

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, APRIL 7, 2009 - 7:30 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:30 p.m. with Selectman John H. Bruno II, Margaret T. Fitzgerald and Troy E. Garron present.

The following business was discussed:

AGENDA

Selectmen John Bruno added an announcement on an upcoming Casino Task Force meeting.

With the above addition, the Agenda for Tuesday, April 7th, was unanimously approved.

MINUTES

No Selectmen Meeting Minutes were considered or approved.

ABATEMENTS/BILLS/COMMITMENTS/WARRANTS

Moved by Garron and seconded by Bruno, Board unanimously committed for collection Ambulance Commitment #3-B in the amount of \$15,086

Moved by Garron and seconded by Bruno, Board unanimously approved payment of Withholding Warrant #81 in the amount of \$107,360.58

Moved by Garron and seconded by Bruno, Board unanimously approved payment of Vendor Warrant #82 in the amount of \$1,212,465.47

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

Gilman and Associates (legal services/Mar)	\$2,482.75
Matthew Bender & Company (law books)	\$ 932.55
Spinale and Spinale (legal services/Mar)	\$ 385.00
South Coastal Counties Legal Services (Jan-Mar)	\$ 875.00
Constellation New Energy (street lights/Mar)	\$ 662.66

CASINO TASK FORCE

Bruno announced the next Task Force meeting is scheduled on April 15th at 7:00 p.m. in Halifax upstairs in the Great Hall. He encouraged all interested residents to attend the meeting.

GENERAL MAIL/BUSINESS

A. Wal*Mart

The Board acknowledged input from two residents opposing the building permit for Wal*Mart's interior redesign and asking the Selectmen to get a legal opinion as to whether or not the changes are allowed. Seelig stated the Building Inspector is working with Town Counsel to respond. Fitzgerald said these types of complaints should be addressed to the Building Inspector.

B. Tax Delinquency Hearing - Pogo II/Common Victualler License

The Board scheduled a tax delinquency hearing on April 28th relative to a water bill that is more than twelve months in arrears. Under the Town Code, a license can be suspended or revoked if the license holder is delinquent in the payment of any taxes or fees.

C. Revocation Hearing - Flammable Storage License/32 Carver Street

The Board scheduled a revocation hearing on April 28th for the Flammable Storage License issued to 32 Carver Street for failure to renew the permit for the past four years.

D. Memorial Day Parade

Moved by Bruno and seconded by Garron, Board unanimously approved Permit #09-37 for a Memorial Day Parade to be held on Monday, May 25, 2009 beginning at 9:30 a.m. from the Cumberland Farm parking lot at the corner of Routes 106 and 58 to the Town Hall on Route 106.

E. Use of Town Green - Historical Society

Moved by Garron and seconded by Bruno, Board unanimously granted a request from the Historical Society for use of the Town Green on Saturday, May 9th, from 9:00 a.m. to 1:00 p.m. (set up to begin at 6:00 a.m.) to hold its annual plant sale.

F. Road Cut - Bay State Gas/ Upton Street

Moved by Bruno and seconded by Garron, Board unanimously approved Permit #09-34 to Bay State Gas for a 3' x 3' road cut to cut off gas service into 4 Upton Street. The permit fee was waived because a trench permit is required.

G. Road Cut - Bay State Gas/ River Street

Moved by Bruno and seconded by Garron, Board unanimously approved Permit #09-35 to Bay State Gas for a 2' x 25' road cut to install new gas service into 116 River Street contingent upon a \$3,000 bond, notification of Highway Surveyor when work commences, police detail, and other stipulations required by the Highway Surveyor. The permit fee was waived because a trench permit is required.

H. Annual Warrant Article - Housing Authority

The Board considered a request from the Halifax Housing Authority to reopen the Annual Town Meeting warrant to include an article to for \$15,000 for the preparation of conceptual plans to submit to ZBA relative to the construction of senior housing and a senior center on property located on Thompson Street.

Fitzgerald reported she attended the last Housing Authority meeting. The Housing Authority has now partnered with Community Builders to design, construct and manage senior housing on the Thompson Street property owned by the Housing Authority. The total cost of the engineering, conceptual plans, etc. is about \$120,000; Community Builders is willing to provide the balance and is asking the Town to contribute only \$15,000 toward the total cost. In addition, the court has decreed the senior center can be sited on this property. While the conceptual plan will include the senior center, this project is separate and not a part of the Community Builders housing. The senior center would be designed and constructed by the Town at some future date when such construction is authorized and funded by the Town. Without the plan, the Housing Authority cannot go forward with the housing project and the Town cannot pursue grant opportunities for the senior center.

