

BOARD OF SELECTMEN  
SELECTMEN MEETING  
TUESDAY, MAY 19, 2009 - 7:30 P.M.  
SELECTMEN MEETING ROOM

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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:

**AGENDA**

The Agenda for Tuesday, May 19<sup>th</sup>, was unanimously approved without revision.

**REORGANIZATION OF THE BOARD**

Moved by Garron and seconded by Schleiff, Board unanimously appointed John Bruno as Chairman of the Board.

Moved by Bruno and seconded by Schleiff, Board unanimously appointed Troy Garron as Vice Chairman of the Board.

Moved by Bruno and seconded by Garron, Board unanimously appointed Michael Schleiff as Clerk of the Board.

Bruno congratulated Schleiff on his recent election to the Board and wished him well.

**ABATEMENTS/BILLS/COMMITMENTS/WARRANTS**

Moved by Garron and seconded by Bruno, Board affirmed approval for the payment of Vendor Warrant #94 in the amount of \$2,042.50. Selectman Schleiff abstained as he was not on the Board at that time.

Moved by Garron and seconded by Schleiff, Board unanimously approved payment of Vendor Warrant #95 in the amount of \$29,512.79.

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

Spinale and Spinale (legal services/April) ..... \$660.00

The Board acknowledged Payment to the Treasurer #09-38 in the amount of \$5,473.55.

**GENERAL MAIL/BUSINESS**

A. Boy Scout Fundraiser - Yard Sale on Town Green

Cranberry Drive resident Joan Gerhard was present and provided details of the fundraiser proposed by the Boy Scouts which required use of the Town Green, placement of a sign on the Green prior to the event, and selling tables for use by others to participate in the yard sale.

Moved by Garron and seconded by Schleiff, Board unanimously granted (a) use of the Town Green on Saturday, June 13<sup>th</sup>, from 8:00 a.m. to 1:00 p.m. for a Boy Scout fundraiser; (b) a yard sale permit and waived the permit fee; and (c) permission to put a sign announcing the event on the Town Green up to two weeks before June 13<sup>th</sup>.

A short discussion ensued relative to marching in the Memorial Day parade. The Boy Scout representatives present were unaware they were invited to participate.

B. Road Cut - Bay State Gas/First Avenue

Moved by Garron and seconded by Schleiff, Board unanimously approved Permit #09-42 issued to Bay State Gas for a 2' x 2' x 1' deep road cut to do maintenance repair at Pole 8 on First Avenue. A Trench Permit was not required.

C. Road Cut - Bay State Gas/Lingan and Monponsett Streets

Moved by Garron and seconded by Schleiff, Board unanimously approved Permit #09-43 issued to Bay State Gas for a 2' x 2' x 1' deep road cut to do maintenance repair at Lingan and Monponsett Streets. A Trench Permit was not required.

D. Public Records Request - Traffic Study/Thompson Street

Board acknowledged a request from Christopher Kohl of East Bridgewater for the traffic study that was used to set the speed limits for Route 105/Thompson Street. Seelig informed the Board he has notified Kohl that the speed limit was established in 1973 and traffic studies were not required until 1986; therefore, the information is not available.

E. Plymouth County - Transfer of Sheriff's Office

Senate Bill 2045 would move the Plymouth County Sheriff's department to the State. The Retirement Board is concerned that the State would obtain all assets but none of the liabilities (retirement) for the Sheriff's office. Garron stated one of things discussed at the recent Plymouth County Advisory Board meeting was that the Sheriff's department may be taken over by the State which means the State takes all of the pension funds for that department. He was opposed to the State taking over the corrections facility. Seelig stated that, the way the bill is written, all of the assets will go with the Sheriff's department and all of the liabilities will stay with the County. In response to a question from Schleiff, Seelig said no explanation was given as to why the bill was introduced. He noted that many of the counties have been disbanded and this may be a move toward eliminating Plymouth County.

Moved by Garron and seconded by Bruno, Board unanimously instructed Seelig to contact the Town's State legislators and relay that Halifax is opposed to this bill unless the language is changed so that the liabilities are also borne by the State.

F. Route 36

The Board acknowledged notification that the State wanted to be paid \$1,015,254 within the next thirty days to cover the overages on the Route 36 project. Seelig brought Schleiff up to date on the project, stating Route 36 has been completed, there were a number of overages, and there is a dispute as to who is to blame for those overages. When the agreement was signed, the State said it would pay up to 10% in overages. The project has gone significantly over that percentage, and the contract says the Town is obligated to pay the difference. The Town contends the overages are due to engineering errors. The State does not care who is to blame. It wants the money which is currently in the Town's Chapter 90 account. Town Counsel has been negotiating with the engineering firm.

