

BOARD OF SELECTMEN  
SELECTMEN MEETING  
TUESDAY, NOVEMBER 23, 2010 - 7:30 P.M.  
SELECTMEN MEETING ROOM

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Meeting came to order at 7:30 p.m. with Selectmen Troy E. Garron, Kim R. Roy and Michael J. Schleiff present. Town Administrator, Charles Seelig, was not in attendance.

The following business was discussed:

**AGENDA**

The Agenda for Tuesday, November 23<sup>rd</sup>, was unanimously approved without revision.

**MINUTES**

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

Selectmen Meeting 09-28-10 - Regular Session  
Selectmen Meeting 10-12-10 - Regular Session

Selectmen Meeting 10-12-10 – Executive Session  
Selectmen Meeting 10-26-10 – Executive Session

**ABATEMENTS/BILLS/COMMITMENTS/WARRANTS**

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

Vendor Warrant # 41 \$ 24,048.08

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

Payroll Warrant # 42 \$ 323,383.93  
Vendor Warrant # 43 \$ 184,624.61  
Withholding Warrant # 44 \$ 120,793.33

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

MMA (12/9/10 meeting C. Seelig) .....	\$ 30.00
National Grid (billing period 10/15/10-11/15/10) .....	\$ 852.89
Plymouth County Treasurer (FY 2010 payment) .....	\$ 150.00
The Enterprise (public hearing ad for Turkey Swamp) .....	\$ 81.60
CNA Surety (Town Employee bond coverage) .....	\$ 737.97

The Board acknowledged payment of the Selectmen Office Payroll for the period ending November 20, 2010 amount of \$ 5,879.64.

The Board acknowledged payment to the Treasurer for the following turnovers:

<u>TURNOVER</u>	<u>AMOUNT</u>
2011-35	\$ 125.00
2011-36	\$ 380.40
2011-37	\$ 125.00
2011-38	\$ 950.00
2011-39	\$ 1,250.00
2011-40	\$ 220.00
2011-41	\$ 100.00
2011-42	\$ 1,900.00

**GENERAL MAIL / BUSINESS**

A. Jordan Hospital

Jordan Hospital has invited the Selectmen to a presentation on December 1<sup>st</sup> regarding various services and project. Could the Board let the office know whether they plan on are attending or not. Seelig and Roy are unable to attend. Garron said that he will go and Schleiff is unsure at this time.

B. Housing Rehabilitation Program

The deadline for Housing Rehabilitation Program applications is Wednesday December 29<sup>th</sup> at noon. Lottery for Halifax slots will be drawn on Tuesday January 4<sup>th</sup> at 2:00 p.m. in the Selectmen’s meeting room.

C. Snack Shed

It has been brought to the Boards attention that the old concrete storage building located at the playing fields behind the Halifax Elementary School needs to demolished to make it necessary for the new septic system for the new snack shed. Garron recommended tabling this discussion until Lisa Hillcoat comes in later this evening.

D. Fuel Storage Permit – Halifax Country Club

Due to an error in the Collector's Office, taxes for Halifax County Club have been paid and Seelig is suggesting that the Board rescind its vote that was taken on November 9<sup>th</sup> revoking the fuel storage permit.

Moved by Garron and seconded by Schleiff, the Board reinstated the fuel storage permit for Halifax Country Club and rescinded the vote that was taken on November 9<sup>th</sup>.

E. Fire Department Study Committee / Town Government Study Committee

At this time John Pesa's schedule is in flux due to the fact that he is designing a fire station in Atlanta. Bob Hughes is concerned that the fire department study may be delayed due to Pesa's schedule and wanted the Board to have the option of re-instituting the Fire Department Study Committee (without him being on the committee). Chief Carrico is going to contact Bob Hughes before any decision is made on the Fire Department Study Committee and will also contact Pesa to see if he has the time. Carrico also mentioned because of the flexibility of the committee they can work around Pesa's schedule. Garron suggested tabling it until the Board hears back from Carrico after he speaks with Pesa and Hughes. Carrico will notify the Board if anything comes up that needs immediate attention.

F. Traffic Study Committee – Walnut Street Fence

On November 10<sup>th</sup> the Traffic Study Committee met regarding a fence located on Walnut Street. Suggestion from the Committee was that the fence located between 127 Walnut Street and 85 Summit Street be moved out of the Town's right of way to lower the possibility of accidents happening at this spot. Carrico and Badore went out there and found that there is a 44 foot right of way and the fence is within the Town's right of way. At this time we do not exactly know exact location of the actual bounds of the right-of-way and to find this out a survey would need to be done at the expense of the town.

Garron stated that from the owner's standpoint I would ask to have it surveyed at the town expense to get an exact location. Garron is hesitant to writing a letter asking the owner to move the fence because of the fact that we do not have definitive information stating that the fence is on town property and where do we ask the owner to move it to. Carrico was asked how many feet would it have to be moved and he said about 5 feet.

