

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, APRIL 13, 2010 - 7:30 P.M.
SELECTMEN MEETING ROOM

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

The following business was discussed:

AGENDA

Selectman Schleiff added a report on a meeting with FEMA, MEMA and HEMA on the recent flood, discussion on the Water Department's system rating, and a discussion of properties with unknown owners in Halifax.

With the above additions, the Agenda for Tuesday, April 13th, was approved.

MINUTES

No Selectmen meeting minutes were considered or approved.

ABATEMENTS/BILLS/COMMITMENTS/WARRANTS

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

Payroll Warrant	#79	\$322,321.63
Vendor Warrant	#80	\$185,445.65
Withholding Warrant	#81	\$113,599.02
Vendor Warrant	#82	\$241,323.55
Ambulance Commitment	#3A	\$ 16,878.00

Moved by Schleiff and seconded by Bruno, Board affirmed approval for the payment of the following Selectmen bills:

National Grid (Town Hall/March)	\$ 970.31
Registry of Deeds (recording fee for extension of weed remediation Order of Conditions)	\$ 77.00
CNA Surety (Bonds Gaynor and Shiavone)	\$ 468.00
The Enterprise (public hearing ad for Lamppost Drive)	\$ 174.51
Matthew Bender & Co., Inc (law books)	\$ 1,053.69
South Coastal Legal Services (services Jan-Mar)	\$ 875.00

Moved by Schleiff and seconded by Bruno, Board committed the following for collection:

Ambulance Commitment	#3B	\$22,750.00
Mobile Home Park License Fee	#04	\$ 5,160.00

Moved by Schleiff and seconded by Bruno, Board approved payment of the following warrants:

Payroll Warrant	#83	\$318,784.73
Vendor Warrant	#84	\$ 26,547.91

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

Gilman & Associates (legal services/Mar)	\$ 1,803.75
Spinale & Spinale (legal services/Feb)	\$ 320.00
Peter J. Epstein, Esq. (legal services/Mar)	\$ 100.00
West Payment Center (law books)	\$ 132.82
MMPA (4/29/10 meeting C. Seelig)	\$ 15.00
Halifax Postmaster (warrant for Town Meeting)	\$ 894.31
Mechanical Air Control, Inc. (partial pay. for Elementary (School water damage date of loss 2/20/10)	\$ 1,867.51
Mechanical Air control, Inc. (partial pay. for Elementary (School water damage date of loss 2/20/10)	\$ 4,266.60
Rockland Cement Block & Flag Co. (10 grave markers)	\$ 159.92

The Board acknowledged payment of the Selectmen Office Payroll for the period ending March 27, 2010 in the amount of \$6,054.41 and the period ending April 10, 2010 in the amount of \$6,050.50

The Board acknowledged Payment to Treasurer #38 in the amount of \$1,867.51.

GENERAL MAIL / BUSINESS

A. Use of Town Green

Moved by Bruno and seconded by Schleiff, Board approved a request from the Halifax Boy Scouts for use of the Town Green on Saturday, June 26th, from 7:00 a.m. to 3:00 p.m. for a fundraiser yard sale and granted permission for the Boy Scouts to put a sign announcing the yard sale on the Town Green up to two weeks before the event.

B. Thank You to Highway Department

The Board acknowledged a letter from Betsy and Howard Randall to the Highway Department commending them for their response to a drainage issue affecting property owned by the Randall's.

C. Thank you to Fire Department

The Board acknowledged a letter from a resident to the Fire Chief commending the medical response she received from Paramedic Ryan Herrick and EMT Marty Bosworth.

D. Acceptance of Kenzie's Path

Seelig reported Conservation still has outstanding issues with the acceptance of Kenzie's Path involving the retention basin and cart path. It was noted that the article could be passed over at town meeting if the issues remain unresolved.

After a brief discussion, the Board decided to not include the article on this year's Annual Town Meeting Warrant, noting that Springer could make the request again next year if all issues are resolved at that time.

E. Memorial Day Parade

Moved by Bruno and seconded by Schleiff, Board approved Permit #29 issued to the Memorial Day Committee to hold a Memorial Day Parade on May 31st beginning at 9:30 a.m from Shelby Plaza to the Town Hall and voted to waive the permit fee.

