

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, MARCH 9, 2010 – 7:30 P.M.
SELECTMEN MEETING ROOM

Meeting came or order at 7:30 p.m. with Selectmen Troy E. Garron and Michael J. Schleiff present. Selectman John H. Bruno was not in attendance.

The following business was discussed:

AGENDA

The Agenda for Tuesday, March 9th, was approved without revision.

MINUTES

No Selectmen Meeting Minutes were considered or approved

ABATEMENTS/COMMITMENTS/BILLS/WARRANT/TURNOVERS

Moved by Schleiff and seconded by Garron, Board affirmed committing for collection Ambulance Commitment #02 in the amount of \$26,588.00

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

Payroll Warrant	#72	\$304,072.33
Vendor Warrant	#73	\$327,430.08
Withholding Warrant	#74	\$107,702.16

Moved by Schleiff and seconded by Garron, Board affirmed approval for the payment of the following Selectmen bill dated March 2, 2010:

Borhek Insurance Agency, Inc. \$63,104.00

Moved by Schleiff and seconded by Garron, Board committed for collection Mobile Home Park License Fee #03 in the amount of \$5,160.00

Moved by Schleiff and seconded by Garron, Board approved payment of Vendor Warrant #75 in the amount of \$2,071,495.40

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

Gilman & Associates, (legal services/Feb.)	\$	221.00
Flight Alarm Corp. (Elementary School/broken pipe)	\$	253.50
Flight Alarm Corp. (Elementary School/broken pipe)	\$	286.43
BBC Plumbing & Heating (Elementary School/broken pipe) ..	\$	150.00
Ellis Auto body & Service (police cruiser/repair)	\$	750.00
Municipal Graphics, Inc. (police cruiser/graphics)	\$	84.87

The Board acknowledged payment of the Selectmen Office Payroll for the period ending February 27, 2010 in the amount of \$6,026.99.

The Board acknowledged Payment to the Treasurer #10-35 in the amount of \$1,943.77

GENERAL MAIL/BUSINESS

A. Open Meeting Law Workshop

The Board acknowledged notification of an Open Meeting Law workshop scheduled in Harwich on April 8th; Town departments have been notified. It is hoped that a workshop closer to Halifax will be held prior to implementation of the new regulations on July 1st.

B. Acceptance of Kenzie's Path

Seelig informed the Board that developer Richard Springer has requested the acceptance of Kenzie's Path be put on the May Annual Town Meeting warrant. He has been trying for several years to get the street accepted and has placed an article on the last two town meetings which had to be withdrawn because of outstanding issues. At this time, there are two issues still not resolved:

- Cart Path

On the original subdivision plan approved by the Planning Board, there was a cart path that was being moved from its original location to another area on the plan. On the final as-built, there is no cart path at all and the Planning Board has given written approval for this change. The Conservation Commission is steadfast that the Certificate of Compliance needed from them includes the cart path.

- Drainage Basin

According to the Conservation Commission, this basin has become a pond; and, in order for this to be corrected, Springer has been told that a new order of conditions would need to be issued.

Springer's primary complaint is that the Conservation Commission has not been consistent about this project, and the lines of communication have not been open.

Moved by Garron and seconded by Schleiff, Board voted to (a) open the Annual Town Meeting Warrant, (b) place an article on the Warrant to accept Kenzie's Path, and (c) immediately close the Annual Town Meeting Warrant.

C. Master Plan Study Committee

The Master Plan Study Committee hopes to have an analysis of the 2002 Plan finished by May to present to the Board of Selectmen and the Town of Halifax. The study will consist of a five-year projection for future ideas and/or goals.

D. Resignation – Ruxton/Wage and Personnel Board

Moved by Garron and seconded by Schleiff, Board accepted, with regret, the resignation of Diane Ruxton from the Wage and Personnel Board, effective immediately.

E. Police Officer Transfer - Barbour

Moved by Schleiff and seconded by Garron, Board affirmed its approval for the transfer of Halifax Police Officer Anthony T. Barbour to the Raynham Police Department.

