

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, APRIL 27, 2010 - 7:30 P.M.
SELECTMEN MEETING ROOM

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:

Bruno thanked numerous people who have supported him over the past fifteen years during his tenure as Selectman. He acknowledged his family and the citizens of Halifax who gave him the opportunity to be a Selectman. He thanked the Selectmen's office staff, acknowledging the Secretary, Selectmen Assistant and Town Administrator for their hard work and thanked former Selectman Margaret Fitzgerald and current Selectman Troy Garron for being great mentors. Bruno wished Garron and Schleiff well as they continue their terms on the Board. He expressed confidence in Schleiff that he will do a great job serving on the Board.

AGENDA

Selectman Michael Schleiff added a brief discussion on the Hemlock Lane Landfill monitoring contract. Town Administrator Charles Seelig added an Executive Session to discuss collective bargaining issues.

With the above additions, the Agenda for Tuesday, April 27th, was unanimously approved.

MINUTES

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

Selectmen Meeting 02-23-10 – Regular Session

Selectmen Michael Schleiff abstained from voting as he was not in attendance for the entire regular session meeting on February 23, 2010.

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

Selectmen Meeting 02-23-10 – Executive Session

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

Selectmen Meeting 03-09-10 – Regular Session

Selectmen Meeting 03-09-10 – Executive Session

Selectmen John Bruno abstained from voting as he was not present for the meeting held on March 9, 2010.

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

Selectmen Meeting 04-13-10 – Regular Session

Selectmen Meeting 04-13-10 – Executive Session

Selectmen Troy Garron abstained from voting as he was not present for the meeting held on April 13, 2010.

ABATEMENTS/BILLS/COMMITMENTS/WARRANTS

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

Withholding Warrant	#85	\$112,854.46
Vendor Warrant	#86	\$ 48,313.31

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

Deutsch Williams Brooks (legal services/March)	\$ 2,096.93
Terminal Exchange Systems (replace computer towers and modem; Police station; date of loss 11-17-08)	\$ 1,539.00
National Grid (Town Hall/Apr)	\$ 769.85

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

Payroll Warrant	#87	\$314,791.92
Vendor Warrant	#88	\$429,551.86
Withholding Warrant	#89	\$102,671.24

Moved by Schleiff and seconded by Garron, Board unanimously acknowledged the following payments to the Treasurer:

<u>TURNOVER</u>	<u>AMOUNT</u>
#39	\$250,000.00
#40	\$ 5.00
#41	\$ 70.00

The Board acknowledged payment of the Selectmen Office Payroll for the period ending April 24, 2010 in the amount of \$6,148.43

WAGE AND PERSONNEL APPLICANT – JOHN GRACE

The Board met with John Grace relative to his application to the Wage and Personnel Board. Also present were Wage and Personnel members Tamara Dwyer and Maureen Rogers.

Grace recently moved from East Bridgewater to Halifax. He wanted to become familiar with the community and its residents and felt the best way to do that was to volunteer on a board or committee. He has a management background and has skills he feels will benefit the Wage Board. The Board noted that Wage and Personnel is an important job that can be difficult since decisions can directly affect employees. Grace felt he had the necessary skills to do the job.

Moved by Selectmen Chairman John Bruno and seconded by Wage and Personnel member Maureen Rogers, the following vote appointed John Grace of 7 Spenser Drive to the Wage and Personnel Board to fill the vacancy created by the resignation of Diane Ruxton, term to expire June 20, 2011:

Board of Selectmen	John Bruno	Yes
	Troy Garron	Yes
	Michael Schleiff	Yes
Wage and Personnel Board	Tamara Dwyer	Yes
	Maureen Rogers	Yes

PUBLIC ENTERTAINMENT ON WEEKDAYS LICENSE– D’S GRILLE 58

The Board met with Debra Trotta, Manager of D’s Grille 58 relative to her application for a Public Entertainment on Weekdays License for property located at 284 Monponsett Street - Unit #4.