F. Damaged Mailbox - Christmas Tree Lane

The Board discussed a request from Christmas Tree Lane resident Joseph Carey that the Town pay for a broken mailbox that was damaged by a Town snow plow. A claim was submitted to and denied by the Town's insurance company. Bruno did not feel the Town should be responsible for the damages. He noted an incident of this type happens once a year and is brought to the Board's attention and the Town has never accepted responsibility to repair the damages. Schleiff asked the amount of the claim; Seelig said \$127.50. Moved by Bruno and seconded by Schleiff, Board voted to reject the claim.

G. Route 58 Stakeholders Meeting

Seelig asked the Board if they had any input/concerns on the development of Route 58. Bruno had two areas of concern: (1) The need for sidewalks on both sides of the road and (2) retaining the character of the town and

preventing the road from being developed in such a way that it looked like a highway (i.e. two lanes on each side to accommodate heavy traffic). Schleiff asked what prompted the study and Seelig said he believes it is part of their regular rotation.

H. Chapter 90 Funding

The Board noted the final Chapter 90 figure for the Town is \$ \$201,986.

I. Pilgrim Monument Celebration

The Pilgrim Monument is having a 100th anniversary celebration event in August. Towns that have inscribed stones in the monument have been invited to attend and take part in the event. The Selectmen will let Seelig know if they are interested in attending. RSVP is needed by May 1st.

J. Annawon Drive Complaints

Seelig reported on a complaint from an Annawon Drive resident on numerous issues involving the top of that street: (a) teenagers are gathering at a house at that location; (b) there are rodents at the same address; (c) there is trash; and (d) the road condition is poor. Seelig had not gone out to take a look at the area but planned on doing so and will get back to the resident. Seelig will notify the appropriate boards/departments on these various issues. As stated in the past by the Board, unless it is a health or safety issue, the Selectmen cannot tell people what they can or cannot keep in their yard.

K. Wampanoag Casino

Board acknowledged a letter from Congressman Barney Frank opposing any attempt to circumvent the Supreme Court's decision by authorizing the Interior Secretary to entrust Indian land for the special protection of any tribe upon recognition b the Department.

DOG HEARING - LADAS/HOLMES STREET

At 8:00 p.m., in accordance with MGL Chapter 140, Section 157, Bruno opened a hearing to address a complaint that, on February 21, 2010, a seven year old German Shepherd named "Cosmo" owned by Robert Ladas and housed a 267 Holmes Street was running loose, acting in an intimidating manner, and bit another dog. The hearing was held based on a report by Police Officer Ryan Botto (copy attached hereto as Exhibit A and made an official part of these Minutes).

The following individuals were present and sworn in by Notary Public John Bruno:

Ryan Botto	Police Officer
Robert Ladas	Dog Owner

Botto stated:

On February 21, 2010 - it was a Sunday - at 12:19 p.m., I responded to 183 Twin Lakes Drive - the Walsh residence - regarding an incident she was involved in about twenty minutes prior to the phone call. The incident happened on Holmes Street near 267 while she was walking her dog Dillon, a German Shepherd, with another lady and her dog. She was walking down the sidewalk. Another German Shepherd broke off its chain, ran over, was acting aggressive, and then started to fight with her dog while she was walking it on a leash. Ladas called the dog off. There was some kind of verbal argument over what happened. Walsh went home and discovered her dog had a puncture wound on the back left rear leg. I observed that wound. She said it was from that incident.

Selectman John Bruno asked the following questions (in italics); response from Botto immediately follows:

How did you get there? Did she call the police?

She called when she got home. While I was at her house, I met the dog Dillon. It seemed like a nice dog; very docile; very big German Shepherd. Came up and sniffed me and sat down. The dog is licensed in Halifax and up to date on his shots. I proceeded to go over to Ladas' house. His dog was upstairs locked in a room barking frantically. I never saw the dog. I did not really want to see it to be honest with you. He stated that it was not injured. It is up to date on his shots and licensed in Halifax. Ladas stated his dog was chained up on the side of the yard. It is an anchor with a chain attached to it. It is a wire chain. He said he uses that because he (Cosmo) breaks regular chains quite often. It is stronger. I asked him to show me the chain. It was frayed at the end. It looked old and it was broke so the dog did break off the chain and proceed across Route 36.

