

BOARD OF SELECTMEN  
SELECTMEN MEETING  
TUESDAY, JANUARY 26, 2010 - 7:30 P.M.  
SELECTMEN MEETING ROOM

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Meeting came to order at 7:30 p.m. with Selectmen John H. Bruno II, Troy E. Garron and Michael J. Schleiff present.

The following business was discussed:

**AGENDA**

Selectman Garron added a report on a recent Selectmen Association meeting. Selectman Schleiff added a discussion earth removal permit fees.

With the above additions, the Agenda for Tuesday, January 26<sup>th</sup>, was unanimously approved.

**MINUTES**

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

Selectmen Meeting 11-24-09 - Regular Session  
Selectmen Meeting 12-08-09 - Regular Session  
Selectmen Meeting 12-08-09 - Executive Session

**ABATEMENTS/BILLS/COMMITMENTS/WARRANTS**

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

Payroll Warrant	#60	\$312,713.10
Vendor Warrant	#61	\$ 33,053.73
Withholding Warrant	#62	\$112,654.84

Moved by Schleiff and seconded by Garron, Board unanimously approved payment of Vendor Warrant #63 in the amount of \$199,154.32

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

Deutsch Williams Brooks (legal services/Dec) .....	\$ 743.81
National Grid (Town Hall/Jan) .....	\$1,188.74
W. B. Mason (office supplies) .....	\$ 32.79
Halifax Postmaster (stamps) .....	\$ 88.00
Charles Seelig (reimbursement of postage/housing grant) .....	\$ 184.80

The Board acknowledged payment of the Selectmen Office Payroll for the period ending January 16, 2010 in the amount of \$6,026.99

**GREELEY - FIRE DEPARTMENT FEES**

At his request, the Board met with resident and local businessman Richard Greeley relative to increasing some of the Fire Department fees.

Greeley was opposed to increasing the safety inspection fees in the midst of the worse recession since the great depression. He had talked with the Building Inspector who has no intention of raising his fees. The fees in surrounding towns vary greatly. The most important thing is to have the heating systems and oil tanks inspected. People are financially strapped. Not only do they have to pay to have a furnace installed but incur electricity installation as well. A lot of people in towns are avoiding these fees by having someone else put in the system and not getting them inspected to avoid the expense. This jeopardizes safety. He wanted to make sure everyone is protected and the Fire Department inspects.

Greeley was also opposed to the truck inspection fees. In 2002, they were \$5. He would bring his truck down to the fire station and Captain Bosworth would check everything. In 2004, the fee went to \$50. Now the proposal is to raise it to \$75. Greeley has four trucks. That would total \$300 for an inspection that takes about 1-1/2 hours for all four trucks. He said the fees just keep going up huge amounts, both locally and at the state level. He felt this was not the time to raise fees.

Christopher Greeley's said that oil burner and tank inspections are done at the Department's convenience. They are already on the clock. As far as the truck inspection, Greeley will bring the trucks down to the station at the Department's convenience. Again, they are already on the clock. The increased fees will cause increase costs to the customer and people will not pull permits, reducing the accountability of the job. He cited a recent incident in which an oil tank was not installed properly causing a leak. If it was inspected, it would not have happened. Increased fees will result in more wrong jobs.

Garron asked how many incidents have occurred similar to that. Chris Greeley did not have that information.

Richard Greeley said his company will give a customer an estimate to replace oil burner, tank, etc. The customer will say he can go to Home Depot and buy his own equipment and hook it into the pipes, etc. He does not know the code and how to install the system properly. He probably saved himself \$500-\$1,000 because he does not know he has to replace the lines, etc. This is happening many times; they are doing their own work.

Schleiff asked if he was suggesting the higher fees are encouraging people not to pull permits. Richard Greeley said definitely. Fees should not be a revenue generator. It is getting very expensive to do business in Massachusetts.