In response to questions from the Board, Fitzgerald said Community Builders was ready to begin the process. The plan will help secure funding. She made it clear that the Town would not be committing to anything beyond the \$15,000 to develop the plan. All schematics of housing, type of units, etc. would be reviewed by the Town. Community Builders builds the homes, oversees maintenance, collects the rents and pays off the bonds, etc. They manage the housing and the Housing Authority owns the land. The senior center would belong to the Town. The figure was arrived at by

Community Builders who had all of the costs involved in engineering, site preparation, conceptual drawings, etc.

Moved by Fitzgerald and seconded by Bruno, Board unanimously voted to reopen the Annual Town Meeting Warrant, put this article on the Warrant, and close the Annual Town Meeting Warrant.

I. Chapter 90 Funds

Board acknowledged a letter from the Governor's office stating the Town's allocation for Fiscal 2010 is \$196,034. Seelig will confirm the money can be used at the upcoming Annual Town Meeting.

J. Bring Your Own Bottle

According to ABCC, the Selectmen can prohibit BYOB when issuing Common Victualler Licenses or passing a by-law at Town Meeting. The Board did not wish to pursue the issue at this time.

K. Filming Permits

The Plymouth Area Chamber of Commerce was asking communities to set up a streamlined permit system for filming in their communities. The Board was philosophically opposed to streamlining a permit and preferred to address the particulars on a case by case basis. Fitzgerald suggested Seelig contact the Plymouth Rock Studio to determine what types of permits might be needed for filming, compile a list of all permits required by the Town, and provide the list to an individual when they inquire about what may be needed.

L. Verizon Cable

Moved by Garron and seconded by Bruno, Board unanimously opposed a proposed law that would change what cable companies are required to report.

M. Harvest Lane Acceptance

Seelig provided the Board with a draft response to a Harvest Lane resident who was not able to make the public hearing and who feels there are still issues with regard to dead trees. The Board noted the Tree Warden had opined the trees were alive and thriving. The Board instructed Seelig to send the response as drafted.

N. Fiscal 2009 Closing

Fitzgerald noted that, with the Town Accountant retiring in mid May, the Town may have to hire a consultant to assist in closing the books for Fiscal 2009.

REPORTS AND DISCUSSIONSA. Treasurer-Collector Offices

As discussed last week, two employees will move upstairs to Meeting Room #2 and the Municipal and School Building Committee recommended relocating the Finance Committee and Wage and Personnel Board to the stage in the Great Hall for their meeting space. Fitzgerald suggested offering the Selectmen Meeting Room for them to meet as well as store their files. Discussion ensued relative to whether or not that would be feasible since the meeting room is the Selectmen's Office and the door would no longer be locked during off hours. It was determined that the files should be located on the stage area for now as recommended by the Municipal and School Building Committee. With regard to using the room for a meeting space, Bruno felt the Selectmen should take priority and the room should be used by others on an as needed basis provided it did not conflict with the Board's meeting schedule.

ANNUAL TOWN MEETING WARRANT

Following is a synopsis of discussion relative to the May 11th Annual Town Meeting Warrant:

- Article 3 (Wage and Personnel) ... Wage and Personnel is recommending a re-grade, merit increases and a 2% increase for all personnel. The Finance Committee is recommending the re-grade and one of the merit increases, has not made a decision on the other merit increase, and is not recommending a 2% across the board increase. Fitzgerald is continuing to meet with Finance and argue for the 2%, noting that union employees will receive a 2% increase in 2010. Bruno felt a 2% increase was reasonable under the circumstances, noting that funding is available. Garron understood that Finance was being frugal but agreed that all employees should be treated the same. Fitzgerald stated that one of the reasons the Town is in good financial shape is because its employees have kept their requests reasonable, have been frugal and have turned money back into the general fund at the end of the fiscal year.

Moved by Garron and seconded by Bruno, Board unanimously supported a 2% across-the-board raise for all Wage and Personnel employees.

- Article 4 (Elected Town Officers Salaries) ... Fitzgerald and Seelig provided the Board with research and scenarios for calculating the salaries for the Treasurer-Collector and Town Clerk (copy attached hereto and made an official part of these Minutes). Fitzgerald recommended the Board base the salaries on Step 3 of the Grade these positions would fall under the Wage and Personnel By-Law if they were appointed rather than elected positions. She felt this was the most reliable approach. In addition, the Town Clerk is a part-time position and should be based on a twenty-six-hour work week. Using this formula, the Town Clerk salary should be set at \$35,487 (which includes a 2% increase being recommended by Wage and Personnel for Fiscal 2010) and the Treasurer-Collector should be set at \$60,798 (which includes the 2% increase).

Bruno and Garron reviewed the information and agreed with Fitzgerald's recommendation.