What do you mean by a wire?

It is like a wire with a plastic coating around it.

Ladas interjected it is a cable with plastic coating. It is the strongest thing he could find. In response to a question from Bruno, he said it is not like a chain link; it is a cable.

Botto continued:

Ladas also showed me he does have his house wired for an invisible dog fence but has not been using it.

Ladas interjected the battery is dead on the dog collar.

Botto continued:

It was not in use at the time. Basically the dog ran across the street.

Have we had any other trouble with either of these dogs?

Me personally, no I have not done ... I don't know. From what Mrs. Walsh states, it has been an on-going problem for years. This is the first time I think the dog has actually attacked her dog and that is why she called us. They have had words in the past. Ladas has asked her not to walk by his house because it upsets his dog. She doesn't feel she should have to not walk by there because his dog cannot stay on the chain. They can't seem to work it out. From what he said, it will probably happen again and somebody could get hurt; one of the dogs will probably get hurt. I think it is something that should be addressed because it shouldn't happen again.

Selectman Michael Schleiff asked the following questions (in italics); response from Botto immediately follows:

The dog was on his property and broke loose of the chain and this woman was going by with her dog on the opposite side of the street and attacked her dog and the dog got some injuries?

Yes

The only contact you have had with the person is at the time of the call?

Yes

She has not come down and given any further information such as veterinarian reports, etc.?

No. It was a minor puncture wound. Probably not something she would bring to the vet. She just bandaged it up I assume but she never told me about bills, etc.

Was it on the leg?

The rear left leg down by the foot.

How big was the dog that was attacked?

It is big. It is a pretty big German Shepherd

Ladas interjected:

Bigger than mine

Schleiff said:

So you had two German Shepherds going at it.

Ladas responded

(I) thought it was going to be a real battle but it wasn't.

Bruno asked if the Board had anything previous. Seelig said there are no previous incidents on file in the Selectmen's Office.

Ladas stated:

Never had a complaint. I've had the dog for six and a half years.

Selectmen Michael Schleiff asked the following questions (in italics); response from Botto immediately follows:

Do you know how old the dog was that was attacked?

She said it was a few years old - about three and a half.

How far away is her house from where the incident occurred?

About a half a mile

That is her routine?

Yes. She said she has been doing it for years

Ladas interjected:

Four times a day

At this point the following people made their presence known and were sworn in by Notary Public John Bruno:

Sharon Walsh	Owner of injured dog
Danielle Bullock	Friend of Walsh

Ladas made the following statement

He (Botto) was basically correct in everything he said except that it was only her. There wasn't anyone walking with her - it was just her and her dog. He (Cosmo) ran across the street - that busy street - I was afraid he would get smashed by a car. He charged her dog, stopped, smelt her dog Her dog jumped on my dog; my dog jumped on her dog; they immediately broke off. I did not see any biting or scratching. I called him. He immediately came back.

Selectman John Bruno asked the following questions (in italics); response from Ladas immediately follows:

You live on Route 36?

Yes. I live down by the Gardens. The first white house on the right.

Are you on the same side as Twin Lakes?

I am on the other side. The dog ran across the street.

Your dog ran across the street?

Yes.

Officer Botto said you had an electric fence.

I have one of those invisible fences. I did not have the dog's collar on.

You normally do?

Yes. This is not a vicious dog. It is a sweetheart. It is not a vicious dog at all. I am more afraid of it getting hit by a car on Holmes Street because Holmes Street the cars go 45-50 miles an hour flying down a new road that took five years to fix. Flying down the street. I am petrified he is going to get smashed by a car so I do everything I can within my powers to keep him in the yard and I keep an eye on him.

How long have you had this dog?

He will be seven in August and I have had him since he was six weeks old. He is a pure bred. He is registered with the AKC. He is a beautiful dog. He has a chip in his neck in case he gets lost.

