

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, JUNE 22, 2010 - 7:30 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:30 p.m. with Selectmen Troy E. Garron, Kim R. Roy and Michael J. Schleiff present.

The following business was discussed:

AGENDA

The Agenda for Tuesday, June 22nd, was unanimously approved without revision.

MINUTES

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

Selectmen Meeting 4-27-10 - Regular Session
Selectmen Meeting 4-27-10 - Executive Session

Roy abstained as she was not present at the meeting on April 27th.

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

Selectmen Meeting 6-16-10 - Regular Session

ABATEMENTS/BILLS/COMMITMENTS/WARRANTS

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

School Payroll Warrant	#102	\$696,762.56
Withholding Warrant	#103	\$209,131.30
Vendor Warrant	#104	\$ 32,514.96

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

Ms. Emily Beals (services rendered @ Memorial Day Parade)	\$ 50.00
Ms. Rebecca Beals (services rendered @ Memorial Day Parade)	\$ 50.00
Ms. Holly Beals (services rendered @ Memorial Day Parade)	\$ 50.00

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

Payroll Warrant	#105	\$192,037.98
Vendor Warrant	#106	\$ 56,727.51
Withholding Warrant	#107	\$ 64,332.35

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

Charles Seelig (reimbursement for travel & mileage)	\$ 282.75
Beverly Smith (reimbursement/ink cartridge purchase)	\$ 16.97
Harding Print & Digital copy (name plate for Kim Roy)	\$ 17.90
Enterprise (public hearing notice/Housing Rehab)	\$ 49.53
Lowe's #4853 (insurance claim – MAS0068390	\$ 108.04
Police Station date of loss 11/17/08)	

The Board acknowledged payment of the Selectmen Office Payroll for the period ending June 19, 2010 in the amount of \$6,713.86.

DYLAN REID – PETITION FOR PRESIDENTIAL DIRECTION

Dylan Reid came before the Board to explain what his intentions were pertaining to the petition he has started asking the president direction as to how the children of the United States could help with oil spill in the Gulf. He explained that the children could help in many way such as target fundraising, help collect material, and help marine life. The reason for this is with their help marine life will not die as quickly. His mom went on to say that Dylan as well as the other children intent is not to feel helpless and his peers are taken back on this problem. Just because they a kids there is no reason why they can't help. Dylan has gotten a couple of signatures from the Boy Scouts as well as posting his petition on petition.com and also has it circulating in Maryland. Dylan also has gone to the library and a playgroup and has asked the children if they have any ideas on how to help. Putting a signature on paper makes a child feel important. This is not going to stop a major oil leak but will help out. Schleiff commented that Dylan is a very amazing boy and asked him to thank his friends for helping out. Roy complimented him also and stated that his parents should be very proud of him. Garron went on to say that he has lived in Halifax since 1973 and every year he has found a reason to be proud of this Town and this is just another one to add to it and said that Dylan has set a great example as what a youth can do for their country. Garron suggested that the Board send a copy of his petition to our legislatures and made a suggestion for Dylan to have a signature drive at local schools to obtain more signatures. The Board thanked Dylan for his efforts and mentioned that if there was anything they could do to help let them know.

Moved by Roy seconded by Schleiff, Board unanimously voted to send a letter with a copy of Dylan's petition letter addressed to the President, to our legislatures asking for their support.

