

HALIFAX BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, MARCH 24, 2009 – 7:30 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:15 p.m. with Selectmen Margaret T. Fitzgerald and Troy E. Garron present. Selectmen John Bruno was not in attendance.

The following business was discussed:

AGENDA

The Agenda for Tuesday, March 24th, was approved without revision.

ABATEMENTS/ COMMITMENTS/ BILLS/WARRANT/TURNOVERS

Moved by Garron and seconded by Fitzgerald, Board affirmed committing for collection Ambulance Commitment #3-A in the amount of \$16,920.00

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

Vendor Warrant	#75	\$ 25,298.53
Payroll Warrant	#76	\$309,029.77
Withholding Warrant	#77	\$108,787.99

Moved by Garron and seconded by Fitzgerald, Board approved payment of Vendor Warrant #78 in the amount of \$466,204.37

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

Spinale and Spinale (legal services/Jan-Feb)	\$ 247.50
Deutsch Williams Brooks (legal services/Feb)	\$3,249.00
CNA (insurance policies/various)	\$1,138.00
W. B. Mason (office supplies)	\$ 157.73
National Grid (Town Hall/Mar)	\$ 389.78
Jordan on the Job (employment physicals)	\$2,010.00
Community Newspaper (employment ad/Veterans Agent)	\$ 179.24
Fire Chief Assoc of MA (employment ad/Fire Chief)	\$ 50.00
South Shore Women's Resource Center (Fiscal 08 services) ...	\$3,500.00

Moved by Garron and seconded by Fitzgerald, Board acknowledged payment of the Selectmen Office Payroll for the period ending March 14, 2009 in the amount of \$6,031.93

Moved by Garron and seconded by Fitzgerald, Board acknowledged the following Payments to the Treasurer:

<u>TURNOVER</u>	<u>AMOUNT</u>
#09-33	\$ 803.22
#09-34	\$ 18.99
#09-35	\$1,082.00

GENERAL MAIL/BUSINESS

A. Holiday Banners

The Board acknowledged a letter from the Municipal and School Building Committee to the Highway Department asking Highway to take down the winter holiday banners and put up the patriotic banners.

B. Earth Removal Permit/Roach

Seelig reported that Roach responded he does not have money to draw up a landscaping plan. He said that he would add bushes if asked to do so. Fitzgerald will talk to Roach and advise him the plan does not have to be an expensive engineering plan and that a simple schematic will suffice. She will impress upon him it is important to get this done. Garron noted that, if Roach is unwilling to cooperate, the Town will have to take legal action.

Seelig noted that the Town Engineer has not yet been paid for his work on this project because Roach has not reimbursed the Town. While there is a balance in the Earth Removal Revolving account, it is insufficient to pay the entire amount. Moved by Garron and seconded by Fitzgerald, Board voted to pay a portion of the bill now and put an article on the Special Town Meeting warrant to pay the remainder.

C. Appointment - Board of Registrars

Moved by Fitzgerald and seconded by Garron, Board appointed Michael P. Mason of 11 Pheasant Hill Road to the Board of Registrars of Voters, term expiring March 31, 2012.

STREET ACCEPTANCE - KENZIE'S PATH

At 7:45 p.m., the Board convened an advertised public hearing for the purpose of hearing the petition for the acceptance of Kenzie's Path; said petition has been placed on the May 11, 2009 Annual Town Meeting Warrant as an Article for consideration by the Town. The applicant was not present but had informed the Board he might be a little late for the hearing. No abutters made their presence known.

Seelig stated there are a number of Conservation issues that have not been resolved. The Board agreed to recess the hearing for ten minutes to give the petitioner an opportunity to be present.

GENERAL MAIL/BUSINESS (CONTINUED)**D. MS Bike Ride**

Moved by Garron and seconded by Fitzgerald, Board granted permission to the Multiple Scherlois Society to use the Town Hall parking lot as a rest area during its bike ride on June 27th and to use the Town Hall as an emergency shelter in case of extreme weather, and authorized the Chairman to sign the permission form.

E. Lease of Water Tower

Seelig reported the Board of Water Commissioners has asked to place an article on the Annual or Special Town Meeting Warrant to increase the maximum length of a possible lease for wireless equipment from five years (approved back in 1997) to twenty years. In addition, they have included the stipulation that all funds go to the Water Department Enterprise Fund rather than being split between the Water Department Enterprise Fund and the General Fund, resulting in a loss of General Fund revenues. Fitzgerald wanted the article on the Annual, not Special Warrant. She was opposed to not splitting the money between Water and General, noting the tower was built entirely with General Revenue monies and property taxes paid for a great deal of the water system development until the mid 1980's. Since it was property tax money that built the tower, the revenue should continue to be shared by the two accounts. In addition, the use for which the lease covers is not a function of the Water Department. The tower's height is the only reason it is being leased out for communication antennae.