You keep him tied up all day outside?

No. He is only tied up out there when I am out there - briefly at night to relieve himself. I take him to work with me.

There is some evidence from the police report this is somewhat of an issue between your dog and the other dog.

Yes. She walks by every morning at 7 o'clock. She walks three houses down to the railroad tracks, turns around and walks back. Her dog barks, taunts and teases my dog all the way past the house down to the railroad tracks and all the way back. My dog sits and waits for her dog in the house or if he is outside. We try not to have him outside when she goes by. She does the same thing in the early afternoon or evening. My wife went out two years ago and asked her if she would stop at the property line where there is a row of trees and the dogs can't see each other. She's "I pay taxes and I can walk wherever I want to walk." We were concerned because she has a hard time holding her dog. Hers is probably a 110 lb German Shepherd. He is a beautiful dog and strong. Many times I've seen her having a hard time with the dog so we suggested that but she didn't want to do it. Also, last summer her dog got in a fight with another dog right in front of my house. A gentlemen that walks his Rottweiler. Her dog was in a fight with that dog right smack in front of my house. So we just asked her to stop at the property line. She is just walking three houses down. Just stop there, turn around and walk back and the dogs don't see each other they are not getting all excited. But she refused; she refused. I know my dog got loose. I was so afraid he would get loose and he did. I got all new cables, all new locks, etc. I fixed his collar that zaps him. He is a good dog. He is a sweetheart. He did charge her dog at eighty miles and hour. Scared her dog. Her dog is just doing what he was bred to do - protect her. He retaliated and both dogs broke off immediately. It was a split second. She let out a blood-curdling scream and I think she probably scared both the dogs. And that was it.

Schleiff did not have any questions at this point except to say that two houses across the street from him each have two dogs. The cat walks down the street, these dogs are going crazy. A squirrel, and the two dogs are going crazy. It is to be expected.

Ladas stated:

She lives almost a mile away with plenty of places to walk. It's Saturday morning and Sunday morning. We know she has a right to walk. We were looking out for her safety also. She has a beautiful dog. I love German Shepherds. But it is four times a day for the past three years.

Schleiff said there are a pair of German Shepherds that walk down his street every morning at 7:30 a.m. More people come down the street walking their dogs. A squirrel runs and the dogs bark. It is the nature of the dogs to do that all the time.

Ladas responded:

They have been bred since 1890 to be watch dogs. That is what they do. He does not bark at kids on skateboards or people walking by. Just dogs, any dog.

Sharon Walsh made the following statement:

It started out that his wife approached Danielle and I that we walk our dogs every morning between 7:00 and 8:00 a.m. We walk to the train station and back. At first the dogs would bark. We would hear his dog in the house barking. We do control our dogs - you can ask Danielle. We do not let our dogs bark. I can control my dog - the barking. I say don't do it. Dogs will be dogs. The wife had come across the street and said could you not walk by our house. She kind of caught us off guard and I said what do you mean. She said it upsets our dog. I said well I understand that dogs are going to bark but did you ever consider training the dog because basically if you can control your dog when it barks in your house. If you have the collar on them, you can control them. I said we have been doing the route every morning since I had the dog for the past four years. I do not walk by the house four times a day. Usually it is two times a day. We do control the dogs from barking. He may bark but I instantly stop him from barking. And that dog has gotten out numerous times. This is the first time on me yes. But he has also gotten away at least three times that I know from a friend of mine. They have two little rat terriers and a chocolate lab. We are concerned for the dog's safety of running across that street as well. It is kind of you have to control your dog.

Selectman John Bruno asked the following questions (in italics); response from Walsh immediately follows:

What happened to your dog?

He got bit on the hind leg.

Did you have to take him to the vet?

No. He was just bleeding a little bit. I cleaned him up and put a bandage on it. He was fine but he did get bit.

Anything else you want to tell us?

The dog has gotten off four times off that chain. Basically he was yelling at me and telling me to stay out of his neighborhood. We have been doing it every morning for four years. And at night around 5:00 to 6:00 p.m. I walk the dog. I do not have a back yard. I do not tie the dog up. I do walk the dog. He is walked a lot. That is our routine every morning. We have been doing it.