PUBLIC HEARING – D's GRILLE 58

Debra Trotta, owner of D's Grille 58 came in to request a change in hours and to alter the premises at D's Grille 58 located at 284 Monponsett Street Unit 4. Presently the restaurant is opened until 11:00 p.m. and the request is to remain open till 1:00 a.m. The alterations to the restaurant will be from 2,348 square feet to 3,848 square feet. Trotta was asked why the change in hours and she went on

to say that she would like the opportunity to be able to use the room (that is being altered) for a function and give the person hosting the function the option to have the function go past 11:00 p.m. Garron had asked Police Chief Manoogian if there have been any problems in the past and Manoogian went on to say that Trotta just want just in case and is not planning on using it all the time only for a function but he did say that once issued we have no control over it and she can remain open until the 1:00 a.m. every night. Roy had asked how many more tables will be added and she said it would seat thirty-six and an inspection will be done by the Building Inspector once completed. There was a concern from an abutter is that if the restaurant was opened till 1:00 a.m. then the kitchen help needs to clean up so it would be after 1:00 a.m. when the employees would be leaving and at that hour hearing the cars start up to leave can be very interrupting. The abutter just wanted to be on record that twenty people leaving at 1:00 a.m. could be an issue. Trotta has no intention of staying open past 11:00 p.m. because she herself wants to be out and again it would only be special circumstance such as a party that she would stay open until the 1:00 closing time. Schleiff had asked if there was a fence to buffer any noise from the parking lot and Trotta said there wasn't. Mrs. O'Brian's daughter mentioned that there are peach trees on her mother's property and that there have been times that people have helped themselves to them and brought up that if someone injured on the property the homeowner would be liable. She said that a fence would be great. Schleiff would like to see a fence and/or shrubs to buffer the noise. Garron stated that Trotta could not make that commitment and Seelig suggested that maybe the Board could send a letter stating in has been brought up that in the past there have been problems with the patrons leaving the premises. Schleiff had asked if there anything we need from Joe and it was stated that the Board does not. At this time a building permit has not been issued. Schleiff added that he would like to accommodate the neighbors and Trotta said she would talk to Joe about a buffer.

Moved by Roy seconded by Garron, Board unanimously voted to change the hours at D's Grille 58 located at 284 Monponsett Street Unit 4, from 11:00 p.m. to 1:00 a.m. Sunday through Saturday.

MUNICIPAL & SCHOOL BLDG. COMMITTEE – PROJECT UPDATE

John Campbell came in to update the Board on current and proposed projects for a couple of Town buildings. Listed below are projects that are going out for bid with the walk through dates and bid closing dates.

Building	Pre bid walk through date	Bid closing date
Library – Roof	6/30/10 - 11 AM	7/15/10 – 3:30 PM
Library –HVAC	6/30/10 - 9 AM	7/15/10 – 3:30 PM
Town Hall Siding	7/7/10 - 9 AM	7/22/10 – 3:30 PM
Town Hall Painting	7/20/10 - 9 AM	8/12/10 – 3:30 PM

Schleiff commented that the Town just spent money on the HVAC at the Library and had asked if any of could be recovered. Campbell said that the repair was done just to keep it going until the whole system could be fixed.

Roy inquired about the school generator asking if the repairs have been done and Campbell went on to say that it's an electrical problem with the exhaust and switch. The repairs should be done by the fall. The generator does run it just needs to be turned on as opposed to going on automatically.

A new burner and some duct work will be installed by next season at the Town Hall. The existing heating system goes back to the "1950's" and has served the building well considering the age of it.

Two thousand dollars remain for police cell improvements. The State mandates that repairs that are done need to be inspected, as of this time they (State) have not gotten back to the Building Department. Garron had asked if they wanted the Board to send a letter to them so that the State does not come back saying the Town made no effort and gets fined. Campbell said they will find the office and submit a letter.

Debra DeJonker-Berry mentioned that the construction for the library roof is planned for later this summer and hopes it is completed before school starts. Gerry Elliot is planning on having the crane work done over a weekend when the library is closed. DeJonker-Berry said that they could open later if asked and if they need to leave the building they have no problem doing so. At this time no sporting events have been going on therefore the issue of numerous vehicles in the parking will not have to be addressed as well as any traffic. Garron had asked Berry to keep the Board informed if they need a detail officer and she said didn't think one would be needed seeing as the building is far from the street.