Garron asked why the article was submitted after the deadline date for Annual Warrant articles. Seelig did not know. Garron felt it should be on the Special Town Meeting Warrant and the Board should not reopen the Annual Warrant to accept the article.

Moved by Fitzgerald and seconded by Garron, Board voted to place the article on the Special Town Meeting Warrant.

F. Recycling Fee Abatement Request

Moved by Garron and seconded by Fitzgerald, Board denied a request from Thelma Gardner of 471 Monponsett Street for an abatement of the Recycling Fee on the basis that she uses a dumpster to dispose of her trash.

G. Housing Authority Vacancy

Moved by Fitzgerald and seconded by Garron, Board affirmed its approval to place the Housing Authority vacancy created by the resignation of Jennifer Rich on the election ballot in May.

H. Planning Board Vacancy

Moved by Fitzgerald and seconded by Garron, Board affirmed its approval to place the Planning Board vacancy created by the resignation of Robert W. Deegan, Jr. on the election ballot in May.

I. MTBE Settlement

Moved by Garron and seconded by Fitzgerald, Board authorized the Chairman to sign the settlement agreements with Gulf Oil and Global Petroleum.

J. GASB 45

The Board acknowledged the actuarial study was completed and instructed Seelig to give a copy to the Town Accountant and the auditors.

K. Fiscal 2009 Contract - South Shore Women's Center

Moved by Garron and seconded by Fitzgerald, Board authorized the Chairman to sign the contract between the Town of Halifax and South Shore Women's Center, Inc. for services to be rendered in Fiscal 2009.

L. Energy Audit

Seelig provided the Board with a copy of the report the Municipal and School Building Committee received from the company that did the energy audit. Seelig did not feel it contained enough information and will check the report against the intent of the town meeting article that funded the audit.

J. Health Issue Seminars

The Board acknowledged the \$5,000 competitive grant awarded to the Council on Aging for a six week training program on health issues for seniors with chronic diseases. Garron would like the Council on Aging Director to attend the workshops.

STREET ACCEPTANCE - KENZIE'S PATH

At 8:55 p.m., the Board reconvened the public hearing for the purpose of hearing the petition for the acceptance of Kenzie's Path. The petitioner failed to appear. The Board noted that abutters along the public way had to be notified by certified mail and the petitioner was to bring proof of such notification. No other parties made their presence known.

Moved by Fitzgerald and seconded by Garron, Board voted to take the matter under advisement and continue the hearing to April 14th at 7:45 p.m.

GENERAL MAIL/BUSINESS (CONTINUED)

K. Retirement - Library Director

The Board acknowledged notification that the Library Director will retire in June. The deadline for resumes is April 18th.

L. Bosworth Shift

The Board acknowledged notification from Acting Fire Chief Henry Bosworth that he will fill his regular shift with a call firefighter at the end of the twenty-eight day period from the time he was appointed Acting Fire Chief. Once a new Fire Chief has been appointed and sworn in, Bosworth will return to his regular duty shift.

TOWN ADMINISTRATOR REPORT (CHARLES SEELIG)

A. Clean-Up Day

Garron designated Saturday, April 25th, as the annual clean-up day in Halifax from 9:00 a.m. to 11:00 a.m. Garron was looking for donations of trash bags and volunteers to meet at the Town Hall for the event.

B. Pilotte Dogs

Seelig reported the dogs owned by Corinne Pilotte on Lake Street have not yet been licensed per the Board's instructions during the dog hearing held against her dogs. Garron instructed Seelig to contact the Animal Control Officer and

have her look into the matter. Fitzgerald suggested the Police Department hand deliver a notice to her. Seelig will talk to the Police Chief.

C. Generator at School

Seelig reported that, according to Custodian Gerry Elliott, the cost of the generator including the housing, the ATS, electrical, exhaust piping, etc. has been calculated at \$50,000 (not the \$20,000 originally estimated). Fitzgerald said the Finance Committee has been working with the \$20,000 figure submitted by the Municipal and School Building Committee. A member of the Finance Committee is familiar with generators and feels the current one only needs a new control panel to solve the problem that it does not go on automatically. Fitzgerald preferred to look at alternatives rather than expending \$50,000. Garron asked Seelig to contact the Building Committee to determine how they calculated their original estimate.

D. Police Overtime Article

Seelig stated he has heard but not received anything in writing that the amount of money in the Special Town Meeting Warrant article for police overtime will be \$20,000.