Is this the only place you can go for walk or is it just where you prefer to go?

It is a main street. In the winter time it is colder by the water. It has been our routine; it is where the dogs go; it is what we do.

Selectman Michael Schleiff asked the following questions (in italics); response from Walsh immediately follows:

You have no yard. This is where the dog goes. Not just for a walk but goes to go. No real yard to do his business?

Well it is not just doing his business. It's walking him and exercising him. He is home all day. So we walk him before work and we walk him after work.

When you say you have had occasion to see him loose four times?

One time I did see him. He had the big long cable. He came through the woods. This was a year and half ago. I saw him down in the second in-way of Twin Lakes and you could tell the cable had broken off. The other two times is when he came after my friend's two rat terriers. She is afraid to walk down there.

How long ago were those?

Within eight months ago - within the year

In a year and a half you saw him roaming around with a cable on him unsupervised and then two other times involving someone with two rat terriers?

Yes. She had the dog. She said she went down to pick up the poo and there was this German Shepherd. She was scared. She came home and was a nervous wreck.

Danielle Bullock made the following statement:

I am with her every morning. We walk before work. I have a greyhound. She's a gentle dog. She is seventy pounds. Good size. I have not witnessed the dog off leash. We pass the house every morning. They do bark back and forth. Usually my dog gets off one bark and I make her stop. I was not there on this day. I am just there every morning.

Ladas stated the following:

She is right. She does walk by morning and evening. She walks three houses down, turns around and walks back. My dog has never been loose that I know of or gone after two rat terriers. This could all be solved if she could just stop at the property line so the dogs don't see each other.

Schleiff said two days from now you could have another dog walking by and you have the same thing. I am sure it is not the only dog you see walking down the road.

Ladas responded:

No. There are four vacant lots over where the old Halifax Gardens was and about twelve people from Twin Lakes relieve their dogs along there. They don't have to pick up after them. That is why they walk there.

Selectmen John Bruno asked the following questions (in italics); response from Ladas immediately follows:

Your house is on the other side of Route 36. Where do you tie up the dog, the front yard?

The back yard

So the other people on the other side of Route 36 still see into your back yard?

Yes

Is there any place you can tie the dog up in the back yard that would be more sheltered?

No. It is all open. If they stop at the property line there is a row of trees and you cannot see in. If they walk on the sidewalk on the other side you can see in. I try to keep him in but I could never figure out when she was walking by in the afternoon. He is always in when she comes by in the morning. She comes by around ten past seven.

You take him with you all day?

Yes

He is only tied up when you are out with him. You don't keep him tied up all afternoon?

No. He won't stay outside on the runner alone. He raises hell. He does not like to be outside by himself so I have to be out with him or he is in the house. He is not a vicious dog. Yes, he ran over and he charged her dog and scared her dog but he did not attack her dog.

Schleiff pointed out the dog does have a bite from the incident.

Ladas stated:

It could have been from a paw. I talked to her for five minutes and looked at her dog and the dog looked fine. She continued to walk down the end of the street, turn around and walk back. She kept doing it the day after and ever since.

Bruno said:

We hear dog complaints on a fairly regular basis. In Halifax we have always tried to be pretty aggressive with animals in general because it has always been our Board's position that the Town is meant for people and animals are welcome as long as they behave. Most of the dog issues that we have really get bigger than they have to be. This could be partly that way. There is no question the dogs are going to react to each other. It seems that is what German Shepherds do. From my take of this, we need to have some accommodations from everyone involved as much as possible recognizing there is an issue here. I don't know what that solution is. I am not saying you (Walsh) should not be able to walk up the street because you certainly should. I am not saying you (Ladas) do not have a right to use your back yard because you do.

Ladas interjected:

She has the right to walk up the street but does her dog have the right to walk up the street?

Bruno responded:

It is the same. She is doing what she is allowed to do. Frankly, I am a jogger and I have been chased a lot of times and I don't like it. Bicycles - the same way.

Ladas stated:

I don't like it either. Maybe if she gave me a schedule. She comes at 10 past 7 every morning. Give me a schedule.