Schleiff said the Board reviewed them because they were last looked at in 2004 and it has been about six years since they were raised. Richard Greeley pointed out the current proposal is a 50% increase.

Fire Chief William Carrico was present and said there is a high frequency of re-inspections on oil burner installations. He noted the Board asked him to review the fees. There are a lot of re-inspections and sometimes the Department has to go back several times. It is very time consuming. Installs usually take about twenty five minutes but some of the inspections require multiple visits. None of the revenue is kept in the Fire Department. Captain Bosworth is the inspector at this time; other personnel are being trained to do inspections. There are two tank truck inspection fees - one for under 100 gallons and one for over 100 gallons. The large capacity trucks are much more time consuming. Right now, the Department does twenty-one such inspections and they are good for a two year period.

Christopher Greeley reiterated they are on the clock. If they have to go back, the contractor or homeowner should be charged for the re-inspection. The fees should not be raised. A fee for failure is a more realistic way to handle re-inspections - if the job is not done right, then they should be charged.

Carrico said the contractor will go to the station and pull a permit prior to doing the work or after he does the work. In a perfect world, the contractor will be on site for the inspection. A lot of times the permit is pulled after the fact. The onus is put on the department to do the follow-up inspections. We started a program where we were calling home owners to set a time to do the inspection. We have had to make multiple calls and when we do the inspection we then have to get in touch with the contractor. There is a lot of work behind the scenes.

Schleiff asked the Chief if he felt the fees are where they should be. Carrico said he would stand by his recommendation. The final decision is up to the Board.

At this point, Garron said he would like more information. The Board discussed reviewing the proposed fees from square one. Moved by Bruno and seconded by

Garron, Board unanimously voted to rescind its vote taken on January 12<sup>th</sup> approving the following changes in Fire Department fees, effective February 1, 2010:

	<u>FROM</u>	<u>TO</u>
Oil Burner Installation	\$25.00	\$50.00
Propane Storage	\$25.00	\$50.00
Smoke Detector Inspection (Residential)	\$25.00	\$35.00
Tank Truck Inspection	\$50.00	\$75.00

On Tuesday February 9<sup>th</sup>, at 8:45 p.m., the Board will make a final determination regarding the Chief's proposal to increase certain Fire Department fees.

**RECOGNITION OF FIRE DEPARTMENT PERSONNEL**

Fire Chief William Carrico recognized the following employees for their years of service with the Halifax Fire Department:

<u>NAME</u>	<u>YEARS OF SERVICE</u>	<u>POSITION</u>
Edward Gavin	05	Full-Time Firefighter/Paramedic
Thomas Schindler	25	Call Firefighter
Donald Crowell	30	Call Captain/Firefighter
Richard Hayward	25	Call Firefighter/EMT
Kevin Miller	35	Call Captain/Firefighter/EMT

The Board congratulated them and thanked them for their dedication to the residents of Halifax.

Carrico introduced three new members of the call department:

<u>NAME</u>	<u>POSITION</u>
John Ahern	Firefighter/Paramedic
Justin Silva	Firefighter/Paramedic
Nathan Jones	Firefighter/Paramedic in training

The Board welcomed them and thanked them for their interest in serving Halifax.

**PUBLIC HEARING - HOUSING REDEVELOPMENT GRANT**

At 8:15 p.m., the Board convened a public hearing to determine interest in a joint application with the Town of Carver for a Housing Redevelopment Grant from the Department of Housing and Community Development. Present for the hearing were grant consultant Sharon Davis and a number of interested residents.

Seelig stated that, each year, DHCD funds a competitive grant program for communities with less than 50,000 in population. The joint application by Carver and Halifax is designed to assist low and moderate income residents to make emergency repairs to homes as well as rehabilitate single and multi-family properties to create safe, sanitary and affordable housing opportunities. The goal is to bring fifteen housing units into compliance with Article II of the State Sanitary Code. The grant will provide deferred payment loans at zero interest for fifteen years.