Trotta requested the following hours of operation: Monday through Saturday from 11:00 a.m. to 11:00 p.m. The type of entertainment would range from a small jazz or acoustic band to mood music. She has no intention of including rock and roll type bands but did not want to rule out a DJ. Trotta is in the process of considering expanding the restaurant into the next unit to accommodate functions.

Moved by Bruno and seconded by Garron, Board unanimously granted a Public Entertainment on Weekdays License to D's Grille 58 LLC, d/b/a D's Grill 58 located at 284 Monponsett Street - Unit #4 from 11:00 a.m. to 11:00 p.m. Monday through Saturday, contingent upon approval by the Fire Chief.

GENERAL MAIL/BUSINESS

A. 40-B – Amanda Estates/Elm Street

The Board acknowledged a letter from Gregory Watson (Manager of Comprehensive Permit Programs of MassHousing) to Corrie Merritt of Amanda Estates, LLC granting an additional twelve-month grace period for the submission of the proposed Elm Street 40B project to the ZBA.

The Board reviewed a draft response to Watson advising him the Board is disturbed the Town was not given any notice that a request for an extension had been filed nor was it given the opportunity to comment on this request. Garron wanted to include a request for any information concerning the rules or procedures governing decisions on such extensions. Moved by Bruno and seconded by Schleiff, Board unanimously instructed Seelig to send the letter including the information request.

B. Memorial Day Parade

The Board acknowledged an invitation to participate in the Memorial Day Parade. Garron will participate.

C. Multi-Family Development - Blackledge Farm /Franklin Street

A continued hearing will take place on May 17th relative to the Blackledge Farm Multi-Family Development. The developer has applied for another multi-family permit that will consist of a cluster layout encompassing fifty-three homes. Seelig had reviewed the plans and noted similar problems to those on the original 40B proposal. Bruno felt that, while the developer is well aware of the Selectmen's concerns, Seelig should re-send the list.

D. Pilgrim Monument Parade

The Pilgrim Monument Parade is looking for a RSVP to its invitation to Halifax to attend this celebration in August. Seelig will inform them that someone will be attending and/or may participate in the parade itself.

E. MTBE Settlement Agreement

The Board acknowledged receipt of an MTBE settlement agreement from Getty. In response to questions from the Board, Seelig stated (a) the Town's legal counsel in this matter has reviewed and recommends accepting the

agreement; (b) Halifax will receive \$25,000 and the Town of Hanson will receive \$49,000; and (c) Hanson will receive a larger sum because the issue involves ground water and not the Monponsett ponds per se. In response to a question from Bruno, Schleiff said he did not want more information at this time but would review the matter at a later date.

Moved by Schleiff and seconded by Garron, Board unanimously authorized the Chairman of the Board to sign the MTBE settlement agreement with Getty on behalf of the Town

F. Appreciation – Barbara Gaynor

The Board acknowledged a letter from a Duxbury resident commending Town Clerk Barbara Gaynor on her dedication, professionalism and knowledge.

G. Intersection - Holmes Street and Oak Street

Fire Chief William Carrico submitted a memo on behalf of the Traffic Safety Committee regarding the intersection at Holmes and Oak Streets. The Committee is concerned with the number of motor vehicle accidents occurring at this intersection. The Committee asked the Board to submit a letter to OCPC asking them to perform a study at this location. Moved by Bruno and seconded by Garron, Board unanimously voted to request OCPC conduct a safety audit on the intersection of Holmes Street and Oak Street. Seelig will send the letter.

H. Donation - Children's Puppetry Gift Program

Moved by Garron, seconded by Schleiff, Board unanimously voted to accept any and all donations to the Holmes Public Library Children's Fund in memory of Sandra Lacivita to start a Puppetry Troupe for the Holmes Public Library.

I. Surplus Property - Computers

Moved by Garron seconded by Schleiff, Board unanimously declared the old computers currently stored in the Town Hall basement surplus property and authorized Seelig to dispose of them in accordance with the Procurement Law.