Walsh said her activity could change.

Bruno said, unless both parties wanted to go outside and work out a schedule, he asked Ladas and Walsh not to interact with each other during the hearing.

Bruno continued:

We really need to come to a resolution because Officer Botto is not going to want to keep coming back there or another policeman. You do not want them involved either. The question is how do we resolve the problem - that is what I am trying to come to an answer on.

Ladas stated his dog had been quarantined. Bruno noted that was because it bit another dog.

Bruno continued:

We need to come to a resolution. Obviously we are not going to put you (Walsh) on a schedule on when you can walk up the sidewalk. We need to figure out some way everyone can enjoy the benefits of living here. He (Ladas) says he has new ropes and buzzers so that will not be a problem. He will try to avoid issues by keeping the dog inside the house when he figures you are coming. Is there a way this can be worked out?

Walsh stated:

Honestly, I have no problem. Dogs are going to be dogs. It was just the way ... I understand that he is angry because if someone comes and says your dog is quarantined because it bit another dog. I told him that dog has gotten off the leash before and as a dog owner for the dog's safety on that street. I

don't have a problem with the dog. They are both German Shepherds; and, yes, I was startled. I was not even near the house when the dog came out. He came through the bushes and ran across the street. He could have been killed. I am a dog owner and animal lover. I think he is more angry with me than the dogs because I will not stop my routine.

Bruno said:

There are certain situations when the animal is a problem and we will deal with that but most of the time it involves human conflict over an incident and the dogs become the example. I am trying to find a way to get past that. I understand you are mad at him and you should be and he is mad at you because he feels if you just don't walk past his house it won't be a problem but she has a right to walk by your house. We need to come to some sort of agreement.

Ladas stated:

She walks three houses past my house, stops and turns around. Why can't she just stop before my house?

Walsh responded:

It is two miles. I will walk into the train station and then come back or walk to the tracks and turn around. Depending on time, there are days I go all the way into the train station.

Bruno said:

She has the right to walk up the street and you have to realize if you walk past the dog it agitates him.

Walsh replied:

I have to admit when we walk by and they hear the dog, my dog or her dog will let out a bark but then I grab him by his collar and I do not allow my dog to bark.

Bruno stated:

I think what he is trying to say is ... I think what you are both trying to say is you both don't want a problem. We need to find a way to accommodate everything.

Walsh said:

As long as he cannot get off that chain or run out, the barking is going to happen and Danielle and I will not let the dogs bark. I cannot control him from doing that.

Bruno replied:

I think Ladas has done a lot to try to prevent that. He has the collar and he has the chain and tries to keep the dog inside.

Ladas stated:

These are two smart dogs. Dillon knows when Como is down the street and Cosmo waits at the window for Dillon to come down the street. These are two highly intelligent dogs. The easiest way is to just have her turn around before she gets to my house.

Walsh responded:

But you can't ask every dog walker to turn around.

Ladas noted:

But the dog walks by my house four times a day.

Schleiff stated:

When you go one way, it is an automatic back. It is really twice a day.

Bruno felt at this point everyone understood the situation. Ladas' dog got away and he has taken precautions to prevent that in the future. Walsh has the right to walk down any street she chooses. Bruno recommended the Board take the matter under advisement to see if the issue can be resolved now that both parties have had an opportunity to discuss it.

Moved by Bruno and seconded by Schleiff, Board voted to take the matter under advisement and review the situation on July 13th. In the meantime, Officer Botto will monitor the situation and report any incidents to the Selectmen.

LIVE ENTERTAINMENT PERMIT - LIONS CLUB - FESTIVAL

The Board met with Ken Corti and Susan Beaulieu from the Lions Club relative to their request for a Live Entertainment Permit to hold a Bluegrass Festival on June 12th from 10:00 a.m. to 8:00 p.m. on the Nessralla Farm property located on Hemlock Lane.

Corti said that funds from this event will go to various programs connected with Massachusetts Eye Research. The event will be a family day and the cost will be ten dollars per person, children under twelve are free and a family of three or more will pay a maximum of twenty five dollars. Proceeds will be used to cover the cost of the event with the remainder sent to Massachusetts Eye Research.