Seelig asked Campbell if there were any other project sitting in line to be done and he does not know of any. He did mention that they are aware that the Fire Station roof, which at this time is not leaking, will need to be replaced. They do have a bid on it with the price of \$50,000 and this project will remain on the Capital Planning list. Seelig requested Campbell to forward him a list of any other things that might be coming in May and also asked him if he could have men looking at the library roof to take a look at the Fire Station roof as well.

Garron had asked about the Library addition and Campbell said that it had not been proposed to the Committee but have heard some rumors and that set of plans would need to be submitted. Garron mentioned that the next question asked would be is the library expandable? DeJonker-Berry did say that yes it is expandable and this project does need to be talked about. She stated that when the Library was moved to school site it was stated that the space was not adequate for the needs of the Library. She would like to modestly do a little interior work such as replace the carpet, run the electrical within the walls because at this time it runs along the floor and to reconfigure the space to make it user friendly. These renovations can be done with money through a grant writing program and Halifax could reasonably expect to receive at least seventy percent of the project costs in grant funds. There is a tight window to apply for this grant and a letter of intent is due this October. Garron stated that another question that would be brought up would be will we ever get to the point that we will need the expansion for the school itself or will there be enough room to do both and if this was to happen and

the playground outback was taken away what they will have for recreation. Campbell said he received a letter from the School Committee stating that population is down and as mentioned from someone in the audience a survey that was done in 2007 showed the school population was shrinking this also holds true through school enrollment over the past few years. Campbell mentioned that the easiest way to expand the school would be to use the library space and move the library to another location Roy is not disagreeing the request for the library expansion but there still would be the thirty percent that the tax payers would be paying and also at this time what the town really needs to think about is a new Senior Center before considering this project. Roy added that she would like to look at the COA project and see how it could be reworked to get this project going and expressed that the COA has been waiting a very long time. Roy realized that there is a small window to work with in receiving grants and that the COA has been faced with the same dilemma.

DeJonker-Berry does not want the Town to miss this opportunity and when writing for this she wants the State to understand that we be put on a waiting list so that amount money the Town needs to meet in terms of their share for the project, comes in a timely manner after the COA project. She also realizes that there is a great need for a new center for the seniors.

Schleiff had asked if she had any idea on how much money it would cost or the square footage of the project. DeJonker-Berry did not have a cost on the project but said that square footage would be about 1/3 more that what they have now which would be about 3,000 - 3,500 square feet. At this time the building is roughly 7,200 square feet.

Jean Gallant asked for a little clarification on the time frame. DeJonker-Berry explained that it would take a Town Meeting vote in the spring of 2011 to approve preliminary plans and give permission to apply for, accept and expend grant funds and then if awarded the grant there would be another need for a Town Meeting vote in Jan 2012 to secure local funding, i.e., local match and accepts grant award.

Lastly, concerns about the concession stand came up. Campbell said that any major project needs to come before the Building Department and they did not hear about until they were given the okay to go and build it. Garron went on to say that they did a walk through couple years ago and said that basically it's the same building that was proposed then and nothing has changed. The Building Department went out and looked at the proposed location and Campbell was not in favor of it. Three large trees would need to be taken out and the elevation to where the building would be is not accessible for someone who is handicapped. Campbell has spoken with Tom Millias and said that these issues would need to be worked out. He also went on to say that that the bathrooms are a bit away from the fields. Nolan went on to say that there may need to be a mounded septic system and if the building was closer to the fields the mounded system may take away from the fields. Campbell is having a hard time with putting in a concession stand when the playground needs fixing. Roy did go on to say that she believes that this gift fund was allotted to this specific project a couple years back. Garron

wanted to continue this discussion when everyone could be present. Schleiff said that he looked at the site and saw that the trees do provide a lot of shade and if taken out the shade would be gone. Campbell had asked the Board to convey his concerns to Lisa Hillcoat and Bruce Pulliam. Garron mentioned that we could set up an appointment at a later date.