J. Alcoholic Beverage Violation - Hawaii Garden

The Board acknowledged notification from ABCC that the alcoholic beverage license for Hawaii Garden has been suspended from May 26th through June 2nd. Although the Board cannot take any further action, moved by Garron and seconded by Bruno, Board unanimously voted to schedule a meeting with the license holder on Tuesday, May 25th, to discuss the matter.

K. Bluegrass Festival Signs

The Board acknowledged a request from Lions Club member Ken Corti to place sign throughout the Town from May 12th to June 12th advertising the Lions Club Bluegrass Festival being held in June. The Building Inspector had no objection as long as the signs do not obstruct any views. The Board had no objection to the signs.

L. Street Light - Franklin Street

The Board discussed a request from a Franklin Street resident that the Town turn a street light back on near his home, noting his children wait for the school bus in the dark during the winter months. Bruno stated the issue of street lights on different streets has been ongoing for a long time and the Town cannot turn on a light just because it is requested. Police Chief Michael Manoogian was present and said that, until National Grid fixes the street lights that are out, he would not suggest doing anything at the moment. Garron felt, if it is a safety issue, the request should be considered. The Board agreed to forward the request to the Police Chief and Fire Chief to see if it meets the public safety criteria.

M. Old Colony Elder Services Delegate and Alternate

Old Colony Elder Services has asked the Board to nominate a delegate and alternate from Halifax to represent the Town. Current representation are Maryellen Stevens as Delegate and Elaine Dolan as Alternate. Both had agreed to continue if the Board wishes to nominate them. Moved by Garron seconded by Schleiff, Board unanimously voted to appoint Maryellen Stevens as the Delegate and Elaine Dolan as the Alternate.

N. Municipal and School Building Committee Appointment

The Board noted that, under the requirements to appoint a member to the Municipal and School Building Committee, a quorum was not present during the meeting of April 13, 2010 and the appointment of Robert Hodge must be reconsidered.

Moved by Garron and seconded by Bruno, the following vote appointed Robert Hodge of 44 Baker Street to the Municipal and School Building Committee to fill a new term that has been vacant, term to expire June 30, 2011

Board of Selectmen	John Bruno	Yes
	Troy Garron	Yes
	Michael Schleiff	Yes
Moderator	Did not participate in the vote	

Motion passed by a 3/4 vote.

O. Line Item Transfer Requests

The Board postponed action on a number of Line Item Transfer requests; the Board will consider the requests with the Finance Committee on Monday, May 10th.

P. Pool Table License - The Tee Box

Moved by Garron seconded by Bruno, Board unanimously renewed the Pool Table License issued to d/b/a The Tee Box located at 284 Monponsett Street - Unit 205.

Q. Trailers on Old Plymouth Street

Seelig informed the Board three trailers are being used for residential purposes on property located on Old Plymouth Street. The Building Inspector is the enforcement agent, and no action is needed by the Board at this time.

PROPOSED 40B PROJECT - WATERMAN VILLAGE

The Board met with Allen Comeau (developer) and Frank Gallagher (Comeau's engineer) relative to a proposed friendly 40B project called Waterman Village to be located on property at 265 Monponsett Street. Also present were Housing Authority Director Elaine Dolan, Housing Authority member Lee Mulready, Town Accountant Sandra Nolan, Finance Committee Chairman Kim Roy, Wage and Personnel Board members Marueen Rogers and Tamara Dwyer, and a number of interested residents.

Gallagher presented the Board with a drawing and outlined the following particulars:

- The parcel is zoned residential. There is a condominium complex north of the property and the Housing Authority senior and low-income housing south of the property. Much of the land is developable and contains less than a half acre of wetlands.
- Fifty-four single family homes on twelve and a half acres. Twenty-five percent of the units would meet the "affordable" criteria. The homes will be 40' x 48', consisting of fifteen hundred square feet with one or two bedrooms.
- There will be approximately eighteen hundred feet of road looped through the property. The road will be about twenty feet wide and paved.
- Common septic systems will be located in three different locations.