There will be no outside vendors - only Lions members selling food. The vendors will be using trailers or flat bed chuck wagons from which they will sell food. At this time it is unknown how many vendors will be coming. Numerous Lions Clubs throughout the area have been invited to participate. No alcoholic beverages will be allowed. All coolers brought in will be checked to make sure they contain no alcoholic beverages.

The farm has nine acres of land which will be used for the parking. There will be no parking on Hemlock Lane.

Corti provided names and telephone numbers of people selling tickets and will be posting flyers around town. He said the Lyons Club would also like to put two sided signs on town property to advertise the event thirty days before the date. Corti said there was no limit to the number of tickets that could be sold. They needed to sell at least four hundred to cover the cost.

Corti had talked with the Fire Chief and the following questions were addressed and answered: There will be no bon fires. There will be barbeque pits and other heat sources for cooking including propane grills with fire extinguishes accessible. The Fire Chief will do an inspection once everyone is set up that day. There is no need for an EMS detail because there will be nurses on site. They will have phones to contact anyone if emergency situations should arise. Lions Club members will have walkie-talkies to reach each other on the grounds.

Moved by Bruno and seconded by Schleiff, Board approved Permit #28 for a Live Entertainment Permit issued to Lions Club member Ken Corti for June 12th from 10:00 a.m. to 8:00 p.m. on property known as Nessralla Farm on Hemlock Lane.

MUNICIPAL AND SCHOOL BUILDING COMMITTEE APPLICANT
ROBERT HODGE

The Board met with Robert Hodge relative to his application to the Municipal and School Building Committee. Hodge has been involved with the Town in various capacities for many years. He said he had knowledge of buildings and how to maintain them.

Bruno was very familiar with hodge and was enthusiastic to have him join the Committee. Schleiff noted the new senior center as well s the upkeep of the older buildings in town will keep the Committee very busy. Moved by Bruno and

seconded by Schlieff, Board appointed Robert Hodge of 44 Baker Street to the Municipal and School Building Committee, term to expire June 30, 2011.

CABLE TV ADVISORY COMMITTEE APPLICANT ROBERT STAPLES

The Board met with Robert Staples relative to his application to the Cable TV Advisory Committee.

Staples is currently a camera operator who covers most of the Selectmen's meetings. He has his own cable TV show that runs on public access. He has had three shows and is very knowledgeable about the cable studio. He has not been involved in the current negotiations with Comcast but will be updated by another member if appointed. He wanted to see the studio continue to operate in Halifax.

Bruno and Schlieff were familiar with Staples and felt he would be an asset to the Committee. Moved by Schlieff and seconded by Bruno, Board appointed Robert Staples of 314 Holmes Street to the Cable TV Advisory Committee, term to expire June 30, 2011.

TOWN ADMINISTRATOR REPORT (CHARLES SEELIG)

A. Horton/Animal Control Officer

Seelig requested the Board hold a hearing on the appointment of Denise Horton which expires May 1st. The hearing will be held in executive session. The Board instructed Seelig to arrange for the hearing and to send out the required notifications to all pertinent parties.

B. Ethics Law Update

Seelig informed the Board he has asked department heads to submit a list of possible exempt duties that volunteers do that may excuse them from the Ethics Law requirements. At this time he has only received a list from the Library. Seelig will compile a complete list for the Board to exempt.

The Town Clerk and Seelig have continued to monitor who has done the on-line training, which was to be completed by April 2nd. At this time there are approximately forty individuals who have not completed the entire process. Seelig will revisit this within the next couple of weeks. Schlieff asked if someone could come into the Selectmen's office and use the computer to do the on-line training. Seelig said that could be done and any person wishing to do so should call and advise when they would come in.

C. Open Meeting Law

The Attorney General's office is looking for comments on how notices and agendas of meeting could be posted. Notices and agendas need to be posted in a visible place and available 24/7 where it can be seen by all. Seelig suggested posting agendas on the website, an outside bulletin board, or on a computer monitor in a window accessible to the public. He noted that not everyone has a computer and may not be able to view the website.

