

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, JUNE 28, 2011 - 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, June 28th, was unanimously approved without revision.

NOTE OF THANKS

Before the meeting got underway Garron wanted to thank the Halifax in Lights committee for their hard work in putting together the town's 4th of July celebration that was held on June 25th. He also asked for more volunteers to step up so that plans for fundraising can start for next year's event.

ABATEMENTS/BILLS/COMMITMENTS/WARRANTS

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

Payroll Warrant	# 104	\$ 205,882.78
Withholding Warrant	# 105	\$ 208,271.57
Vendor Warrant	# 106	\$ 168,333.31
Withholding Warrant	# 107	\$ 72,257.49

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

Vendor Warrant	# 108	\$ 50,783.17
Vendor Warrant	# 01	\$ 386,827.30

The Board acknowledged payment of the Selectmen Office Payroll for the period ending June 18, 2011 in the amount of \$6,139.38.

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

<u>TURNOVER</u>	<u>AMOUNT</u>
2011-86	\$ 851.26
2011-87	\$ 50.00
2011-88	\$ 10.00
2011-89	\$ 225.00
2011-90	\$ 5.00
2011-91	\$ 5.00
2011-92	\$ 125.00

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

Harry B. Harding & Son, Inc. (4 boxes #10 envelopes)	\$ 121.30
National Grid (service 5/17-6/15)	\$ 809.38
Trident Insurance Comp. (deductable for Mansfield claim)	\$ 5,000.00
EPS School Specialty Intervention	\$ 187.36
(classroom supplies purchased claim # TNT0084433)	
EPS School Specialty Intervention	\$ 356.62
(classroom supplies purchased claim # TNT0084433)	
GovConnection	\$ 41.36
(classroom supplies purchased claim # TNT0084433)	
Delta Education	\$ 760.48
(classroom supplies purchased claim # TNT0084433)	
Pearson Education	\$ 531.24
(classroom supplies purchased claim # TNT0084433)	
Jordan Physician Assoc. (111F/Logan deductable due)	\$ 250.00
Halifax Postmaster (200 forever stamps @ .44 ea.)	\$ 88.00

MINUTES

Moved by Roy and seconded by Garron, the Board approved Selectmen Minutes of May 17, 2011. Schleiff was not present at this meeting therefore he abstained from the vote.

SCHEDULE APPOINTMENTS

David Hurd

Mr. Hurd was scheduled to come in this evening to interview for the Historical Commission but due to a personal matter he was not able to make it but would like reschedule. The Board was asked if they wanted to appoint him going on the recommendation of the Historical Commission or meet with him before doing so. Roy thought that they should keep the policy to interview then appoint. The office will contact Mr. Hurd to see if he can come in on July 12th.

Joan Jolley

The Council on Aging has recommended that Joan Jolley be appointed to Old Colony Elder Services. Ms. Jolley came in this evening to meet with the Board and was asked by Schleiff what she could bring to the committee and she said that she hopes to bring services to the seniors here in Halifax. No other questions were asked from the Board.

Moved by Roy and seconded by Garron, the Board unanimously appointed Joan Jolley to Old Colony Elder Services.

GENERAL MAIL / BUSINESS**A. GATRA/MBTA**

The Council on Aging is interested in having the Town join a regional transportation authority to provide some transportation services to the town. Seelig has asked the CoA to provide an itinerary of the trips that the CoA van takes so if the town wishes to do this and a contact is agreed upon we know what the town's priorities are, the costs and what RTA (regional transportation authority) can provide. He has also written to GATRA and BAT asking them about any interest they might have and the procedure for doing so. GATRA has written back regarding their procedures and interest and Seelig is still waiting for a response back from BAT and the analysis from the CoA.

B. IT Services

The Board of Assessors is in support of the Board of Selectmen obtaining professional IT services. Tom Millias stated that it has been frustrating over the last few months trying to obtain service from our current IT person. Seelig has been the IT person for the last few years but the town needs have someone in place for day to day issues that come up. Over last year the software for a couple of the departments have changed therefore requiring someone that is available if needed for issues that arise. Seelig is collecting information from Gordon Andrews to get his take on this. Garron had asked if there are firms in the area and Seelig said there are many in Southeastern. CoA, Highway, Water and Town Hall will be part of one service. At this time both Chiefs take care of their own systems but Seelig will ask if they want to be on board with the other departments. The intention is to have someone in place before early fall.