Garron suggested asking the owner to move the fence back 5 to 10 feet for safety reasons and not because it is on town property because if that is the case then we would have to prove it and to do that a survey would need to be done.

Carrico has gone out there and stated that there is long standing disagreement between both parties. The landowner who owns the fence said that whatever he is asked to do he will comply but he might later ask to confirm that is in the town's right of way.

Tom Millias added that the Board might want to keep in mind the liability issue that may lay on the town if the fence is on town property. The Town could be held accountable if an accident was to happen and someone was to get hurt because of obstruction of view.

Garron had asked the Board wanted to send this to Town Council for him to review or get a survey done. Roy suggested asking the fence owner to move the fence. Garron pointed out that this may or may not help out seeing as there is a dispute between the two parties.

Schleiff feels that it more about being able to see coming out of his driveway then it being on town property.

Moved by Garron and seconded by Roy, Board voted to have a letter sent to the fence owner asking him to move his fence back 5 feet to illuminate a safety issue that resides at the present time.

## **SCHEDULED APPOINTMENTS**

### **Budget Discussion**

Department heads were invited to come in to talk about the upcoming FY 2011-2012 budget (sheet with figures was handed out to everyone as well as a brief description of each area). Garron opened the discussion asking Town Accountant, Sandy Nolan, if she had any idea what we will have at Town Meeting and she said went on to say that at this time they do not have the "free cash" figure and will not have for a couple of months and added that State aid is about 10% less then last year. The free cash and overlay reserve is typically used for capital expenditures.

### **Water FY2011**

The water FY2011 estimated figure is \$724,031 (based on expenditures) will be used for specific line items. These amounts will go up and down depending on the amounts needed to fund the line items.

### **Dog Account FY2011**

The dog account (21,458) is money used to pay the officers for dog issues that arise.

### **Halifax Elementary Expenses**

Roy had asked if Superintendent John Tuffy if there was any major expenses at the Halifax Elementary School and he had mentioned that the fire alarm system needs to be replaced. Chief Carrico agreed with Tuffy stating that last year it was pieced together a couple of times. Tuffy did mention another thing the town

might want to start thinking about is the roof on the school. Roy had also asked about new computers and Tuffy mentioned that there might be grant money that could be used to purchase them. Dick Wright, member of Finance Committee, said that the alarm system was on top of the Capital Planning list and that maybe we should take a look at what else is on the list that might

#### Wage Increases

Schleiff wanted to add that we need to look at what we didn't fund last year that cannot be looked over this year. He also would like to have the numbers looked at because if in better shape then last year would like to give employees raises if they did not get a step increase last year. He felt to go 2 years without a raise is a hard thing to swallow and if the following year is going to be worse then increases will probably not happen. The Town has good employees and with the cost of living going up and their pay not, is a hard thing to take.

#### Step Increases

In Seelig's handout he explained that he expects that some employees (union and non-union and excluding the schools) will receive step increase in FY2012 (not the general across the board wage increase). If half the Town's payroll (\$3 million) is subject to step increase the increase would average about 3.5% resulting in \$52,500 that would be needed for the increase. The \$3 million figure also means that a 1% pay increase for everyone union and non-union, not including the schools, represent \$30k. A 1% increase in the general operating budget for the elementary school and the Town's assessment (not including dept) for Silver Lake would be about \$81k. These figures are not exact but it gives everyone an idea if increases came into play.

#### Special Education

Roy had asked Tuffy if he felt comfortable with the decrease of 150,000 in special education and he said no due to the fact that he does not know who will age out of the system and who may come in. This area will be looked at again in January 2011.

The Finance Committee was unable to comment on these figures due to the fact that they just received these figures earlier today and had not had a chance to look it over.

Garron had asked if anyone had any questions and Peg Fitzgerald, member of the Finance Committee, wanted to add that when negotiating contracts to ask the bargaining units to keep in mind that the Town pays for half of their health insurance. She also asked if the Selectmen see an area that the Finance committee should be aware of and it was said road service.

Garron also went on to say that if for some reason that the State needs to cover themselves it may come down to cuts in our Town. Peter Beals, member of Finance Committee, had asked did the Board think that the budget is a level funding one and Garron said that we are always hoping to keep people at work. Roy added that there is a difference between level service and level funding and said that the Finance Committee looks at the numbers then presents to the Board

of Selectmen. Beals added that keeping the lines of communication open between the both the Finance Committee and the Board of Selectmen helps keep everyone on the same page.

Garron had asked if any of the departments know of something that they need that they please present before going to Town Meeting and Roy added that they need to keep in mind that big items could come in that can swing one way or another.

### **GENERAL MAIL / BUSINESS (CONTINUED)**

#### G. Multiple Sclerosis Bike Ride

There have been no negative responses from any of the departments and no problems were reported last year when this ride came through town. Seelig is recommending that the Board approve the request for the cyclist to use the local and State roads here in the Town of Halifax for this ride.

Moved by Garron and seconded by Roy, Board unanimously approved to have the 27<sup>th</sup> annual Cape Cod MC Bike Ride the use of local and State roads in the town of Halifax.