Two areas in Halifax have been targeted - the Mobile Home Estates and properties around the east and west Monponsett Lakes. These areas are densely populated and tend to be lower income than the rest of Halifax.

Part of the grant application process is to hold hearings to get public input and to show there is interest and support from the community. Seelig had mailed out pre-applications to residents in the target areas. This does not preclude anyone else who is interested in submitting a pre-application from doing so. Applications are available at the Town Hall, Library and Council on Aging. As of this hearing, twenty four pre-applications have been filed with the Town.

A resident stated she needed improvements to her bathroom and asked if such a project is included in the grant criteria. Seelig said if the project is needed to increase safety in the home and bring it up to the building code it could be considered for grant funds. Someone would go out to the home, make a list of what work was needed and then determine if it was eligible under the grant. Garron asked if the grant would apply to someone who had damage to their home for which insurance did not cover the cost. Davis said a determination would have to be made as to whether those things left undone for which there were no insurance proceeds violated the sanitary code.

Davis said this is a very competitive grant that must be submitted by February 12<sup>th</sup>. Part of the applications process is to show there is a need and demand. Davis has put together the application which must include (a) showing interest and how the grant was publicized to the community and (b) an overview of how the program will work, proof there is a need for the program, and its impact on need. They are hoping to be able to assist fifteen to twenty households. While it is a loan program, it is a deferred loan and no payments are required during the deferral period. After fifteen years, if the owner is still living in the home, the loan is forgiven.

Seelig said this is not a first-come, first-serve situation. If the grant is awarded, those who have filled out pre-applications will be contacted. In addition, interest from others will also be solicited. Once eligibility has been determined, projects will be chosen through a lottery system in Halifax and Carver.

Moved by Garron and seconded by Schleiff, Board unanimously endorsed the Housing Rehabilitation Program grant application. Davis said the towns will be notified by the middle of July if they are going to receive funding.

### **REPORTS AND DISCUSSION - TRAFFIC COMMITTEE**

Schleiff stated he had discussions with the Fire Chief, Police Chief, Highway Surveyor, Elementary School Principal and resident Susan Basile regarding the Fire Chief's suggested components of a traffic committee (a copy of which had been given to the Selectmen). No one proposed revisions to the Chief's overview. Carrico was present and said he had been the liaison to the Duxbury Traffic Advisory Committee which would review and analyze requests for stop signs as well as look at various locations in which improvements could be made. He hoped such a committee could also assist in obtaining funding to accomplish any recommendations. Schleiff said the Town has already benefited from a collective effort with the recent improvements to crosswalks and passing zones.

Discussion ensued on the make-up of the Committee. Referring to the Fire Chief's suggestions, Bruno did not see the need for three citizens at large. Schleiff felt one should be a professional engineer to provide that type of expertise. Garron felt people with public safety experience may have access to that type of information. Bruno noted it is sometimes difficult to get outside volunteers and wanted to take advantage of the expertise available now - i.e. the Police Department knows the roads and the Fire Department has first hand knowledge of accidents, etc. He felt someone from those departments should be on the Committee. Schleiff felt someone from the elementary school should be included because they deal first hand with the students.

With regard to the name, Garron felt a traffic safety committee better reflected the intent of forming the committee.

Moved by Bruno and seconded by Garron, Board unanimously established a Traffic Safety Committee comprised of the following six (6) members; all terms are "open" with no expiration dates:

- One member of the Board of Selectmen
- Elementary School Principal (or designee)
- Fire Chief (or designee)
- Highway Surveyor (or designee)
- Police Chief (or designee)
- One Citizen at Large

and designated Fire Chief William Carrico as Chairman pro tem and asked him to set the time and date of the first meeting of the Committee with the first order of business to be developing the official charge of the Committee.