C. Water Department Truck

The Building Committee has indicated an interest in acquiring one of the current Water Department trucks. Money was appropriated at Town Meeting for the Water Department to purchase a new vehicle, therefore freeing up one of their trucks. The Board does not need to take any action at the moment but the Water Department needs to determine whether they will declare the truck surplus and whether it can be transferred without cost from the Water Department to the Building Department.

Garron is bothered that if the truck was not good enough for the Water Department to keep because of costs to maintain it why would we transfer it to another department and incur cost to keep it on the road for another department to use. Seelig stated that he will ask the town mechanic if he thinks it is worth while to keep it.

D. Board of Health - Guidance for Outdoor Events

The Board of Health is drafting regulations about safety procedures for outdoors events (ones that require one or more permits from the Town, last two or more hours and have fifty or more people in attendance) and is looking for comments from the Board. A draft is also being sent to other departments to get their take on it. Listed below are events that would need to be determined if they would fall under this regulation.

- Block parties
- Private gathering that requires a live entertainment permit
- Combine yard sales on the town Hall Green
- CoA annual BBQ
- Halifax in Lights event

Seelig has no problem advising the organizers of some of these events about the advantages of a safety plan, etc., but thinks that the “line” as to which events will fall under this and which won’t needs to be looked at.

Garron asked if other towns were doing this and how did the Health Agent come up with this. He was also was taken back with this seeing as this was the first he heard about this. Schleiff said that the agent received this draft from the internet. A copy of the draft will be given to Garron so he can take a look at it and the board will await input from other department and review their recommendations.

SCHEDULE APPOINTMENTS (CONTINUED)

Thomas Hall

Thomas Hall has expressed in interest to serve on the Fire Department Study Committee and came in this evening to talk with the Board. Garron noted that Hall has been involved with many things within the town and thanked him for stepping up. Roy also wanted to say that she has worked with Hall in the past and enjoyed doing so. At this time she is on the FDSC and is looking forward to helping and working along side of Hall. Hall is a Police Officer and stated that there are no conflicts with him helping out on this study. He is certain that they will be able to accomplish some things and he has some ideas to bring to the table and hopes that the changes will work and funding will allow these changes.

Moved by Garron and seconded by Roy, the Board unanimously recommended that Thomas Hall be appointed to the Fire Department Study Committee.

Tom Millias – Sheet Metal Fees

The Commonwealth of Massachusetts has instituted another regulatory process in the form of sheet metal licensing and permitting. The Building Department now needs to be compliant and establish a permitting process for the licensing and permit requirements for the installation of sheet metal applications. Roy had asked how he came up with the fee amounts and Millias said that he researched surrounding communities and spoke with the Building Officials Association to develop a reasonable and appropriate fee schedule.

Tonight he came to addresses any questions the Board may have. Millias added that he is already getting paid so doing inspections will not cost the town money but mentioned that there may be mileage reimbursement due to the fact that he will be doing more inspections.

This is the first that Garron has heard about this. He is okay with it but hates jumping on the ban wagon because everyone else is. Schleiff is concerned about the people are trying to make renovations to their homes and how added fees may affect them. Garron asked if there was a time frame as to when these fees need to be instituted and Millias said that they should have already been done. Garron proposed to accepts the fees as they are and see how it goes and Roy was in agreement. Schleiff felt that once implemented there really would not be much squeeze room and suggested starting low and see how it goes and suggested five dollars across the board and added that this is bad timing given the economy. Millias said that he could lower the fees and that this was just a starting point and could revise if the Board wanted him to. Roy felt comfortable with Millias recommendation.

The Board voted as follows the fees listed below to the Building Department Fee Schedule:

Troy E. Garron	Yes
Kim R. Roy	Yes
Michael J. Schleiff	No

2/3 - passed by majority

Sheet Metal Licensing and Permitting:

Residential Heating System (including duct & pipe)	\$40.00
Solid Flue appliance	\$50.00
Air Conditioning Furnace	\$40.00
Air Conditioning Roof top	\$35 unit
Kitchen exhaust Equip. / Mechanical refrigeration	\$60.00
HVAC Systems	\$40.00
Fireplace Masonry	\$40.00
Chimney Masonry or Metal Flue *UL listed	\$35.00
Power vents	\$35 each
Swimming Pool Heaters	\$40.00
Fire Suppression wet/dry	\$50.00
Minimum Fee / Other	\$35.00

Commercial applications shall be priced at the above rate, plus \$10 for every \$1000.00 of value of work.