#### H. Lloyd Wright Property – 60 Franklin Street

Moved by Roy and seconded by Schleiff, Board unanimously agreed to have Seelig send Lloyd Wright's son a letter asking him what is the amount he is looking for on the property located at 60 Franklin Street.

#### I. Bourne/Solid Waste

Seelig wanted to let the Board know of that the Bourne Board of Selectmen held a regional solid waste management forum last week, specifically to look at possibilities other than SEMASS for the disposal of waste. Seeing as Halifax's contract with SEMASS expires in 2018 therefore the Town cannot explore any possibilities that might be occurring during the coming year.

#### J. Burrage Pond

At this point, Seelig is waiting to hear back from our legislative delegation about a date and location to meet. Garron did speak with Tom Calter and Calter is going to make arrangements to meet with Seelig to talk about all the information concerning the contract with the State to see what can or cannot be done and look into legal ramifications that need to be done.

#### K. Snack Shed

Through numerous emails it has been brought to the Boards attention that the existing old concrete building on the Halifax Elementary fields will need to be torn down. The reason for this is to keep the cost of the septic system for the new snack shed within budget. In order to do this the pump chambers in the septic system need to be remove and return to a gravity flow system. For the gravity fed system the grade height of the building needs to be raised approximately 12". The grade change is being done at

the location of the existing block building thus it needs to be demolished. Webby Engineering is in the process of reviewing the exact height change. Garron has spoken with Dick Steele, Youth and Recreation Director, and stated that a certain amount of money has been allocated for this building and as he has no intention of signing off for more money. Roy has no problem with the building coming down but wants to make sure that it stays within budget and would like to get verification that we are not going to spend more than what was agreed on.

Schleiff noted that this discussion has been presented through email and would like something in black and white and suggested that they come in to discuss this and agrees with Roy about staying within budget for the project. Schleiff would like to visit the site to get an idea of what is being proposed. Roy also mentioned that she is available to take a walk out to the proposed site. The Board as a whole has no problem with having them come in to go over this issue.

Lisa Hillcoat has spoken with Highway Surveyor, Bob Badore and he said that he will demolish the building and coordinate with Dick Clarke the containment of the existing water meter. The Building Department noted that a permit application for demolition needs to be submitted before anything is done.

The Board decided to have a letter sent to Lisa Hillcoat asking her to forward the letter she receives from Webby Engineering once she gets it.

L. Dog Officer

Discussion on how the animal control officer was brought up. The Police Chief would like to pay the Animal Control Officer “per diem”. Roy has looked at the calls on dog issues and feels that paying the ACO per diem is a good way to go. Chief Manoogian has researched dog issues that have occurred over the last 6 months and has been confirmed that this position will average about 15 hours a week.

Past practice is that a line item is budgeted for 20 hours a week for the ACO and he/she was paid for the 20 hours regardless of how many hours the ACO worked. Roy does not believe that they have ever worked more than 20 hours and Garron said that between the two week pay period the hours balanced out therefore it rarely goes over the 20 hours.

In conclusion the ACO will come in to work when asked and not get paid if they don't work. At a later time Wage and Personnel will look into whether or not this is a salary position or not but at this time the Town needs to get this position advertised with some type of wage so that it can get filled.

Moved by Roy and seconded by Schleiff, Board voted to pay the Animal Control Officer on a “per diem” basis.

**SCHEDULED APPOINTMENTS (CONTINUED)**

**Common Victualler License – Santoro’s Pizza**

Nader Mouwad, Manager of Santoro’s Pizza came before the Board requesting a Common Victualler license for Nicolas Ventures, Inc. d/b/a Santoro’s Pizza. At this time Mr. Mouwad has a restaurant in Carver and the opportunity here in Halifax was presented and he felt that this is a good location and pursued the opportunity.

The Board asked who will be in charge and he said that he is the Manager and plans on being there most of the time but for the times he is not there he has an Assistant Manager who will be there.

Schleiff asked what will be the hours of operation and would he be delivering. The hours are Sunday through Thursday 11:00 a.m. to 10:00 p.m.; Friday and Saturday 11:00 a.m. to 11:00 p.m. and yes they will be delivering. Mr. Mouwad will be opening on Friday November 26<sup>th</sup>.

Moved by Garron and seconded by Roy, Board unanimously voted to issue a Common Victualler License to Nader Mouwad of Nicolas Ventures, Inc. d/b/a Santoro’s Pizza located at 284 Plymouth Street.

**EXECUTIVE SESSION**

Moved by Garron and seconded by Roy, Board voted as follows to enter into Executive Session at 8:55 p.m. to discuss collective bargaining real estate transaction:

- 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.

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Moved by Garron and seconded by Schleiff, Board voted as follows to come out of Executive Session at 9:45 p.m.

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

There being no further business, moved by Schleiff and seconded by Roy, Board unanimously voted to adjourn the meeting at 9:45 p.m.

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Kim R. Roy  
Clerk  
/pjm