Moved by Garron and seconded by Bruno, Board unanimously appointed Michael Schleiff as the Selectmen representative on the Traffic Safety Committee. Moved by Bruno and seconded by Garron, Board unanimously appointed Susan Basile of 581 Thompson Street as the Citizen At Large on the Traffic Safety Committee.

### **TIM WATTS - TAUNTON RIVER STEWARDSHIP COUNCIL APPLICANT**

The Board met with Tim Watts relative to his application to serve as the Town of Halifax's representative to the Taunton River Stewardship Council. Now that the Taunton River has been designated a Wild and Scenic River, a Stewardship Council has been formed consisting of one member from each of the communities that border the Taunton River.

Watts has been a member of the Halifax Alewife Restoration Committee for a number of years. One of his priorities is getting the fish back up to the Monponsett Lakes. Back in the 1940's the fish were going up to the lake. The rest of the system down stream fell into disrepair and the fish can no longer get to the lakes. Historically, the Taunton River was a huge contributor to the alewife. The size of the lakes could support a million or so herring. He is interested in putting it back to where it was in terms of fishing and maintenance of the lakes. This Council opens a lot of avenues for expertise and grant opportunities. He felt there was a good chance money could become available to reactivate the alewife.

Watts had lived in Middleboro and served on the Wild and Scenic River Committee for that town. He is currently living in Easton which does not border the Taunton River. This would be a good opportunity for him to once again be active in something he has an avid interest in. Watts grew up in Easton with a passion for hunting and fishing. He understands the River is a source of pride for the communities that border it.

Moved by Garron and seconded by Bruno, Board unanimously appointed Tim Watts of 27 Mechanic Street, North Easton as the Town's representative to the Taunton River Stewardship Council, term to expire October 1, 2012.

### **GENERAL MAIL/BUSINESS**

#### **A. Blackledge Farm**

The Board acknowledged that ZBA will hold a public hearing on February 8<sup>th</sup> to hear an application for a special permit at the Blackledge Farms site for six buildings with a total of 61 townhomes (units) or 53 single family homes.

While neither of these are 40B projects, there are variance requests to reduce the front setback from 75 feet to 40 feet and reduce the required separation between buildings from 100 feet to 40 feet. The 40B proposal for this site has not been withdrawn as of this date. The developer is exploring all options to develop this site.

B. Hemlock Lane Landfill Capping

Seelig reported that the Board of Health would like to install the warning strips that were part of the original plan for the capping of the Hemlock Lane landfill. There is money in the capping budget to do this (\$12,860). The Highway Surveyor does not have any interest in resuming the composting operation, but the Board of Health believes that, by putting the warning strips in now, it will provide an option to the current Highway Surveyor and his successors to resume composting if they wish to do so at some time in the future. While there is no action for the Selectmen to take, the Board of Health wanted the Selectmen to be aware in case there was any objection to having the warning strips installed.

Garron stated that one of the selling points at town meeting was the site could be used for composting. The Selectmen had no objection. Seelig will ask to be notified when the work begins.

C. 111F - Firefighter/EMT Margret Logan

Moved by Bruno and seconded by Garron, Board unanimously voted to place Firefighter/EMT Margret Logan on 111F status effective January 17, 2010. Wages were lost and medical bills incurred.

D. Zoning By-Law/Resubmittal of Amendment

Moved by Garron and seconded by Bruno, Board unanimously voted to resubmit to the Planning Board a town meeting article to rezone property located on Plymouth Street submitted by the Algiers so that it may appear on the Annual Town Meeting warrant in May.

E. OCPC/Priority Development Areas and Priority Protection Areas

The Old Colony Planning Council is interested in working with communities to determine areas recommended for more development or protected from development. This work can be done in conjunction with the Master Plan. None of it is binding unless the Town incorporates it into zoning, etc. Seelig has sent the information to the Master Plan Study Committee and pertinent Town departments.



F. Printing Town Report and Meeting Warrants

Seelig stated Harding Print has agreed to print the 2009 Annual Report and May town meeting warrants for the same price per page as last year. Bruno and Garron noted that Harding has done an exemplary job for many years and did not feel a need to request printing bids.

