

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, JUNE 9, 2009 - 7:15 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:15 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, June 9th, was unanimously approved without revision.

EXECUTIVE SESSION

Moved by Bruno and seconded by Schleiff, Board voted as follows to enter into Executive Session at 7:18 p.m. for preliminary discussions relative to the search for a Town Accountant:

John H. Bruno II	-	Yes
Troy E. Garron	-	Yes
Michael J. Schleiff	-	Yes

Bruno announced there may or may not be a statement at the end of the Executive Session and the Board would reconvene in open session.

Moved by Bruno and seconded by Garron, Board voted as follows to come of Executive Session at 7:30 p.m.:

John H. Bruno II	-	Yes
Troy E. Garron	-	Yes
Michael J. Schleiff	-	Yes

Bruno announced the Board has chosen a short list of candidates for the Town Accountant position who will be contacted in the next few days. The Board will interview those applicants next Tuesday, June 16th, beginning at 7:00 p.m.

SELECTMEN MINUTES

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

- Selectmen Meeting 04-07-09 - Regular Session
- Selectmen Meeting 04-07-09 - Executive Session
- Selectmen Meeting 04-14-09 - Regular Session
- Selectmen Meeting 04-14-09 - Executive Session
- Selectmen Meeting 04-28-09 - Regular Session

Selectman Michael Schleiff abstained from voting as he was not on the Board at that time.

ABATEMENTS/BILLS/COMMITMENTS/WARRANTS

Moved by Garron and seconded by Schleiff, Board unanimously affirmed committing for collection Ambulance Commitment #5A in the amount of \$23,010.00

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

Payroll Warrant	#96	for	\$315,493.99
Vendor Warrant	#97	for	\$ 26,516.54
Withholding Warrant	#98	for	\$110,092.92
Vendor Warrant	#99	for	\$203,110.62

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

W. B. Mason (office machines/paper)	\$ 299.90
W. B. Mason (office supplies)	\$ 194.19
CAN (bonds - Tax Collector/Assistant Tax Collector)	\$ 631.00
Commonwealth of MA (Finance Forum/Schleiff)	\$ 50.00
Harr Motor Company (damage to police cruiser)	\$5,473.65
Harr Motor Company (damage to police cruiser)	\$ 500.00

Moved by Garron and seconded by Schleiff, Board unanimously committed the following for collection:

Ambulance Commitment	5-B	for	\$11,446.00
Mobile Home License Fee	#06	for	\$ 5,160.00

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

Payroll Warrant	#100	for	\$306,406.10
Vendor Warrant	#101	for	\$235,713.38
Withholding Warrant	#102	for	\$ 97,265.04

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

Cushman Insurance (bond - Town Clerk)	\$ 100.00
South Coastal Counties Legal Services (services Apr-Jun)	\$ 875.00
Spinale and Spinale (legal services/May)	\$1,182.50
Beverly Smith (mileage/seminar)	\$ 26.95
Atlantic Cleaning Products (hand sanitizer)	\$ 47.42
Harry B. Harding & Son (printing Memorial Day program)	\$ 128.90
Comcast (data processing monthly internet bill)	\$ 62.95
Constellation NewEnergy (street lights/May)	\$ 465.13
Constellation NewEnergy (pole at old police station/May)	\$ 23.67
National Grid (street lights/May)	\$ 945.71
National Grid (pole at old police station/May)	\$ 28.32
Constellation NewEnergy (Town Hall/May)	\$ 627.67
Edron Business Systems (office machines/toner)	\$ 9.75

The Board acknowledged payment of the Selectmen Office Payroll for the period ending May 23, 2009 in the amount of \$6,281.93 and for the period ending May 6, 2009 in the amount of \$6,031.93

The Board acknowledged the following Payments to the Treasurer:

<u>TURNOVER</u>	<u>AMOUNT</u>
09-40	\$30.00
09-41	\$20.00

FINANCE COMMITTEE

At 7:45 p.m., the Board convened a joint meeting with Finance Committee members Peter Beals, Kim Roy, Gregory Tilley, Paul Weckbacher, and Richard Wright.

The following business was discussed:

A. Line Item Transfers

Bruno read the list of requests from various departments. Various Department Heads were present for the discussion.

With regard to the requests for “consultants,” Roy asked how the amounts were calculated. Seelig stated that the fee for John Stanbrook (Accounting) was \$35.00 per hour. Roy wanted to know the terms of the contracts and felt there should be a cap on each of them.

Acting Town Accountant Sandra Nolan was present and said she needed help in getting the books in order to facilitate closing out the fiscal year.