F. Open House at Council on Aging

The Board acknowledged an invitation to attend a Council on Aging luncheon on March 25th. Garron opened this invitation to the public asking anyone who wanted to attend to RSVP. He noted this would be a great opportunity for the citizens of Halifax to see that the existing building is not adequate to provide services to the seniors and recognize a new Senior Center is greatly needed.

G. Unemployment/Mansfield

The Board acknowledged that, after numerous reviews, the unemployment claim filed by Firefighter/Paramedic Robert Mansfield has been settled in the Town's favor. The Board noted this decision could be appealed.

H. Applicant for Halifax in Lights

Per recommendation for appointment by the Halifax in Lights Committee, the Board instructed Seelig to schedule an interview with applicant Judy Wall.

I. Abatement - Fiscal 2009 Recycling Fee Bill #1301

Moved by Garron and seconded by Schleiff, Board abated Bill #1301 for Fiscal 2009 because the current owners did not own the property during that time frame.

J. Abatement - Fiscal 2010 Recycling Fee Bill #2329

Moved by Garron and seconded by Schleiff, Board abated Bill #2329 for Fiscal 2010 because the property owner has provided proof he has use of another recycling facility for Fiscal 2010.

K. Fence Issue - Lake Street

A letter from Katherine Shaughnessy was sent to the Conservation Commission (and also to the Board) in reference to a filing by the Tonellos. The filing is that the Tonellos would like to be allowed to place a fence on an unaccepted street. At this time, there a property dispute before Land Court. Shaughnessy feels that, if the Conservation Commission allows the fence to be built, they (Conservation Commission) would be siding with the Tonellos on the property issue. No action is requested at this time but Shaughnessy wanted the Board to be aware of the matter. Garron suggested Conservation check with surrounding towns to see if they had faced similar issues.

KARLIS SKULTE - FINANCE COMMITTEE APPLICANT

At 7:45 p.m., the Board held a joint meeting with Finance Committee members Peter Beals, Karen Fava, Robert Hughes, Kim Roy and Richard Wright to consider the application of Karlis Skulte to the Finance Committee.

Skulte is new to Town, likes to give back to the community in which he lives and thought this would be a good place to start. He is a Financial Advisor for a firm in Waltham. Schleiff stated he was present when the Finance Committee interviewed Skulte, and he felt he was a good candidate.

Moved by Garron and seconded by Schleiff, the Board of Selectmen and the Finance Committee voted as follows to appoint Karlis Skulte of 1 Harvest Lane to

the Finance Committee to fill a vacancy, term to expire June 15, 2010:

Board of Selectmen	Troy Garron	yes
	Michael Schleiff	yes
Finance Committee	Peter Beals	yes
	Karen Fava	yes
	Robert Hughes	yes
	Kim Roy	yes
	Richard Wright	yes

TOWN ADMINISTRATOR REPORT (CHARLES SEELIG)

A. Rose Campbell

It was brought to Seelig's attention that, when Margaret Fitzgerald was Selectman she felt that, once the issue was settled, former Highway Surveyor Rose Campbell should be recognized for her work in reducing the amount of overages to be paid by the Town in connection with the Route 36 reconstruction project. Seelig asked the Board if they wanted to do so. Garron noted the integral part Campbell played in the outcome and felt she should be recognized for her efforts. Seelig will set something up.

B. Annual Cleanup Day

Annual cleanup day will take place sometime in April or May. Schleiff will ask Highway Surveyor Robert Badore what dates will be best for his Department.

C. Halifax in Lights

Fireworks are planned for this year's Fourth of July. Schleiff reported he had asked about the funding for the police detail. Finance Committee Chairman Kim Roy told him the detail would have to be funded independently. He stated that Maureen Rogers feels the Committee will not have a problem in finding the funds to do so. Garron noted this is always a great event and hoped that residents can donate the needed funds.

D. Recycling Bills Demand notices

Seelig informed the Board that, on future billings, the Collector's office will set the Recycling Fee billing program to allow one week after the deadline date before the late fee is imposed. This is the same process used for real estate and motor vehicle bills.