- The grading of the land is fairly level and gently sloping in some places. To control drainage, they would mitigate the impact through a detention basin that would discharge into one of the wetland areas.

Gallagher said this proposal will require the cooperation of the Selectmen and be done as a local initiative project. If the Town partners with this project, it would have the ability to say an affordable housing project is underway and could deny another 40B project application.

Following are questions asked by Selectman John Bruno (in italics); responses by Gallagher immediately follow:

How many house lots?

Fifty-four.

Would the common septic systems have common leaching fields so that each house would be hooked up to that leaching field?

Yes. While this is only a preliminary plan, I would expect there would be a distribution system of piping to each house, central septic tanks, central pump stations and shared leaching fields.

Who would take care of these common leaching fields?

That would be through a homeowners association.

Why do you think this is a good idea for our Town to have this at this location?

Mr. Comeau might have a better explanation. In this area, it is pretty densely developed particularly for this Town. Seeing you have multi-unit housing on both sides, you could make a case that building a subdivision with the conventional zoning laws does not fit on this site.

Both entrances in and out of the development are on Monponsett Street and this area gets a lot of traffic. Have you done a traffic study?

No we have not, but we certainly would if the project moves forward.

Comeau stated the following:

Basically this is our first sketch, and it is in the early stages. I think the loop system will be beneficial for the Fire Department. They can come in one direction and out the other. I have seen other developments where you get lost in them. We have two beautiful entrances. The houses will have a two car garage. They will be built on a knee wall. Rather than have a typical

basement, we will have a knee wall similar to a raised ranch. The main level and loft will be 1,475 square feet of living space. There will be a full flight of stairs off the kitchen leading to the basement which, at a later time, can be finished, adding about 800 square feet to the home. These homes will have a lot of room. These houses are going to be some of the best units around for the money. My house is quite large and I may actually move in here myself.

Following are questions asked by Selectman Troy Garron (in italics); responses by Comeau immediately follow:

Why is your plan better than other 40B projects that have been proposed and why fifty-four homes?

We did a feasibility study and an expert did the Pro Forma. Because of the cost of the land, and the fact that we have to sell fourteen affordable units, I wanted fifty-six units to make a profit but Gallagher could not make that work; therefore, it was brought down to fifty-four. The money made on the market value homes makes up the difference on the affordable ones. Hence, you need to sell three market value units to make a profit on the one affordable unit sold. I have a friend who is doing a project in Bridgewater and Conservation took away some of his lots and he lost his ability to deliver his affordable units. When he explained that to the Town, they gave him back the lots. His project is the exact same style which he designed after mine. His name is Drew Dyer of Dyer Construction. If we could do less units and make it feasible, I would; but the numbers don't work for us.

What about the snow plowing?

From a snow plower's point of view, I would prefer to loop around instead of having to back up and make turns. This is the easiest system to navigate. It is privately owned, and we will be doing our own plowing and snow blowing.

My main concern is the septic system. Due to the high water table, I have seen many systems fail.

The reason I choose this site is its sand and gravel base which, in Halifax, is rare. Also, it has a water table about six feet down. The system will be mounded slightly. I planned on putting in individual septic tanks for each home to settle out the solids so there will only be water going to the shared leaching fields. I would agree that nine out of ten homes in Halifax do have a problem, but this is a good site.

Following are questions asked by Selectman Troy Garron (in italics); responses by Gallagher immediately follow:

With the condo complex and Housing Authority on either side, another concern would be traffic.

There is no question that a traffic study should be done. This is a long straight stretch of road so exiting and entering is safe as far as sight distance. Another

advantage is we would have open space adjacent to Monponsett Street where the leaching field would be located - there would be no obstruction of view for safe entering and exiting. As for the volume of traffic, this does need to be taken into consideration and an analysis should be done.