E. Executive Order 418Community Development Grant

Seelig reported this money was available during the first part of the decade. Any community, such as Halifax, which did not use the money back then has lost its opportunity to do so. He said this information is in response to a discussion between the Finance Committee and Affordable Housing Partnership Committee last night. Halifax did not apply for the grant at that time because it did not have a committee and was still working on the Master Plan.

F. Housing Production Plan/Chapter 40B

Seelig stated the plan has to be approved by the State (DHCD) before it is certified. Certification takes place once the housing starts being developed to show that the Town is actually implementing the plan. Fitzgerald stated she told the Finance Committee last night the Selectmen have created the Affordable Housing Partnership Committee and it is imperative their article be funded. Seelig is looking into other grant opportunities. Garron asked Seelig to contact the Town's State Legislators to ascertain if any grants are available.

G. Annual Report - Board of Selectmen

Moved by Garron and seconded by Fitzgerald, Board approved the Selectmen 2008 Annual Report as written.

STREET ACCEPTANCE - HARVEST LANE

At 8:15 p.m., the Board convened an advertised public hearing for the purpose of hearing the petition from Summit Realty Trust for the acceptance of Harvest Lane; said petition has been placed on the May 11, 2009 Annual Town Meeting Warrant as an Article for consideration by the Town.

Present for the hearing were Summit Realty Trust members John Mackin and Keith McLaughlin and Harvest Lane resident Christopher Korites. Mackin provided the Board with proof of abutter notification of the hearing date and time. All documentation had been provided except for the Conveyance of Easements and Utilities which was provided to the Board at this time.

Following is a synopsis of discussion relative to issues that needed to be resolved prior to acceptance:

- Street Lights

Summit Realty Trust did not turn on the street lights because they thought the Town would do so upon acceptance. The meter was to be inspected by the Town's Wiring Inspector today. If the Wiring Inspector signs off, he then informs Mass Electric the lights can be turned on. The petitioner will pay for the lights until the street is accepted by the Town. Seelig will check with the Wiring Inspector to see if the connection is approved.

- Drainage Basin

McLaughlin said water use to come down Harvest Lane into a drainage area near Summit Street. Because of a turn in the road, the water would cross a driveway. They met with homeowners, cut the tar and feathered in a speed bump which diverted the water.

Christopher Korites of 1 Harvest Lane said there was an attempt to fix the lip which helped, but there is still some erosion occurring in the basin from surface water. The rip wrap is falling into the basin. The last time this happened it got down to the sandy surface and he was concerned it would cave in. There is still erosion and the black fabric can be seen.

McLaughlin said they replaced the rocks once and they fell back in and they replaced them again. He watched the area during a rainstorm and witnessed water traveling across the driveway into the drainage basin. The water, however was coming from property not controlled by Summit Realty Trust but from property owned Korites. The lowest point is between the road and his house. The lowest point is in the same area in other properties and there is no way he can take control of the water that travels from someone's roof across their grass and driveways. McLaughlin said that every homeowner is

responsible for their own water. He went back today and packed in the stone but he cannot control the water coming from Korites' land.

Korites asked who owned the basin. Seelig said it would be the Town's responsibility if the road is accepted. Fitzgerald said that, whoever built the houses caused the depression between the houses. McLaughlin said Summit Realty Trust did not build the houses.

Korites said he would like to put some large rocks or stones where the rip wrap is to stop the erosion in that area and then put gravel over them. At the recommendation of Fitzgerald, Seelig will ask the Highway Surveyor to talk to Korites and provide his recommendation to the Board.

- Dead Trees

McLaughlin provided pictures of the trees along Harvest Lane to show they are prospering. Seelig reported the Town's Tree Warden Robert Badore opined the trees are fine and starting to bloom.

VAUGHN FIELD - PROPOSED DUGOUT ROOFS

The Board met with Peter Barone and Robert Murphy of Halifax Baseball/Softball to discuss their proposal to place roofs over the baseball dugouts at Vaughn Field located next to the Police Station. They provided the Board with pictures of the types of covering they were recommending; Murphy would build them. The roof is made of rubber, has a life expectancy of twenty to thirty years and cost about \$5,000. They felt this would provide shade for the dugouts on the sunny side and shield the dugouts on the shaded side from debris that falls from the trees.

Moved by Fitzgerald and seconded by Garron, Board granted permission to Robert Murphy to construct roofs over the baseball dugouts located at Vaughn Field in accordance with the examples presented to the Board. A Building Permit will be required from the Building Inspector. Moved by Fitzgerald and seconded by Garron, Board waived the Building Permit Fee for this project.

There being no further business, moved by Garron and seconded by Fitzgerald, Board voted to adjourn the meeting at 8:55 p.m.

Troy E. Garron
Clerk

/bfs