Line Item Transfers with Finance Committee – Fiscal 2011

The Finance Committee joined the Selectmen to discuss the requests to transfer funds from one account to another for Fiscal 2011. The Board approved the following transfers to cover costs for the rest of Fiscal 2011, as allowed by MGL Chapter 44 Section 33B:

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

FROM	TO	AMOUNT
Conservation Expense - Fees #01-172-5300	Conservation Agent Wages #01-171-5120	\$ 150.00

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

FROM	TO	AMOUNT
Water – Insurance #65-455-5745	Water Retirement #65-454-5638	\$ 5,700.00

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

FROM	TO	AMOUNT
Special Needs Tuition #01-311-5324	Special Needs Transportation #01-312-5325	\$ 12,500.00

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

FROM	TO	AMOUNT
Group Ins. – Town Share. #01-914-5637	HES – Expense #01-313-5510	\$ 755.00

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

FROM	TO	AMOUNT
Data Processing #01-155	Office Machines #01-199	\$ 500.00

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

FROM	TO	AMOUNT
Group Ins. – Town Share #01-914-5637	MS&BC Replace Window Town Hall Tower #01-192-5821-028	\$ 3,000.00

Nikki Newton – Appointment to Finance Committee

Moved by Roy and seconded by Garron, the Board unanimously voted to appoint Nikki Newton of 415 South Street to the Finance Committee with a term to expire June 15, 2013.

John Grace – Reappointment to Wage & Personnel

Peter Beal was designated from Finance committee and Michael Schleiff was designated from the Board of Selectmen to vote on Mr. Grace's reappointment.

Moved by Schleiff and seconded by Beals, John Grace of 7 Spenser Drive was reappointed to the Wage & Personnel Board with a term to expire June 30, 2014.

Shelly Cullen – UC Synergentic – Road Opening Route 58

UC Synergentic is requesting a road opening permit to perform work along the edge of the payment on Route 58. This work is to excavate a directional bore and place new underground conduit. One thousand feet of work will be done in Halifax. The contractor will work with the Highway Department and should take a week to complete.

Garron is concerned with the traffic on Route 58 between the hours of 8:00 a.m. and 4:00 p.m. and also asked about a bond being required and Ms. Cullen said that the contractor will check with Highway to see if one is needed.

Schleiff wants to make sure that if a resident's driveway is going to be disturbed that it is repaired to its preexisting condition. Ms. Cullen mentioned that there were no driveways in the area that the work is being performed only small inlets, which she reviewed from the plans. Seelig suggested that the Board approved the permit with the stipulation that the Highway Surveyor be asked again if a bond is required.

Moved by Garron and seconded by Roy, the Board unanimously accepted the plan as proposed with the stipulation that the Highway Surveyor be asked again if a bond is required.

Marston Realty Trust - 343 Monponsett Street

Mr. & Mrs. Marston came is this evening to update the Board on their proceedings with the Conservation Commission. At the Boards last meeting (June 14th) it was understood that the Martens contact conservation to set up a site visit at the property listed above. That evening she was given the hours the office was open. Mrs. Marston states that she called the office the next day and was told that no one was in the office at the moment so she asked that her number be taken and have them call her when they returned to the office. No call was returned. She then called on the following Monday and was told that no one from the commission would be in that day and yet again called on Tuesday and again was told that no one was in. A letter regarding these attempts was sent to Mr. Seelig.

Mrs. Marston stopped by the Selectmen's office this afternoon explaining her frustration and Seelig spoke with conservation and made an appointment for them to meet with the commission this evening at 7:30 p.m.

The Marstons wanted the Board aware that they have told their tenant not to drop any grass clippings on the property when cutting the grass and also said that they

have a property management company that does the lawn and that the clippings are taken off site. They also mentioned that the DEP signs that were requested they put up are now missing saying that they were there this morning and now are gone. They will put new signs up.

Garron does not want to discuss this without Conservation being present and that the Board allowed conservation to review this and they failed to do what they stated they would.

Marstons wanted the Board aware that they will seek legal council to get their bond back if need be.

Seelig recommends that everyone meet at the site on July 12th at 7:00 p.m.

Roy mentioned she would like to check with Highway to see if they are mowing this area.

GENERAL MAIL / BUSINESS (CONTINUED)

E. Framingham - End State & Federal Mandates

The Framingham Town Meeting directed its town officials to send a request to its federal and state legislators to eliminate all federal and state mandates and to notify all other communities that it is doing so. Framingham town manager is asking Massachusetts Town Official for their support on this initiative.

Moved by Schleiff and seconded by Garron, the Board voted to send a letter in support of this initiative.