The road does back up especially in the summer and then there are cars entering and exiting the liquor store. If you have fifty-four homes and an average of two cars per household, that would be another one hundred cars coming in and out onto the road - that is a lot of traffic

When I have been out there surveying the site during a regular work day, I have not seen heavy volumes of traffic; but you guys live in the town so you would know.

Garron noted there is heavy volume during peak hours.

Bruno asked Seelig what the next step would be. Seelig stated this is an informal discussion. There would need to be more detailed information on this proposal and the Board would then solicit definitive comments from the other Town departments.

Housing Authority Director Elaine Dolan was present and asked the following questions (in italics); responses by Gallagher immediately follow:

Will you be asking for a variance?

There would be no need because it is a 40B and not held to the zoning requirements.

How many feet away will you be?

Twenty feet back from the property line which would be twenty five feet from the road. It would be sixty feet away from the closest point to the Housing Authority's units.

There is water in that area. It is marsh. We have a septic system that is above ground and we just put in a \$200,000 septic system because of the water. It is a fast system. We have twenty four units and have it pumped out every three months.

So you have a fast system probably because you are closer to the water table than what Title V allows.

You are right next to us so I assume you have the same water table.

We create that separation even if we have to build up the septic systems.

So all the run off will come into the Housing Authority property.

We would make sure that wasn't going to happen.

What are the estimated condo fees and what would they include?

Comeau said: We do not have a figure yet but would include plowing, lawn maintenance and things of that nature. The fee would be quite reasonable.

Bruno commented the fee would have to include ultimate replacement of the leaching fields if that became necessary. Comeau agreed.

Bruno asked if the waste water treatment would be manned. Gallagher said as long as it is less than 10,000 gallons per day it falls within Title 5. When you go above 10,000 gallons, you need a ground water discharge permit and treatment facility. We deliberately made sure we would be less than that 10,000 gallons per day. Comeau pointed out there would be less than ninety bedrooms.

Dolan continued; responses by Gallagher immediately follow:

Another concern I have is that you have these two level units, and people will add another bedroom and possibly another bathroom. I work in Marshfield and one bedroom units are selling. The two bedrooms are a good thing and you should make them a little more affordable. If you want an LIP and work with the Town, you should offer more than twenty five percent. I know there is a lot of money involved but what is the Town getting for these fifty four units on twelve acres of land.

The Town is getting fourteen affordable houses.

That is not getting us close to ten percent. I know that it's a start.

The whole development counts towards the ten percent.

Dolan said that is not correct. Garron stated it is just the affordable units that count toward the ten percent. Bruno noted that Dolan is the Director of the Housing Authority and knows what she is talking about. Dolan added she is also on the Affordable Housing Partnership Committee and is well informed on 40B's. Gallagher said that Dolan then is more informed than he is.

Dolan continued; responses by Gallagher immediately follow:

With the Housing Authority next door, I have serious concerns about the septic, water run off, and the elderly people who live there. I hope you would limit the building and truck times. As far as getting out to 58, it is difficult.

I hear all your concerns and all of those concerns could be conditions to this project.

This is what I am hoping - if this is going to be an LIP, that you will really work with the Town and offer the Town some incentives to work with you.

That is a big part of why we are here tonight - to hear what your concerns are, hear what we might do to help you.

Bruno asked what the time frame was for the project. Comeau estimated in thirteen months they would be in a position to start and hopefully the economy would be a little better at that time. It costs a lot of money to do these things, to even get the approval. Comeau said the alternative on this site is nine house lots and he did not believe that type of development is viable when there are 125 condos on one side and the housing for the elderly on the other side. He did not think the average homeowner would want to pay \$400,000 for a house to live there.

Garron asked Comeau if he originally purchased this property or if someone else purchased it and he bought it from them. He noted that, at one point, there was some idea of building soccer fields, baseball fields or some type of recreational building on that site. Comeau said there were a lot of ideas before he came along and some would have required a zoning change to commercial which he felt would be difficult. The problem is what is economically viable.