Treasurer-Collector Kathleen Shiovone (newly elected in May) said the end of year closings for the Treasurer’s office must be done and she had no knowledge of what was involved. She was looking for forty hours of consulting work between now and the end of the year and might need additional help after the first of year. The work to be done immediately is so that the Town Accountant can close out. Shiovone will observe how this is done to be able to do the work herself next year. Since she had worked as the Acting Collector the past year, she did not need help in that area.

Roy did not disagree that training was needed but she did not want to spend more money than necessary. She pointed out that money had not been budgeted in the next fiscal year for training and therefore will not be available. She felt the contracts should not be open-ended but specifically state what will be completed for what amount of money.

Shiovone said she would be asking for money in the new fiscal year because she will need some training for the Treasurer’s job. While people think the two employees in the Treasurer’s Office were knowledgeable about all aspects of the office, they in fact were not in regard to some tasks performed by the former Treasurer. Bruno said she would have to discuss that separately with the Finance Committee. If the transfer requests under discussion now are approved, the money can only be spent until June 30th and cannot be used from July 1st forward. Schleiff asked Shiovone if half way through the training she would have a better idea of what she would need. She said that depended upon the person teaching her. At this point, she did not know what she didn’t know.

Roy stated there are some training resources available through the Associations.

Moved by Bruno and seconded by Garron, Board unanimously approved the following transfers to cover costs for the rest of Fiscal 2009, as allowed by MGL Chapter 44 Section 33B:

FROM	TO	AMOUNT
#059 Police Expense	#060 Police Station Electricity	\$1,600.00
#059 Police Expense	#062 Police Cruiser Maintenance	\$3,400.00
#108 Highway Wages	#111 Highway Equipment	\$8,000.00
#394 Custodial Wages	#646 Town Building Expense	\$3,700.00
#372 Accounting Clerical	#009 Accountant Salary	\$3,876.52
#372 Accounting Clerical	#000 Accounting Consultant (new account)	\$ 349.24
#010 Accounting Expense	#000 Accounting Consultant (new account)	\$ 860.27
#071 Fire Expenses	#076 Fire Vehicle/Equipment Maintenance	\$1,200.00
#192 Town Report	#646 Town Building Expense	\$ 525.00
#020 Collector Expense	#000 Treasurer Consultant (new account)	\$1,000.00
#012 Treasurer Expense	#000 Treasurer Consultant (new account)	\$ 600.00
#089 Communication Telephone	#087 Communications Wages	\$7,500.00

Moved by Weckbacher and seconded by Beals, Finance Committee unanimously approved the above transfers.

B. Appointment - Wage and Personnel Board

This appointment is “new” and required a majority of the following vote:

- Board of Selectmen (1)
- Finance Committee member whose term is not expiring (1)
- Town Moderator (1)

Moved by Garron and seconded by Schleiff, the Board unanimously voted that the Selectmen appoint Maureen Rogers. Moved by Tilley and seconded by Weckbacher, the Finance Committee unanimously voted that the Committee appoint Maureen Rogers.

Moved by Selectmen John Bruno and seconded by Finance Committee member Kim Roy, the following vote appointed Maureen Rogers of 275 Wood Street to the Wage and Personnel Board, term to expire June 30, 2012:

- John Bruno Yes
- Kim Roy Yes

The Town Moderator did not participate in the vote.

C. Appointment - Finance Committee

This appointment is “new” and required a majority of the following vote:

- Board of Selectmen Chairman (1)
- Finance Committee member whose term is not expiring (1)
- Town Moderator (1)

Moved by Selectmen Chairman John Bruno and seconded by Finance Committee member Kim Roy, the following vote re-appointed Gregory Tilley of 633 Twin Lakes Drive and Richard Wright of One Brandeis Circle to the Finance Committee, terms to expire June 15, 2012:

- John Bruno Yes
- Kim Roy Yes

The Town Moderator did not participate in the vote.

POLICE OFFICER INTERVIEW

The Board interviewed Police Officer Anthony Barbour for the position of full-time police officer for the Town of Halifax. Police Chief Michael Manoogian was present and said he currently has two full-time vacancies on the force, one of which was being held for an individual who is currently in the military. The Chief said that Barbour would be a civil service transfer off the re-hire list. Since he had the top score of those who signed they would accept the position, he is well qualified to work in Halifax and he is already trained, Manoogian recommended Barbour for appointment.

Bruno said that the Board usually interviews more than one candidate and felt the Chief had made clear why only one person was being interviewed during this round.