Moved by Bruno and seconded by Garron, Board unanimously recommended Fiscal 2010 salaries for elective Town Officers as follows:

Moderator	\$200
Town Clerk	\$35,487
Selectmen (ea)	\$1,500
Treasurer-Collector	\$60,798
Assessors (ea)	\$1,500
Highway Surveyor	\$64,501

- Article 9 (Town Roads - \$150,000) ... Finance is looking to reduce the article to \$100,000 because of the current balance in that account. Seelig will talk with the Highway Surveyor to see if he will agree to reduce the amount.
- Article 10 (Vibratory Roller) and Article 11 (Hot Box) ... Seelig stated these articles are not a priority for the Capital Planning Committee. He will talk with the Highway Surveyor.
- Article 13 (Police Vehicle) ... Seelig stated the Finance Committee reduced the request from two vehicles to one and the Police Chief is alright with the change.
- Article A07 (Boat for Lake Patrol) ... Seelig removed this article from the Annual and included it in the Special Town Meeting Warrant.
- Article 18 (Town Hall Exterior) ... While the current figure is \$65,000, Seelig was still waiting for the actual figure from the Building Committee. Bruno was reluctant to put forth a guesstimate. Fitzgerald will call the Chairman of Building Committee.

- Article 21 (School Fire Alarm) ... Seelig said this article will not be recommended if a final figure cannot be obtained and/or if they cannot specifically determine what is causing the problem with the current system.
- Article 23 (Computer Software) ... Fitzgerald noted this would provide the Treasurer-Collector with the same computer software installed in the Town Accountant's office. The Collector feels this would save time and offset the need for additional personnel. Fitzgerald stated that all of the financial departments should be on the same system. Bruno noted the warrant language indicates the article is sponsored by the Selectmen. He felt it should be proposed by the Treasurer and the Collector. Seelig will talk with both individuals about sponsoring the article.
- Article 24 (Workers Comp/Water Department) ... The Board removed this article from the warrant.
- Article 29 (Women's Center) and Article 30 (Legal Services) ... Seelig will contact the organizations to ensure they will have a representative at the town meeting.
- Article SA1 (Kenzie's Path) ... Seelig reported the developer has withdrawn his request for the acceptance of Kenzie's Path; he will not be able to fulfill all requirements before town meeting.
- Article 37 (Change Treasurer-Collector To Appointed) ... Fitzgerald said she had a meeting with the financial offices and she was under the impression they would like to see this position changed from elected to appointed.

SPECIAL TOWN MEETING WARRANT

Following is a synopsis of discussion relative to the May 11th Special Town Meeting Warrant:

- Article D (Treasurer-Collector Salary) ... The salary for the remainder of Fiscal 2009 should be \$7,185.
- Article H (Hingst Longevity) ... Seelig to specify the year for which the payment is being made.
- Article J (Boat for Lake Patrol) ... Seelig said the Selectmen had talked about using some of the MTBE funds to purchase the boat. Garron noted this money resulted in a legal settlement because a gasoline additive ended up in the lakes. He did not feel this money should be used to purchase a motor boat that uses gasoline even though the additive has been removed. While Bruno felt the boat patrol was critical and necessary, he did not

understand why the Town could not find a grant to fund the boat and wanted Seelig to look into grant opportunities for next year. Moved by Bruno and seconded by Garron, Board unanimously removed this article from the warrant.

- Article K (Monponsett Pond Stabilization Fund) ... Seelig stated this is similar to other stabilization funds that require a ¾ vote to spend money out of the account.

- Article M (Water Tower Lease/Wireless Communications) ... Fitzgerald objected to the proposed change that would give 100% of the lease revenues to the Water Department. She stated that tax money was used to build the water tower and the proceeds should continue to be split 50/50 between water and general revenue. Garron noted that leasing the tower for wireless communications has nothing to do with a water department function and that, in essence, they are leasing space to an outside entity. Moved by Fitzgerald and seconded by Bruno, Board unanimously voted to not recommend this article.

In addition, Fitzgerald noted that access to Richmond Park and the Y-Camp have been blocked by the Water Department because of wells in the areas. She said the gates should not be positioned to prevent access into the parks in those areas but to prevent access to the wells.

- Article N (Land Donation) - Seelig will provide the Board with a copy of the map. The Selectmen may consider including a covenant as part of the acceptance vote and will discuss this after they reviewed the property location.

EXECUTIVE SESSION

Moved by Bruno and seconded by Garron, Board voted as follows to enter into Executive Session at 9:10 p.m. to discuss collective bargaining and potential litigation:

John H. Bruno II	-	Yes
Margaret T. Fitzgerald	-	Yes
Troy E. Garron	-	Yes

Fitzgerald announced there would be no statement at the end of the Executive Session and the Board would not reconvene in open session.

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

John H. Bruno II	-	Yes
Margaret T. Fitzgerald	-	Yes
Troy E. Garron	-	Yes

There being no further business, moved by Garron and seconded by Bruno, Board unanimously voted to adjourn the meeting at 9:35 p.m.

Troy E. Garron
Clerk

/bfs