Dolan asked where one could look at other developments Comeau has done similar to what is being proposed. Comeau said he has not done a 40B project before but has built Rolling Hills and Sachem Rock estates in East Bridgewater. Gallagher said he could provide Dolan with the names of developments with similar density that she could look at.

Dolan commented that Richmond Park is in close proximity; the Board noted this is where one of the Town's wells is located and the project may be in the Zone 1 recharge area.

Bruno said the next step would be to send the information provided tonight to the Planning Board, Zoning Board, Building Department, Fire Chief, Police Chief, and Housing Authority to solicit their questions and concerns and to then have a follow-up discussion.

Comeau said this is in the beginning stages. He does not own the property but has it under agreement. He did not want to fight the Town on this and wanted it to be a friendly situation. He will try to work with the Town and do everything he can to make it a nice development.

Discussion ensued on when to meet again with Comeau. Given the upcoming town meeting and in order to allow enough time for review by the other departments, it was agreed to put the issue on the Agenda for June 8th.

STORAGE SHED AT VAUGHN FIELD – PETER BARONE

The Board met with Peter Barone of Girls Baseball regarding the storage shed at Vaughn Field located behind the police station. Barone said they wanted to replace the existing 10 x10 shed with a new 12 x 18 shed to accommodate the tractor and additional storage space. The floor in the old shed is rotted out.

Barone did not have a picture of the actual shed but provided the Board with a picture of a similar one. It is the same design as the current shed but larger. Girls Softball will provide the funds to purchase the shed which will be delivered by Chapman.

Police Chief Michael Manoogian was present and had no objection. He noted it was going to be placed in the same place as the old one.

Schleiff asked if there was going to be any electricity in the shed. Barone said not at this time but hoped there could be some time in the future, noting he knew someone that would be willing to do the work. He would inform the Building Inspector if and when the shed was wired. In response to questions from Schleiff, Barone said there is a larger storage shed behind the elementary school but Girls Softball runs out of the shed behind the police station and needs the space to store their equipment and the tractor they use to maintain the field. The floor in the old shed could not support the equipment and has collapsed. Access is limited to the coaches and himself.

It was noted that a Building Permit will be required from the Building Inspector. The Permit will have to be signed by the Town. Moved by Bruno seconded by Garron, Board (a) authorized the existing shed at Vaughan field be replaced with a new 12 x 18 one, (b) authorize Seelig to sign the Building Permit application, and (c) voted to ask the Building Inspector to waive the permit fee.

ANIMAL CONTROL OFFICER – DENISE HORTON

The Board met with Denise Horton relative to her continuing as the Animal Control/Dog Officer when her appointment expires on May 1st of this year. Also present was Police Chief Michael Manoogian. Bruno asked Horton if she wanted to meet in Executive Session; Horton preferred the meeting be held in public session.

Due to an on the job injury, Horton has been out on workers compensation for approximately a year. A petition for involuntary retirement has been filed with the Plymouth County Retirement Board. According to information given to the Board, Horton is unable to perform her duties due to the injury.

The Board asked Horton if she would like to say anything before they made a decision relative to re-appointment. Horton stated she felt she could do her job

but was not sure the injury would not occur. She is still under treatment by her doctor and has not been cleared to return to work as of this time. Bruno asked if her doctor has suggested that he would clear her to return to work in the near future. Horton said she needs to see a specialist in mid May and hoped to know better then. There is a chance the injury could happen again.

Garron said a decision has to be made and he would not want her in harms way, given that, if the injury were to re-occur, it could be far more substantial the next time. He noted the work Horton has done throughout the years has been greatly appreciated. Manoogian (who is the Animal Control Officer's direct supervisor) stated that Horton has done a wonderful job over the years. He also expressed he would not want to see her get hurt again. Bruno acknowledged Horton has done a wonderful job and her dedication has been appreciated. However, he did not feel she could continue in the role as the Town's Animal Control Officer.