E. Algae Remediation Project - Lycott Environmental

The Board discussed revisions to the contract with Lycott to add Task #2A to do the work required by Natural Heritage. Sufficient funding is in the original article to cover this task and the work would fall within the bounds of the original article.

Seelig said what needs to be clear is what tasks in the contract might go beyond the money currently available and be assured any task can be halted if funding is depleted. For example, Task 1 has been completed, Task 2 is underway, and money is available for Task 2A. However, unless town meeting provides more funding, money will not be available to complete Task 3. Task 2A would replace actually doing the treatment which cannot be done until 2A is completed.

Seelig will look at the contract again to be sure Lycott cannot proceed beyond the funding. In addition, he wants specifics on what the contract will not include.

Right now, the contract with Lycott is for \$80,000. The original article funded \$90,000 to leave \$10,000 for contingencies. There is an article on the Annual Warrant asking for additional \$50,000 to offset the cost of Task 2A and provide funding for the treatment.

Schleiff noted there will be a new person at Lycott on this project who may have little or no experience in handling a project of this type which may incur additional costs.

ERIC LUND - CLASS II LICENSE INQUIRY

The Board met with Eric Lund relative to his inquiry on obtaining a Class II License for property located at 940 Plymouth Street. Also present was Richard Greeley, owner of the property on which Lund's business is housed.

Lund owns an auto body shop at this address and would like to sell cars to help supplement his income. Garron had asked how many cars he was requesting to have on the lot at one time. Lund had said two cars. Garron stated, if a license is issued for two cars, he would not want to find more vehicles. Lund explained he has an auto body repair shop for which he may have vehicles on the property connected with that business.

Greeley said Lund is a good tenant, he has not had any problems and he does not foresee any in the future. Since there is room for more than two cars, Greeley suggested applying for a license to sell three or four vehicles to cover those on site for the auto body repair. Greeley also asked if there was a minimum, and

Garron said the person requests the number and the Board determines the final number. Greeley said Clare Island Motors is also located on this site and asked if two license holders could share the same lot. Garron said this could not be done. Lund stated he felt five vehicles would be sufficient. Schleiff pointed out that, if the lot can hold ten vehicles, he did not see a problem with applying for that amount.

Seelig noted this was an informal discussion and Lund would have to come back with a complete application. Either he can go to the various regulatory boards and gets those approvals first. If he does that and the Selectmen say no, Lund would be out the fees for going before those boards. If the Selectmen approve the license first, it can carry the stipulation Lund must get all approvals from the necessary regulatory boards before the license is released..

Schleiff felt Lund should obtain any approvals needed from the Town's regulatory boards before submitting the application to the Selectmen. Garron pointed out that, if Lund first goes to the regulatory boards and the Selectmen then deny his application, he would have incurred those fees unnecessarily. He felt the Board could decide on the license with the contingency of obtaining the other approvals. Schleiff understood that but wanted to see what the regulatory boards would allow.

Seelig said Lund will have to wait for a full board to decide which process Lund would have to use. In the meantime, Schleiff wanted him to get some feedback from the other boards on whether they would be positive toward this application.

COUNCIL ON AGING DIRECTOR POSITION

Council on Aging Director Maryellen Stevens informed the Board she will retire from her position on August 30, 2010. A selection committee will be formed to choose a new Director. The position will be advertised in June.

Garron expressed deep regret to hear of her retirement and was sorry she would be leaving before the new Senior Center has been built. Stevens said she would have liked the opportunity to oversee the project and hoped it got underway in the near future. She noted the current Senior Center building is inadequate. While Pope's Tavern looks big from the outside, the rooms are small and do not accommodate all the seniors. Garron said he would like help out in any way he can with the new Senior Center and that the project has his support.

In closing, Stevens stated being the COA Director for Halifax has been a wonderful experience.

REPORTS AND DISCUSSIONS

A. Selectmen Fiscal 2011 Budget

Following is a synopsis of discussion:

Selectmen Salary ... Garron had no objection cutting the Selectmen salary.

Selectmen Expense ... At this time there is not a figure on the total cut. If Seelig was able to put money back in a certain area it would be Selectmen Expense. In 1996, the expense budget was \$3,500 and the budget submitted to the Finance Committee in January 2010 was at \$3,390 which is below the 1996 level.