Bruno felt it was impractical to require agendas be posted, noting that most committees do not develop agendas and those that do generally have last minute changes. He asked what the State wanted them to do. Schleiff questioned if agendas should be standardized. Seelig noted the Town has until July 1st.

REPORTS AND DISCUSSIONS

A. Designer Selection Procedures

Seelig had provided the Board with a set of Designer Selection Procedures. He stated the designer selection process needs to be in place for the proposed Senior Center on Thompson Street. The Building Committee has asked Seelig and COA Director Maryellen Stevens to develop the procedures and to do the architect selection. Seelig believes the Building Committee is overwhelmed with other projects and asked Seelig and Stevens to undertake this task.

If the Board approves the procedure, the Selectmen are saying it is the responsibility of the Municipal and School Building Committee to get a designer for this or any other project. If they designate someone else to do that for them, the Board is agreeing they can do that.

Seelig said something needs to be in place. The Building Committee could either delegate or take on the task itself. Schleiff asked if it would not be helpful to have an expert person available to help choose the designer. Seelig said that would be helpful. For example, you may want a firm that has built a senior center and check out how that worked out.

Schleiff questioned if two people would be enough and thought someone with expertise in the area should be included. Seelig did not know why the Committee was not taking this on but got the sense they did not have the time. Seelig said he could talk with the Committee. If town meeting says no to the funding, then it will be put on hold. If town meeting says yes, the procedures would be in place.

Moved by Schleiff and seconded by Bruno, board adopted the Designer Selection Procedure (copy attached and made an official part of these minutes)

B. Town Administrator Contract

The Board postponed discussion until April 27th when a full Board will be present.

C. Recycling Fee Abatement Policy

The Board postponed discussion until after the election so that the new Board member could participate in the decision-making on whether or not to make changes to the current policy.

UNKNOWN PROPERTY OWNERS

Schleiff questioned why the Town does not pursue finding out who owns the properties in order to collect taxes on them. He suggested a list be compiled to determine the value and the amount of money that could be collected. Bruno guessed they are small lots and that the process would take about two years. He felt a good start would be to develop the list.

Moved by Schleiff and seconded by Bruno, Board instructed Seelig to obtain a list from the Assessor's office.

WATER DEPARTMENT SYSTEMS RATING

Schleiff congratulated the Water Department on being one of the top scoring systems for the Public Drinking Water Awards Program. The Halifax Water Department has been commended on running a top notch system and has been invited to the State House for a ceremony/luncheon on May 4th.

FEMA, MEMA & HEMA MEETING

Schleiff reported on a meeting held on April 8th with representatives from FEMA MEMA and HEMA relative to the recent heavy rains and flooding. The Town was asked what services were provided and the materials needed to fix the roads that were closed during the previous rain storms. He noted that the various Town departments did a great job in getting the problems solved and helping those residents that needed assistance. It is hoped the Town will be reimbursed some of the costs incurred due to the storm.

TOWN COUNSEL SEARCH

Bruno stated the search for a new Town Counsel should get underway. He wondered if the Board should advertise for all three legal segments or just for general counsel. Also, the Town uses two other firms on a regular basis that should be asked if they have interest in serving as general counsel. Discussion ensued on whether to consider seeking one entity for general, labor and land issues. Bruno noted the Town does not have contractual agreements with the current law firms and can consider making changes at any time whether it is to keep the areas separate or combine one or more under one firm.

Seelig will notify Deutsch Williams Brooks and will also advertise the fact that the Town is seeking general counsel.

EXECUTIVE SESSION

Moved by Bruno and seconded by Schleiff, Board voted as follows to enter into Executive Session at 9:45 p.m. to discuss collective bargaining:

John H. Bruno II - 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.

Moved by Schleiff and seconded by Bruno, Board voted as follows to come out of Executive Session at 10:20 p.m.

John H. Bruno II - Yes
Michael J. Schleiff - Yes

There being no further business, moved by Schleiff and seconded by Bruno, Board voted to adjourn the meeting at 10:20 p.m.

Michael J. Schleiff
Clerk

pms/bfs