Seelig will check with Town Counsel to see if the Town should pay the money to the State and recoup the costs from the engineering firm later. Bruno felt the Town should acknowledge the request from the State and get an opinion from Town Counsel. Garron agreed. At this point, the Board felt it should not further discuss the matter in public session.

G. Irish Cultural Centre

The Board acknowledged an invitation to meet the President of Ireland on May 26<sup>th</sup>. If a Selectman is interested in attending, they will inform Seelig.

#### H. Harvest Lane

Seelig stated the same person who wrote after the public hearing about the status of Harvest Lane wrote again. He has informed the individual the Town has accepted the street and, as far as the Tree Warden/Highway Surveyor is concerned, the trees are not a problem.

#### I. Property Taxes and Valuations

Seelig stated a Twin lakes Drive resident wants the Town to forego and return the late fee they were assessed for paying their property tax bill on May 4<sup>th</sup> instead of May 1<sup>st</sup> for various reasons. In addition, they want their property re-valued. Seelig will send a letter informing the resident that the Board does not have any jurisdiction in this matter, the Collector cannot deviate from the State law relative to late fees, and the issue of valuation resides with the Board of Assessors. Any property owner can request that the valuation of their property be examined and can appeal any determination. He will copy both the Board of Assessors and the Town Collector.

#### J. Liening Fines

In response to a question from the Conservation Commission, Seelig reported that, according to Town Counsel, fines can be liened if the Town passes a by-law to that effect and if the court rules in favor of the Town. He will discuss this with the Selectmen next February to determine if an article should be put on the May 2010 Annual Town Meeting.

#### K. Taunton River

Board acknowledged notification of a celebration on May 27<sup>th</sup> to commemorate the Taunton River being designated as a Wild and Scenic River.

### **REPORTS AND DISCUSSIONS**

#### A. Donelson Scholarship Applications

The Board received three applications for the Donelson Scholarship and will discuss them at the next meeting.

#### B. Town Accountant Search

Given the change in a Board member, the Selectmen wanted to give Schleiff an opportunity to review the resumes and provide his recommendation for interviews. While the Board is scheduled to meet next week, Schleiff felt he needed more than a week to evaluate the candidates. The Board agreed to

discuss the matter at its meeting scheduled for June 9<sup>th</sup>. Seelig will provide each Selectmen with a copy of the job description for the Town Accountant.

C. Selectmen Meeting Schedule

Moved by Bruno and seconded by Garron, Board unanimously voted to cancel the Selectmen Meeting scheduled for May 29<sup>th</sup>.

D. Memorial Day Celebration

Seelig will confirm to the Board the time and place to meet for the parade, the names of the essay winners for each grade, and will ensure the Boy Scouts have been invited to march in the parade.

E. Fire Chief Search

Bruno noted the Screening Committee has recommended five candidates who will undergo an assessment process the end of June. Bruno provided Schleiff with an overview of how the Committee scored the applicants and the assessment process to be used to evaluate the five candidates. He noted that the Town needs a good administrator to oversee the eight full-time Firefighter/EMTs as well as the thirty-four member call force. The individual must be a working supervisor who is able to (a) perform all department functions when necessary, (b) conduct inspections, (c) oversee the ALS ambulance service, (d) integrate full-time and call personnel who must work together, and (e) find alternative funding sources (i.e. grants, etc.).

F. Earth Removal Permit - Roach/Holmes Street

Seelig stated he sent Roach a letter asking him when the landscape plan would be completed.

G. Fiscal 2008 Audit

At Bruno's request, the Board scheduled a meeting on June 9<sup>th</sup> at 8:30 p.m. with the Auditors to discuss the Fiscal 2008 Audit. Seelig will notify all pertinent Town departments.

**TOWN ADMINISTRATOR REPORT (CHARLES SEELIG)**

A. Change in Demand Notice

Seelig will set up a meeting with the Treasurer-Collector to discuss her proposal to change the dollar amount for Demand Notices.

B. Stimulus Money - School

Seelig will talk with Silver Lake Superintendent John Tuffy to determine the plan for using any federal stimulus money that may be received by the school.

Selectman Michael Schleiff thanked everyone who voted on Saturday and supported him for Selectmen and said he will do everything he can to uphold the faith they have put in him.

There being no further business, moved by Garron and seconded by Schleiff, Board unanimously voted to adjourn the meeting at 8:25 p.m.

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Michael J. Schleiff  
Clerk

/bfs