SPECIAL POLICE OFFICER CANDIDATE – JENNIFER KEEGAN

A letter of recommendation was submitted from Police Chief Manoogian requesting that Jennifer Keegan be appointed a Special Police Officer for the Town. Before appointing Keegan the Board wanted to ask her a couple questions. Garron had asked her why do she wanted to become a Special Police Officer and she went on to say that she has had an interest in this line of work for many years and that every day in this position is a learning experience. Keegan has meet all the qualifications and has had the necessary schooling required for this position and at this time is employed by the Town as a Matron for the Halifax Police Department. Roy and Schleiff had no other questions for her and said that her resume said it all and was quite impressive.

Moved by Garron seconded by Schleiff, Board unanimously recommended Jennifer Keegan to be a Special Police Officer for the Town of Halifax.

APPOINTMENTS TO BOARDS AND COMMITTEES

Moved by Roy and seconded by Schleiff, Board unanimously appointed John G. Maher to Old Colony Planning Council Delegate term to expire June 30, 2013.

Moved by Schleiff and seconded by Roy, Board appointed Troy E. Garron to Old Colony Planning Council Alternate term to expire June 30, 2013.

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

GENERAL MAIL/BUSINESS

A. Autumn Lane

The Police Chief has asked that the manhole covers on Autumn Lane be repaired. Per the Town's by-laws, temporary repairs can be made on private ways with the approval of the Board of Selectmen if they are required by public necessity. The cost of the repair is approximately \$70.00. If repaired the Town does have liability for its actions.

Moved by Garron seconded by Roy, Board unanimously approved that manhole covers on Autumn Lane be repaired

B. Blackledge 40

Chapter 40B application has been withdrawn and a regular proposal for a large number of single family home remains. Schleiff's take on this is that they never pushed the 40B project along but still want to build affordable housing and that this is a better project and more desirable. Garron had asked if ZBA still had the letter that the Board had sent them about the objections to Blackledge 40B. Seelig stated that a letter has been sent to ZBA, to be put in their files, in reference to the Board's objections on the Blackledge 40B project and that they still remain in effect on this new proposal for the single family housing.

C. Got Books II

The Halifax Congregational Church would like to place a "Got Books" box at the Police Station. Seelig mentioned that a vote could be taken this evening but the Board might want to wait seeing as he has contacted the Police Chief for his input on the requested location and that a formal vote could be taken at the Board's next meeting on July 13th. This is the second request from an organization that has expressed interest in placing a box here in Town. The Board would like to see how the one across the street that was requested from the COA takes off before committing to another "Got Books" box at another location. Garron added that he is concerned about the mess placing this box might make.

NOTE: Seelig stated he is checking with the COA on the color of the box.

D. Partners home Care Contract

Moved by Roy seconded by Schleiff, Board voted to have the Chair, Troy Garron, sign the annual Partners Home Care Contract.

E. Resignation from Bonnie Wood – Historical Commission

Moved by Roy seconded by Schleiff, Board unanimously accepted Bonnie Wood's resignation from the Historical Commission.

A letter will be sent to her thanking her for her service to the Town.

F. Class II License – Lund Collision

Eric Lund of Lund Collision met with the Board on March 9th inquiring 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 any special permit, site plan, etc. No decision was made at that meeting since a full Board was not present.

At the Board's meeting on April 27th they agreed that Lund should first submit an application for Class II License then the Board could determine whether or

not to act on the request before Lund goes to the Regulatory Boards. It was agreed that Seelig send Lund a letter informing him an application must be submitted to the Board of Selectmen.

An application has been submitted from Lund but is incomplete in a couple of areas as well two originals of the application must be submitted instead of just the one that was. Seelig is not asking the Board to vote on it but would like to know how they want to proceed. Roy added that she was not a member of the Board at the time when he came in but was in the audience and recalled the discussion and was in agreement with Schleiff to have Lund complete the paperwork and resubmit it. Garron’s opinion is if approved by the Board of Selectmen then Lund would not need to go before the other Boards. It was agreed that Seelig would contact Lund and ask him to complete the application.