Following are questions asked by Bruno (in italics); responses by Barbour immediately follow:

Tell us about yourself and why you are interested in Halifax?

I have been involved in law enforcement for years. I started out in small towns and colleges and transferred to Bridgewater State full-time. Law enforcement is my career choice. I have over ten years experience, seven of which is full-time. I started out as auxiliary in 1999 and went full-time in 2005. I have a number of specialized certifications including first responder, fingerprinting, aerosol weapons OC training, field sobriety testing, bike patrol, subpoena writing, etc. Prior to being laid off, I was looking to transfer out of

the City of Fall River. My philosophy on policing is community service. The more training I have, the better I work. It makes me a better officer.

How do you feel about working in a small town?

I have been on the job for ten years, and I am looking forward to it. I can get back to community-oriented work, not just going from call to call. I am huge on public relations and getting to know the people. I am looking forward to getting back to grassroots.

Following is a question asked by Schleiff (in italics); response by Barbour immediately follows:

What do you consider your strong points and your weak points?

I would say my strong points are I try not to differ too much from the rules. Rules are rules, and policies govern what we can do. I am a strong advocate on reputation. I understand we have discretion, but I do not like to use it. I am a firm believer we live in a fish bowl and try not to let outside pressure affect my work. As far weakness, I enjoy working and overtime. My hobbies do not affect my work schedule. My weakness is too much work.

Following is a question asked by Garron (in italics); response by Barbour immediately follows:

Of all the experiences you have had, what is the most significant one that made you want to continue to be a police officer?

Back in 2001, I was at a college in Boston. There was a shooting, and I was a responding officer. I chased them down Beacon Street. I was concerned for the people around us and for my partner. I knew then that was what I wanted to do. From that experience, I have geared everything to being a better officer and getting as much training as possible. When something like that happens, sometimes people think twice about what they are doing, but it reinforced in me this is what I wanted to do.

Following are questions asked by Bruno (in italics); responses by Barbour immediately follow:

Is there anything that would interfere with your availability?

Not that I can think of.

This is a small town. Most of the people here that you will interact with, whether positive or adversely, are not criminals. It is important that our officers are able to walk that line. There are times when someone is a criminal,

but most of the people are people you want to know. Our police officers need to understand that.

Coming from a city you tend to get that edge where you think everyone is bad. I am done with that. I like to think well of people, get to know them and talk with them. When you respond to a call, it is a personal crisis for that person. You don't get to talk to them or get to know them. That is where community policing comes into play, and I am trying to get back that.

Moved by Bruno and seconded by Garron, Board appointed Anthony Barbour as a full-time police officer for the Halifax Police Department.

FLAMMABLE STORAGE LICENSE - BOSWORTH / ELM STREET

The Board met with Ruth, Dana and Donald Bosworth relative to their request to add Donald Bosworth's name on the current license issued to 249 Elm Street. Ruth Bosworth stated she is re-mortgaging her house located on the property and all three names will be on the new mortgage.

Moved by Garron and seconded by Bruno, Board unanimously voted to amend the Flammable Storage License issued to 249 Elm Street to add Donald Bosworth in addition to Ruth and Dana Bosworth who are already listed on the license.

GENERAL MAIL/BUSINESS

A. Appointment - Assistant Treasurer

Moved by Garron and seconded by Schleiff, Board unanimously approved Treasurer Kathleen Shiavone's appointment of Linda Cole as the Assistant Treasurer for the period May 16, 2009 through May 19, 2012. Shiavone explained the Assistant can perform the duties of the Treasurer with regard to depositing money, transferring funds, etc.

B. Live Entertainment Permit - Thirteenth Avenue / Renna

Moved by Garron and seconded by Bruno, Board unanimously approved Permit #09-55 issued to Nick Renna for live entertainment (band) from 2:00 p.m. to 9:00 p.m. on July 4th on property located at 40 Thirteenth Avenue.

C. Live Entertainment - Carver Street / Smith

Moved by Garron and seconded by Schleiff, Board unanimously approved Permit #09-54 issued to Ralph Smith for live entertainment (band) from 3:00 p.m. to 9:00 p.m. on July 4th on property located at 40 Carver Street.

D. Appointment - Assistant Collector

Moved by Garron and seconded by Schleiff, Board unanimously approved Collector Kathleen Shiavone's appointment of Kathryn Roche as the Assistant Collector for the period May 16, 2009 through May 19, 2012.

FISCAL 2008 AUDIT

The Board met with auditor Richard Bienvenue of Malloy, Lynch, Bienvenue LLP to discuss the results of the 2008 audit of the Town's financial records. The primary objective is to provide comments on the financial statements, procedures, flow of information and internal controls.