Insurance ... Seelig noted deductibles are paid from this account. The Town may be able to be more competitive when bidding on workers compensation and general liability insurance. Unlike health insurance, the general liability insurance has remained stable over the last few years.

Recruitment & Employment ... This account is used for new employee physicals (primarily police and fire) and advertising open positions. There is also periodic testing for the Highway employees in order to keep up their licenses. Schleiff noted that in 2008-2009 expenditures totaled \$14,000 due to the new Fire Chief search and hiring paramedics and EMT's. The original budget was supplemented to cover the increase costs.

Town Hall Electricity ... The electricity has gone up from 2009 to 2010. This has stabilized and Seelig would like to keep the figure where it is. Garron asked Seelig if he had heard anything on the electricity energy audit. At this time, he has not.

Payment of Claims ... A separate new account has been set up specifically for legal judgments. Seelig said the remaining funds in the Payment of Claims account was transferred into the new account. Traditionally a dollar would be put into this line item to keep the account open. However, given the other account has been established, this one can be brought down to zero.

Law Account ... This account covers (a) Town Counsel's advice on day to day issues and reviewing town meeting warrants; (b) labor counsel for personnel issues and contract negotiations; (c) land use counsel generally servicing the regulatory boards. Seelig is kept updated on the issues at hand and the Selectmen have control over this account. The various counsels are used by all Town Departments as needed with the exception of the School which has its own counsel and legal funding.

Schleiff asked if anyone tracked the hours used for land counsel. If the Board wanted Seelig to get more information from the Regulatory Boards he could do so.

Seeing as Town Counsel John Spinale will be leaving on June 30th, Schleiff asked if the new Town Counsel would be able to work within the budget. Garron stated that the Board could let the applicant know of the budget when interviewing and the candidate could make that determination.

Schleiff had asked Seelig if he knew the percentage of the budget paid to Town Counsel. Seelig did not know but could prepare a spreadsheet indicating the amount spent by each segment. He noted that Town Counsel uses minimal time in reviewing contracts and town meeting preparations. The biggest expense involved the Route 36 negotiations.

Seelig will develop an RFP.

Town Administrative Salary ... A three percent cut was made.

Selectmen Clerical ... No reduction is needed in this line item due to the fact that a new secretary was hired at a lower rate than the previous secretary. The Selectmen Assistant is anticipating retiring on June 30th this year and will inform the Board within a few weeks. Her retirement will result in a cost savings since a new Assistant will most likely be hired at a lower step. In addition, the current Assistant receives a 5% merit over base and longevity.

Seelig stated the Finance Committee did not want departments using personnel changes to meet their 3% cut since this would be unfair to those departments whose personnel will not change. If the change in the Assistant position results in a considerable reduction, however, the Board hoped that money could be put back in the Selectmen Expense account to cover training, etc. for the new Selectmen that will be coming on board since Bruno does not intend to run for re-election.

The Board postponed action on the Selectmen budget until Bruno had an opportunity to review it and a full board was present.

B. Designer Selection Procedures

In order to move forward on the new Senior Center, an approved set of procedures for designer selection must be in place. Seelig took a set prepared by the State and revised it for Halifax. In response to a question from Seelig, Garron and Schleiff were still reviewing the information. The Board will discuss the matter on March 23rd.

C. Town Administrative Contract

Seelig provided the Board with a draft contract; the Board will discuss it on March 23rd.

EXECUTIVE SESSION

Moved by Garron and seconded by Schleiff, Board voted as follows to enter into Executive Session at 8:50 p.m. to discuss collective bargaining:

Troy E. Garron - Yes
Michael J. Schleiff - Yes

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

Moved by Bruno and seconded by Garron, Board voted as follows to come out of Executive Session at 9:15 p.m.

Troy E. Garron - Yes
Michael J. Schleiff - Yes

There being no further business, moved by Garron and seconded by Schleiff, Board voted to adjourn the meeting at 9:15 p.m.

Michael J. Schleiff
Clerk

pjm/bfs