G. Planning Board - To Seek Legal Counsel

A request from the Planning Board to seek advice from land counsel was submitted to the Selectmen. No action for this request is needed from the Board and the only question raised was that Schleiff wanted to know for what project this was for and it was stated it was for an existing non-conforming lot located at 116 Palmer Mill Road.

H. Fireworks Contract

The contract submitted this year is the same as the previous year. There is money in the account to cover the costs.

Moved by Roy seconded by Schleiff, Board voted to have Chair, Troy Garron sign the fireworks contract with American Thunder.

I. Memorial Day Parade

Garron acknowledged a letter from the American Legion thanking the Selectmen for their participation in the Memorial Day Parade. Garron added that the parade was nice and the performance by the Beal girls was wonderful and they did an outstanding job.

J. Line Item Transfer

Moved by Garron seconded by Roy, Board unanimously voted to approve the following transfer:

FROM	TO	AMOUNT
#721 Pope’s Tavern Electric	#422 COA Wages	\$ 700.00

K. MMA – In support of FMAP

The MMA is looking for communities to contact Senator Scott Brown and the respective congressmen to support the FMAP extension. This aid to the states will then reduce the chance of further cut in local aid.

Moved by Roy seconded by Schleiff, Board unanimously voted to have Seelig send a letter to Senator Scott Brown conveying that the Town of Halifax is in support of the FMAP extension.

L. Roadblock Permit – Tamara Dwyer

Tamara Dwyer of 28 Hillside Avenue has requested a roadblock permit for July 4th from noon to 7:00 p.m. The Fire and Police Chief have been asked for their approval/stipulations. Both have agreed to this request with the usual stipulation listed below:

Moveable barriers only; 18 wide fire lane at all times; Tamara Dwyer to be sober and in charge at all times; no alcoholic beverages on public property or streets; no open fires; LP gas grills not permitted inside, on balconies above the first floor, and must be minimum 10 feet from building.

Moved by Roy seconded by Schleiff, Board unanimously approved a roadblock permit for Tamara Dwyer with the stipulations listed above.

M. Live Entertainment – Raun Jerome

Raun Jerome of 15 Spring Street has requested a live entertainment permit for August 21st from 3:00 p.m. to 9:00 p.m. The Fire and Police Chief have been asked for their approval/stipulations. Both have agreed to this request with the same stipulations listed above for the roadblock permit request.

Moved by Roy seconded by Schleiff, Board unanimously approved a live Entertainment permit for Raun Jerome.

O. Seat Belt Enforcement

The Executive Office of Public Safety has requested that the Town adopt a zero tolerance policy for seat belt violation. Seelig has forwarded this request to the Police Chief asking for any comments he might have and they can be addressed at the Board's July 13th meeting. Garron stated that if the law is in effect then it should be enforced. Schleiff did say that he has a problem with zero tolerance taken too far and Garron added that he looks at it as if they can make a decision that can save lives then he is for it.

P. Landfill Monitoring Contract – Hemlock Lane Landfill

Two copies of the Landfill Monitoring contract were presented to the Selectmen for all members of the Board to sign. Some revisions were requested from the Contractor. These revisions were reviewed by Town Counsel and he was in agreement and the changes have been incorporated into the contract that was presented to the Board this evening.

Moved by Roy seconded by Schleiff, Board unanimously approved the Landfill Monitoring Contract for Hemlock Lane Landfill.

Schleiff added that he wanted a discussion on this and asked what the changes were in the contract as well as if this was the one that the Board of Health saved the Town money on. He also wanted to know if it was a two or three year contract. If counsel was agreeable to it then Schleiff does not have a problem but would like to review the changes (Seelig stepped away to print up the contract for Schleiff). Schleiff noticed that the amount was not filled in on the contract and asked if a contract could be signed without an amount and Garron said yes stating that it probably was written up before the bid was in.