Bienvenue reported that most of the issues raised in the previous year's (Fiscal 2007) audit have been resolved or are in the process of being resolved.

With regard to Fiscal 2008, the auditors detected no problems with regard to compliance with laws and regulations but did find deficiencies in internal controls for which they made suggestions for improving procedures and internal controls. The audit was delayed because the Town Accountant in place at that time could not close the books which constituted a significant deficiency. At that time, the ledger did balance and account analyses agreed with other departments (i.e. reconciliation of cash with the Treasurer, receivables with the information reported by the Collector, etc.). What was not done is the final entries to close the books. Additional support was needed by the auditors to certify free cash.

Bienvenue said that the Introductory Section of the Management Letter defines the three levels of conditions that must be reported under the auditing standards. Bruno asked what the Town needed to address and look at in the upcoming year. Bienvenue said the Town must close the books and have the Town Accountant certify free cash. The Town should close the books and reconcile the accounts. The Auditors do not want to be in a position to do this work for the Town. The books must be closed by a date that is timely. The Department of Revenue suggested August. It is easier to close the books if accounts are reconciled on a monthly basis. While reconciliation was done throughout the year, it was not done on a timely basis. Doing it monthly was the Town's past practice but there was difficulty in doing this during the past year. There are new standards with regard to Enterprise accounting where indirect costs cannot be recouped from prior years. The Town must assess indirect costs associated with that fiscal year (i.e. specific costs attributable to that enterprise function). In addition, the Town can use payment-in-lieu-of-taxes as a way of getting money out of these accounts.

Given the current financial situation state-wide, there is an overall concern with all clients on properly recording tax liens, tax titles and foreclosures. Bienvenue did a presentation on this issue and will provide a copy to the Town Administrator and the Town Accountant. In addition, his firm is seeing a lag in payment of tax

bills which will affect cash flow. Bienvenue said these are general observations and not specific to Halifax.

Bienvenue said that the newly combined Treasurer-Collector changes the dynamics of internal controls. Having the same person doing the collecting and depositing is a weak area. Bruno asked if he had a recommendation on what the Town should be doing differently. Bienvenue said he would recommend the Accounting office implement small internal control steps so that someone else is verifying what is being collected and what is being deposited. It is a common issue he has seen frequently during his career.

Bruno stated the Town is in the process of hiring a new Town Accountant and asked if there is anything the Board should be attuned to. Bienvenue said the Board should ensure the Fiscal 2008 books are in order and the ledgers and trial balances should be up to date. He offered to provide guidance to the new Accountant if necessary.

Seelig asked what training was available for closing the books. Bienvenue said the Accountants Association has various workshops. In addition, he would be happy to assist and give the new Accountant some instruction that is hands on and specific to Halifax.

GENERAL MAIL/BUSINESS (CONTINUED)

E. Appointment - MacLean / Capital Planning Committee

Bruno gave a brief summary of past action when the Board thought there was a vacancy on the Committee, appointed MacLean, and then determined an individual who was thought to have vacated his position on the Committee had not yet done so. Now that a vacancy does exist, the Board again considered MacLean for appointment. MacLean was present for the discussion. Schleiff (who was not a Selectmen at the time when MacLean was first interviewed) asked MacLean if he was familiar with the Capital Planning Committee. MacLean said not specifically for Halifax but he was familiar with the procurement laws, writing specifications, purchasing equipment and services and the bidding process for the Town he works for.

Moved by Garron and seconded by Bruno, Board unanimously appointed Curt MacLean of 215 Holmes Street as an At-Large Member to the Capital Planning Committee, term to expire June 30, 2011.

F. Sixth Grade Graduation

The Board acknowledged an invitation to attend the Sixth Grade Graduation on Monday, June 15th, at 6:00 p.m. Bruno will attend, Garron is unable to do so, and Schleiff will confirm to Seelig whether or not he can attend.

G. Vacation Carryover - Highway/Cemetery Department

The Board acknowledged a request from four members of the Highway and Cemetery Departments to each carry over forty hours of vacation into the next fiscal year. Garron questioned why all employees of the department were carrying over vacation and asked Seelig to get an explanation from Department Head Robert Badore.

H. Use of Patriot Celebration Account

Moved by Garron and seconded by Bruno, Board unanimously voted to allow Town Historian Susan Basile to use the balance of funds in the Patriotic Celebration account toward the purchase of new patriotic decorations for the town buildings. The request had been cleared through the Veterans Agent who utilizes the account to purchase flags, etc.

