the advertisement is billed to the office from the paper and we then get the money from the applicant. He said that years ago the newspaper was where everyone got their information but now we have the town's website where something like this could be posted. It is the town's by-law not the States and added that mostly it is the abutters who are affected and those notices go out certified so they definitely would be notified. Seelig stated another alternative could be that a lien be placed on the property and when it is sold the town will get the money or the town could waive having it advertised in the paper in the future.

Ms. Dwyer just wanted to state that going forward if this was to happen to another individual that they be informed of the fees up front. Roy asked if they could do a payment plan and Seelig said they could.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to grant a nine (9) month extension for the trailer permit issued to Tamara Dwyer.

In closing Roy asked that the office check with the Assessors to see if they have a policy to waive fee because of an extension. Seelig will ask town council if the Board can waive fees and if so Seelig stated that it will come out of Selectmen’s expense account. Seelig recommended to Ms. Dwyer to come to the selectmen’s office to request another extension if she is still in the trailer in July and that she will not have to notify the abutters for this one.

GENERAL MAIL / DISCUSSIONS (CONTINUED)

Releasing of Executive Session Minutes

Moved by Garron and seconded by Schleiff, the Board voted to follow Seelig’s recommendation to release the following executive session minutes:

DATE	DISCUSSION(S) THAT CAN BE RELEASED
Jan. 24, 2012	unemployment
Feb. 14, 2012	fire chief contract
Feb. 28, 2012	fire & police chief contracts
March 13, 2012	Sergeant discussion; police chief contract
March 27, 2012	fire chief contract; wage increase non union employees
April 10, 2012	fire chief wage increase; wage increase non union employees
April 24, 2012	litigation; fire & police chief contract
May 8, 2012	fire & police chief contracts
May 22, 2012	police chief contract; clothing allowance reimbursement
June 12, 2012	police chief contract
June 26, 2012	police chief contract
July 2, 2012	police chief contract

MEETING CANCELED

Schleiff had asked the Board if they could cancel next weeks meeting on December 18th regarding the discussion of the hiring of the police chief and discuss it at their first meeting in January.

Moved by Garron and seconded by Schleiff, the Board unanimously voted to cancel their meeting scheduled for December 18, 2012.

MEETING ADJOURNED

There being no further business, moved by Roy and seconded by Schleiff, the Board unanimously voted to adjourn the meeting at 9:00 p.m.

 Michael J. Schleiff
 Clerk
 /pjm