NOTE: Seelig informed the Board that the contract amount is for \$34,848.00.

REPORTS AND DISCUSSIONS

A. Financial Reconciliation update

Nolan was at the Boards meeting to give them an update on the financial reconciliation. At this time the books have been reconciled up until October 2009 and she hopes to be up to date by the end of July beginning of August. The Town Accountant (Nolan) and Treasurer/Collector (Shiavone) have been working together in getting this completed. Garron applauded them for their efforts. Roy also wanted to thank Nolan for helping out Shiavone and Nolan had said that both of them helped each other out. Next update will be in two weeks at the Boards next meeting.

B. Town Counsel

Interviews for Town Counsel took place on June 16th. Below is the discussion on who the Board may like to appoint.

The first issue brought up was retainers and Roy and Garron agreed that they do not think it is a good idea to do retainers and to keep in mind that all four law firms were open to either an hourly rate or retainers. Roy stated that the Town should get the best service for the least amount of money and looking at the cost, would we want to continue to have one firm for land and one for legal or put it all under one umbrella, although she did like the idea of not having one attorney doing everything for the Town. Roy added that she didn't think that they should go with the least experience firm with the lower cost because it may take a while to do a case which in the end will cost us for the

time spent doing the work as opposed to a firm that is experienced and can do it in a shorter amount of time. It appears that the most expensive area is legal fees for litigation. Garron stated that we could go without Town Counsel and just ask one of the firms that we deal with at this time any questions/ issues that arise but if he had to make a choice he would go with Kopelman and Paige because of the experience. Roy also would go with Kopelman and Paige because of size wise but budget sense she would lean towards Lawrence Mayo. Schleiff asked Seelig if he had any input and he said that the references are fine but had some reservations with Mayo seeing as he has not had to deal with a Town Meeting or warrants. The Board explained to Mayo when town meeting and special town meetings take place Seelig added that we have dealt with Deutsch Williams and Kopelman and Paige for years, they know their field, both firms have done a great job on many issues that have been presented to them and we have not had any problems with them. If the Board is comfortable with one particular firm then go with it. If you don't like the firm but they are cheaper don't go with them. Schleiff asked if the Board had any comments on Murphy but none were directly addressed. Roy thinks Kopelman and Paige does have more experience but if we want to continue with what we have she feels that Mayo is comparable to Spinale. Schleiff said the factor is the cost and does not think that even though a firm who has not had the experience in dealing with big cities should be ruled out. Roy asked Garron if he had an opinion on Mayo and Garron went on to say that he may try harder seeing as he is starting out but felt that the Town will get the same service with whatever firm they go with. Schleiff had asked that if they appointed a firm tonight could they negotiate and Seelig said they could and added that the appointment is designating them as Town Counsel and we don't have to give them everything. Schleiff said that we would not want to appoint them if we are not going to use them. Garron said that no bad decision could be made and thinks that they are all good firms. Schleiff and Garron agreed that this could be revisited through the year if warranted.

Moved by Schleiff seconded by Roy, Board unanimously appointed Lawrence P. Mayo as Town Counsel for the Town of Halifax.

C. Next Meeting

Garron stated due to the late hour discussion on Selectmen office staffing, recreational building and liaison list will be put on the next agenda.

D. Selectmen Assistant

Seelig mentioned to the Board that he will be narrowing down the candidates for the Selectmen Assistant position and setting up times for interviews to be done by the Board. Seelig will get the date times to the Board once set up.

EXECUTIVE SESSION

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

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

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

Moved by Roy and seconded by Garron, Board voted as follows to come out of Executive Session at 10:30 p.m.

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

There being no further business, moved by Garron and seconded by Schleiff, Board unanimously voted to adjourn the meeting at 10:30 p.m.

Kim R. Roy
Clerk
/pjm