I. Seacoast Engineering Contract

Moved by Bruno and seconded by Garron, Board voted as follows to approve and sign the contract between the Town (ZBA) and the Seacoast Engineering Company for review of the Comprehensive Permit Application submitted by Blackledge Farm:

John H. Bruno II	-	Yes
Troy E. Garron	-	Yes
Michael J. Schleiff	-	Abstain

Motion passed by a 2/3 vote. Schleiff abstained because he was present as an Associate Member to the ZBA when the Zoning Board of Appeals made the decision to choose Seacoast to review this project.

J. Emergency Response Systems Contract - Fire Chief Search

Moved by Garron and seconded by Bruno, Board unanimously authorized Town Administrator Charles Seelig to sign the contract between the Town and Emergency Response Systems to conduct an assessment on candidates being considered for the Fire Chief position.

K. Expansion of Bottle Bill

Bruno was opposed to expanding the bottle bill to include other containers since all of the money currently being collected is not going into funding recycling programs as was intended by the original legislation. Neither Garron nor Schleiff were in favor of expanding the Bill.

L. Monponsett Ponds

Fisheries and Wildlife has approved the work for milfoil remediation in the East Monponsett Pond, and the work should be done some time this summer. Given the size of the algae project in the West Monponsett Lake, Seelig will go out to bid to ascertain quotes.

M. Accountant Consulting Contract - Stanbrook

Moved by Garron and seconded by Bruno, Board unanimously approved and signed the contract between the Town and John Stanbrook for consulting services in closing the Town's books for Fiscal 2009.

N. Declared Vacancy - Finance Committee

Moved by Bruno and seconded by Garron, Board unanimously declared a vacancy on the Finance Committee, term to expire June 30, 2010. Selectmen noted this seat was held by John Pesa who verbally notified the Selectmen of his intention to resign in early April. While no written resignation was submitted, he failed to attend more than four consecutive Finance Committee meetings.

TOWN ADMINISTRATOR REPORT (CHARLES SEELIG)

A. HOPS Playground

Seelig reported recent damage at the HOPS Playground as well as needed repairs not associated with the damage. The Girl Scouts plan to work with the Youth and Recreation Commission on fundraising activities and specific projects to make improvements. In addition, they plan to hold a clean-up day at the playground.

B. Great Hall Damage

Seelig reported one of the doors to the Great Hall was damaged, and the cost to repair it is about \$100. He will seek a line item transfer or a Reserve Fund transfer to cover the cost.

C. St. David's Church

Seelig stated the Church is closing its doors this summer and the last service will be held on July 26th. The Church has inquired if the Town would be interested in purchasing the property and will be sending a written inquiry to the Selectmen. Seelig noted that, once the church is closed, the sign located on Town property at the corner of Plymouth and South Street should be removed.

REPORTS AND DISCUSSIONS

A. Donelson Scholarship

While the Board had individually reviewed the three applications and felt all of the candidates were impressive, all three Selectmen chose the same individual as their first choice. Moved by Garron and seconded by Schleiff, Board unanimously awarded the 2009 Donelson Scholarship to Courtney Farley of Cranberry Drive in Halifax.

B. Liaison List

The Board postponed discussion on filling the vacancies on the Selectmen Liaison List until June 23rd except for the Communications Committee. Schleiff volunteered to be the Board's liaison, stating he is self-employed and can arrange his schedule in order to attend the meetings which occur during the day. Moved by Bruno and seconded by Garron, Board unanimously designated Michael Schleiff as the Selectmen liaison to the Communications Committee.

C. Unfinished Town Meeting Business - Classification

Bruno stated he asked Seelig to prepare an organizational chart of the Selectmen's Office showing what personnel do, what they should be doing and how Seelig thinks things should be done. The Board will take the matter up at a future meeting; and, at that point, if there is a need to ask for reclassification of an employee, the Board will pursue it.

EXECUTIVE SESSION

Moved by Garron and seconded by Bruno, Board voted as follows to enter into Executive Session at 9:35 p.m. to discuss a collective bargaining issue:

John H. Bruno II	-	Yes
Troy E. Garron	-	Yes
Michael J. Schleiff	-	Yes

Bruno announced there would not be a statement at the end of the Executive Session and the Board would not reconvene in open session.

Moved by Garron and seconded by Schleiff, Board voted as follows to come of Executive Session at 10:20 p.m.:

John H. Bruno II	-	Yes
Troy E. Garron	-	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 10:20 p.m.

Michael J. Schleiff
Clerk

/bfs