Moved by Bruno and seconded by Garron, Board unanimously awarded the contract to Harry B. Harding & Son, Inc. for the printing of the Town of Halifax 2009 Annual Report and the Warrant Book which contains the Finance Committee Report, May 2010 Annual Town Meeting Warrant and May 2010 Special Town Meeting Warrant at the following per page costs:

Town Report	13.88
Warrant Book	34.20

G. Grave Markers

The Board discussed options for purchasing grave markers which included requesting a reserve fund transfer, putting an article on the Special Town Meeting warrant, or using the Patriotic Celebration account which would require purchasing flags through another venue. The Board concurred the Town should buy ten markers at this time out of the Patriotic Celebration account, put an article on the Special Town Meeting warrant for ten more, and purchase flags out of the Veterans Benefit account for which the Town will be reimbursed for most of the cost.

H. Casino

The Board noted that a Middleboro resident is looking for support for the United to Stop Slots efforts and to have a new cost/benefit analysis performed concerning casino gambling. Bruno stated the Board's position has been limited to local impact relative to the Middleboro site but has not taken a general position on gambling in the State. Garron was not ready to discuss the issue as a whole and recommended the individual contact her legislators.

I. Hatch Trailer

Seelig informed the Board the trailer is still on the Hatch property on Holmes Street. While they are no longer living in the trailer, the by-law does not allow the trailer to remain on the property after the permit expired. Moved by Bruno and seconded by Garron, Board unanimously instructed Seelig to send a letter to David and Gayle Hatch advising them the permit has expired and they are in violation of the by-law and run the risk of being fined if the trailer has not been removed within ten days.

**SELECTMEN ASSOCIATION MEETING**

Garron reported on the recent Selectmen Association Meeting which focused on recycling and trash disposal. Halifax was cited as a role model for other communities. Garron provided the Board with materials distributed by South Shore Recycling Cooperative. Towns pay into the collaborative and get lower tipping fees because the Cooperative negotiates for the group as a whole. The information will be sent to the Highway Surveyor and Recycling Coordinator.

**EARTH REMOVAL FEES**

Schleiff noted the by-law currently says the permit fee is 10-cents per cubic yard or more and the Town Engineer has recommended it be increased to 25-cents. Schleiff had asked P. A. Landers for their input on the type of fill being removed in a recent permit and he was told they would resell the mix for \$11 per yard for the type of material being removed. In looking at the Selectmen Minutes, the applicant had said he could only get \$1 per yard. Plymouth and Kingston charge 50-cents per cubic yard and reduce it to 25-cents for hardship. The amount of traffic being generated by the site will affect the roads. He recommended the fee be amended.

Bruno noted the Board had been determining the fee on a case by case basis. The by-law can be amended at a town meeting to set the 25-cents as the base figure. Moved by Schleiff and seconded by Garron, Board unanimously voted to place an article on the Annual Town Meeting warrant to set the Earth Removal Permit Fee at "25-cents per cubic yard or more."

**EXECUTIVE SESSION**

Moved by Bruno and seconded by Garron, Board voted as follows to enter into Executive Session at 9:20 p.m. to discuss Firefighter collective bargaining:

John H. Bruno II     -   Yes  
Troy E. Garron       -   Yes  
Michael J. Schleiff   -   Yes

Bruno announced that no statement would be made at the end of the Executive Session and the Board would not reconvene in open session.

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Moved by Schleiff and seconded by Garron, Board voted as follows to come out of Executive Session at 10:00 p.m.

John H. Bruno II	-	Yes
Troy E. Garron	-	Yes
Michael J. Schleiff	-	Yes

There being no further business, moved by Schleiff and seconded by Garron, Board unanimously voted to adjourn the meeting at 10:00 p.m.

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Michael J. Schleiff  
Clerk

/bfs