F. Turtle Crossing Signs

The turtle crossing signs have been ordered by the Highway Department but they do not know when they will come in because they were special ordered. Highway is concerned that these signs may vanish within a couple of days being put up because they seem to be “highly collectible” items. Seelig has given the Highway Department some ideas to help prevent the taking of these signs.

G. Typo on Zoning Article presented at Town Meeting

The Town Clerk noticed that there was a typo in the warrant concerning one of the zoning articles that was presented at Town Meeting. This may or may not be accepted by the Attorney General’s office. No action was needed to be taken at this point.

H. McAndrews - 67 Lake Street

Raymond and Kelly McAndrews continue to have drainage problems in front of their home and have requested that the Town to do something about it. When this issue was last discussed the Town was attempting to have the owners of B Street grant easements to run a drainage pipe from the basin in front of the McAndrews house to the north end of B Street. There were three owners who needed to sign the easement which the McAndrews did but the

remaining two homeowners did not and as a result the work has not been done at this point.

Listed below are a few possible solutions:

- Install a drainage pipe and/or a pumping station to divert water from that catch basin to another drainage system on Lake Street (the pipe here would be longer than the B Avenue option).
- Take the necessary property on B Street and on Mr. Dias' property by eminent domain (which the Town will have to pay for) and then follow the original plan.
- Negotiate a transaction with Mr. Dias (who probably will want money and also property owned by the Town (for whatever development plan he intends)) along with a payment to the other B Street owner and then follow the original plan.
- Drain the catch basin into East Monponsett Pond (I'm sure that it can be done but there will be a number of legal and environmental hurdles to overcome).
- Do nothing.

Seelig made a recommendation that the Board ask the Highway Surveyor to review these options, come up with a cost for each (along with any associated permitting difficulties) and come back to the Board on July 12th. Also inform the McAndrews of this, but don't make an appointment for a meeting, as of yet.

The Board agreed with the above recommendation from Seelig.

I. Use of Town Green – COA Annual Cookout

Moved by Roy seconded by Garron, Board granted a request from the Council on aging to use the Town Green from 11:30 a.m. to 3:00 p.m. on Wednesday August 10th, for the annual senior cook-out.

J. Fuel Storage Permits

Fuel storage permits expired on May 1st and at this point three have not been renewed. The Town Clerk had sent letters on April 4th and May 26th. Seelig recommends that letters be sent out to the licensees stating that the licenses have expired and that the Board will hold hearings on July 26th if the licenses are not renewed by July 11th.

Moved by Roy and seconded by Garron, the Board voted that they go with the recommendation from Seelig to send letter to the licensee stating their fuel storage licenses have expired and the Board will hold a hearing on July 26, 2011 if not renewed by July 1, 2011.

K. Mosquito Control Commission - Cathy Drinan

Health Agent, Cathy Drinan has asked the Board of Selectmen for a letter of recommendation to be appointed as a Commissioner for the Plymouth County Mosquito Control Board.

Moved by Roy and seconded by Garron, the Board voted that a letter be sent recommending that Cathy Drinan be appointed as a Commissioner for the Plymouth County Mosquito Control Board.

L. Evergreen Agreement for Patrol Officers

At the Boards last meeting this agreement was approved. The Board needs to sign two copies of the agreement.

Moved by Roy and seconded by Garron, the Board voted to sign the Evergreen Agreement.

M. Electric Bill for Concession Stand

The Selectmen Office has received a bill from Nationalgrid in the amount of \$5.71 for the concession stand. It has been brought to the Board's attention that there are appliances on at the stand and food in the refrigerator as well as the uncertainty whether activities have been going on at the field. Seelig would like to bring everyone (Lisa Hillcoat, Y&R, MS&BC) in on July 12th to clear things up. A draft of the lease agreement should be completed by then and who will be paying for what can be discussed. The Board was in agreement to meet with the parties listed above.

N. Road Condition - Hayward Street

Nancy and George Gonsalves of 102 Hayward Street have submitted an email complaining about the condition of Hayward Street. Seelig has forwarded the complaint to the Highway Surveyor. The Board could ask him for a report but other than that it's out of the Boards hands (Highway Surveyor is an elected position).

O. TIPS Training

The office has been keeping a log as to when alcoholic beverage licenses holders TIPS certificates expire. Listed below is the status on two establishments.