Moved by Bruno seconded by Garron, Board unanimously voted not to re-appoint Denise Horton as the Animal Control Officer/Dog Officer/Pound Keeper for the Town of Halifax.

HEMLOCK LANE LANDFILL MONITORING CONTRACT

Schleiff acknowledged the Board of Health for its efforts in finding a company whose contract price is lower than the amount being paid to the current firm for the monitoring of the Hemlock Lane Landfill.

TOWN ADMINISTRATOR REPORT (CHARLES SEELIG)

A. Earth Removal Issues - 303 Holmes Street/Todd Roach

The Board set a tentative date of May 25th to meet with abutters to 303 Holmes Street who are having problems with water in their basements due to what they believe is a result of the earth removal that took place on property located at 303 Holmes Street.

B. Animal Inspector Request

The Board acknowledged a request from Animal Inspector Judith Anderson urging the Board to appoint an Animal Control Officer. At this time, she is running into numerous problems with dogs not being licensed and/or vaccinated.

C. No Parking on Athletic Fields

Seelig reiterated the Board's policy that no vehicles are allowed on the athletic fields and announced the Police Department will begin ticketing any vehicle violating this policy.

D. Brockton Power Plant

The Board acknowledged a request from Board of Health Chairman John DeLano asking to meet with the Selectmen to give them an update on the Power Plant project and to determine if the Selectmen would consider contributing funds for legal representation regarding the proposed Brockton Power Plant. A small group of citizens from Brockton and West Bridgewater are paying for legal services to represent the interest of concerned citizens in those two communities regarding the siting of the Power Plant. The Board was concerned as to whether or not they were looking for a lump sum.

The Board will meet with DeLano after the town meeting to discuss this issue.

REPORTS AND DISCUSSIONS

A. Class II License Inquiry – Eric Lund

Garron and Schleiff relayed to Bruno the March 9th meeting with Eric Lund who inquired about applying for a Class II license. Lund wanted to know if the Board would consider and act on the license before he went to the regulatory boards for a special permit, site plan approval, etc. It was an informal meeting and no decision was made since a full Board was not present.

After a brief discussion, the Board agreed that Lund should first submit an application for the Class II License. The Board could then determine whether or not to act on the request before he goes to the regulatory boards. Seelig will send a letter to Lund informing him an application must be submitted to the Board.

B. May Town Meetings - Selectmen Articles

Garron will move and explain the various articles proposed by the Board of Selectmen. If Schleiff wants to speak on a particular article, he will let Garron know.

C. Monponsett Pond Water Level

A meeting has been set up by DEP for April 29th. DEP plans to review the water levels of the pond, show how Brockton measures the water levels and review Brockton's records. Conservation Agent Mary Guiney, Selectman Michael Schleiff and Brockton Water Systems Supervisor Brian Creedon plan to attend. Garron suggested someone from the Board of Health should attend to be in loop on any septic issues.

Seelig noted that Brockton can divert during the diversion period but the Board can ask Brockton to stop diverting at a level greater than six inches if they wanted to do so. He noted the Board has received complaints when the

level is too high because of flooded basements or no shoreline. Schleiff asked if the Board needed authorization to call. Seelig said the Board could change the policy about who makes the call to Brockton on whether to begin or end diversion and could take him (Seelig) off the list and/or add one or more of the Selectmen.

Garron told Bruno it had been a great pleasure working with him over the years. Schleiff said he wished he had the opportunity to work with Bruno longer. Bruno thanked them both.

EXECUTIVE SESSION

Moved by Bruno and seconded by Garron, Board voted as follows to enter into Executive Session at 9:35 p.m. to discuss 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.

Moved by Bruno and seconded by Garron, Board voted as follows to come out of Executive Session at 10:25 p.m.

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

There being no further business, moved by Bruno and seconded by Garron, Board unanimously voted to adjourn the meeting at 10:25 p.m.

Michael J. Schleiff
Clerk