- Copies of the TIPS cards for BR's Monponsett Inn have been received.
- Joseph Peck has turned in his TIPS certificate for the Halifax Country Club, but not his card, which will contain the expiration date, but plays on bringing it in. On a side note, the liquor liability policy for the Country Club expired on June 27th. Mr. Peck has been notified and said he will provide the Board with a new certificate of insurance. This will be brought back up on July 12th.

P. Speed Limits on Franklin Street

Seelig has talked with Ed Feeney of Mass DOT regarding "thickly settled". Feeney said that Seelig's question on the definition had never come up before, so Seelig was going with the looser definition to the Board explaining that it takes a certain combined total in the number of houses over a quarter mile

(houses have to average less than 200 feet between each house) instead of that number being on each side of the street, to qualify for "thickly settled" status.

Given that, and the letter from the District Manager, Bernard McCourt back in 2008, the Town could put up "Thickly Settled" signs which would cover the north end and south end of Franklin Streets. The signs can state both "Thickly Settled" and "30 mph", but we'll need to include "advisory" as State law prohibits a sign with a specific speed limit unless a speed limit study has been done. Listed below is what the sign would have to say:

Thickly
Settled
Advisory
Speed
Limit
30 mph

Seelig has done some research and did not find enough houses showing that the entirety of Franklin Street is "thickly settled" and added that he has never seen a "End Thickly Settled" sign ever and does not believe that one exists, as least as allowed in State law/regulations.

Nevertheless, the regular "Thickly Settled" signs shown above should be placed at the north end of Franklin Street for the southbound traffic and the south end of Franklin Street for northbound traffic.

If such signs were to be placed Seelig stated that traffic enforcement would be a problem because of the following:

To violate the 30mph in a Thickly Settled area, the officer would need to observe, for 1/8 of a mile (660 feet), that the vehicle is moving at a rate of speed greater than 30 mph. A "snapshot" radar/laser won't do it. At 30 mph, a car travels about 44 feet per second. That means that the officer will would need to observe it for 15 seconds (although it will be fewer seconds than that depending on how quickly the car is moving). And, in the middle section (not the north or south end), the speed limit becomes 40 mph (again, not posted; this is per State law), so that the "Thickly Settled/30 mph" provision won't have any effect in that stretch).

Thus, Seelig has asked that Highway Surveyor order two of the signs that are described above. As with the turtle crossing signs these signs are also special ordered and will take a little time to arrive and be put up.

Q. Conservation Agent Resignation

Seelig informed the Board that he received a verbal resignation from Conservation Agent, Mary Guiney.

DISCUSSIONS

Live Entertainment Permit – Gail & Thomas Thibeault

Moved by Roy and seconded by Garron, the Board voted to affirm live entertainment permit #2011-47 issued to Gail and Thomas Thibeault.

American Thunder Fireworks Contract

Moved by Roy and seconded by Garron, the Board voted to affirm the revised contract from American Thunder Fireworks in the amount of \$9,000.

FY2012 Reappointments to Boards and Committees

Moved by Schleiff seconded by Garron, the Board unanimously appointed the attached list of individuals to various boards and committees but held the one reappointment to the Conservation Commission; terms to expire as indicated (attached hereto and made an official part of these minutes).

Discussion regarding Conservation

Garron stated that at the Board's meeting on June 14th he was hoping that when all parties (Martons and Conservation Commission) left that evening things would have been cleared up and is disappointed that there are still issues. Conservation said that they would get back to the Martens and set up a time to do a site visit and none was made. Garron is quite bothered by this. Garron will not stand in the way of reappointing Letourneau to the Conservation Commission but really wants to sit down with them and get the items regarding the Marston's property cleared up.

The Conservation Commission submitted a memo to the Board stating that they voted to recommend that April Letourneau be reappointed to the Conservation Commission. Schleiff asked how this vote was taken and Seelig said that it stated "Board" recommended. Roy added that Letourneau brings a lot to the table and is knowledgeable.

Moved by Garron and seconded by Roy, the Board voted to reappoint April Letourneau to the Conservation Commission with a term to expire June 30, 2014.

It was questioned what the Board's boundaries were regarding reappointing members. Seelig will look into this.

EXECUTIVE SESSION

Moved by Garron and seconded by Roy, the Board voted as follows to enter into Executive Session at 10:10 p.m. to discuss collective bargaining:

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

Garron 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 Garron and seconded by Roy, the Board voted as follows to come out of Executive Session at 10:45 p.m.

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

There being no further business, moved by Garron and seconded by Roy, the Board unanimously voted to adjourn the meeting at 10:45 p.m.

Troy E. Garron
Clerk

/pjm