

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, JUNE 23, 2009 - 7:30 P.M.
SELECTMEN MEETING ROOM

Meeting came to order at 7:30 p.m. with Selectmen Troy E. Garron and Michael J. Schleiff present. Selectman John H. Bruno II arrived later in the meeting.

The following business was discussed:

AGENDA

Town Administrator Charles Seelig added an Executive Session on collective bargaining.

With the above addition, the Agenda for Tuesday, June 23rd, was approved.

ABATEMENTS/BILLS/COMMITMENTS/WARRANTS

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

Payroll Warrant	#106	for	\$218,700.29
Vendor Warrant	#107	for	\$ 93,944.13
Withholding Warrant	#108	for	\$ 72,828.12

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

Dorr's print (office supplies)	\$ 9.95
W. B. Mason (office supplies)	\$ 9.00
Cushman Insurance (bond/Treasurer)	\$368.00
National Grid (Town Hall/Jun)	\$640.59

The Board acknowledged payment of the Selectmen Office Payroll for the period ending June 20, 2009 in the amount of \$6,031.93

The Board acknowledged the following Payments to the Treasurer:

<u>TURNOVER</u>	<u>AMOUNT</u>
#42	\$ 35.00
#43	\$1,240.00
#44	\$ 8.00
#45	\$ 319.00

GENERAL MAIL/BUSINESS

A. Senior Housing/Thompson Street

Moved by Garron and seconded by Schleiff, Board voted to send a letter of support for the Housing Authority's proposed senior housing development on Thompson Street. Seelig will draft a letter for the Chairman of the Board to sign.

B. Fireworks Contract

Moved by Garron and seconded by Schleiff, Board authorized the Vice Chairman to sign the contract between the Town of Halifax and American Thunder Fireworks in the amount of \$15,000. The Board noted that the amount in the contract had been increased to \$15,000 to provide a larger fireworks display than originally planned.

C. Partners Home Care, Inc. Agreement

Moved by Garron and seconded by Schleiff, Board authorized the Vice Chairman to sign the service agreements between the Town of Halifax and Partners Home Care, inc. for Fiscal Year 2010 (July 1, 2009 through June 30, 2010). The Board noted this was a 3% increase over last year.

D. Treasurer Consultant Contract

The Board discussed the proposed contract between the Town and former Treasurer Marcia Cole to work with the new Treasurer for the rest of the Fiscal Year at a cost of \$35.00 per hour. The contract ends on June 30, 2009. Seelig noted that Bruno had had concerns about ethical questions with regard to the past Treasurer training the current Treasurer and reported that, as long as a 1099 is filled out, there is no problem. Moved by Garron and seconded by Schleiff, Board signed the Treasurer Consultant Contract between the Town of Halifax and Marcia Cole to reconcile the Fiscal Year 2009 for the Town of Halifax to prepare the Town for closing of the year and prepare the

Town for the 2009 Audit. The Board noted that money had been transferred into an account to cover this contract.

E. Franklin Creek Consulting Services

Moved by Garron and seconded by Schleiff, Board authorized the Vice Chairman to sign the contract between the Town of Halifax and Franklin Creek Consulting.

SELECTMAN JOHN BRUNO JOINED THE MEETING A THIS POINT.

MINUTES

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

Selectmen Meeting 03-31-09 - Regular Session
Selectmen Meeting 03-31-09 - First Executive Session
Selectmen Meeting 03-31-09 - Second Executive Session

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

EARTH REMOVAL PERMIT - BOWLES / 335 RIVER STREET

At 7:45 p.m., the Board convened an advertised public hearing for the purpose of considering an application submitted by Matthew Bowles for an Earth Removal Permit on property located at 355 River Street, Assessors Map 101, Lot 11. Abutters had been duly notified by certified mail.

Present for the hearing was Engineer Steven Wry of Land Planning who was present for Town Engineer Bernie Munro. The applicant and/or his contractor, Pat Howard of Beaver Dam Management were not in attendance. No abutters made their presence known.

Wry said the land owner is trying to remove material from the site resulting from a wetland replication project required by the Conservation Commission in connection with a septic repair. The excess material is piled in a mound on the property. No additional excavation is involved. The plan submitted with the application appeared appropriate.

Munro had provided a written report to the Board. In it, Munro made recommendations on waiving some of the by-law conditions that did not apply to this project. Since the material is a result of a project required by Conservation

and not as a means to make money from earth removal, Munro recommended the permit fee be set at 10-cents per cubic yard. He also recommended the Board of Health, Selectmen and Conservation Commission be notified seventy-two hours before commencement of the work.

Because the applicant was not present, the Board could not determine the bond type and amount and had a number of questions that went unanswered with regard to the project. It was unknown why the applicant had failed to appear, and the Board wanted to give the applicant another opportunity to do so.

Moved by Bruno and seconded by Garron, Board unanimously voted to continue the hearing until July 14th at 8:15 p.m.

TOWN TREASURER-COLLECTOR - DEMAND FEES

The Board met with Treasurer-Collector Kathleen Shiavone who was seeking an increase in the Town's demand fees. Shiavone said there is a thirty day period from the date a bill is issued to the due date. After that time, she waits a week or so before putting on a \$5 demand. The State has changed the amount that can be imposed from \$5 to up to \$35. After attending a meeting this week, she feels the Town should increase its demand fee to \$15. This charge is in addition to interest and applies to all bills. When bills are overdue for more than a year, excise goes to the Deputy Collector and real estate goes into tax title. If the demand fee is increased, people may think about paying the bills.

A change in the demand fee will require a town meeting vote. Shiavone wanted the Selectmen's opinion on whether to increase it from \$5 to \$10 or to \$15. The demand is payable in two weeks. After that, it is her discretion on further action (i.e. send to deputy collector, etc.). The same fee applies whether owed by a resident or business and no matter if the amount owed is large or small.

When you consider the various bills issued by the Town, thousands of bills are involved and the number is increasing during these hard times. There is no track record on whether raising the fee increases on-time payments. When the money is collected by the Town, the money stays with the Town. When the Deputy Collector gets involved, the Deputy keeps a portion of what they collect.

Bruno would go with the recommendation from the Town Collector. While the Town wants to be compassionate, it needs the tax money to operate. If the demand fee has not been increased for at least fifteen years, the difference between \$5 and \$10 has long since passed and the fee should go to \$15.

Schleiff said times are really tough right now. Rather than raising the fee, he felt the Town should push harder or sooner to collect the money. He said everyone is out to zap people for late fees. Shiavone said there are some people who simply ignore them, particularly the water bills. To her the idea is those people who will

eventually pay will pay sooner if there is a higher fee. She waits that week because sometimes people do forget.

Garron said this is no different than when dog licenses are overdue.

Schleiff said every time he turns around someone is adding another fee on something already difficult to pay at that time. While he would tell everyone to pay their bills on time, he went through hard times when he could not pay something when it was due, never mind paying an added fee, because he had to choose between that and something more immediate. Schleiff would be in favor of raising the fee when the economy is better.

Bruno noted this is an advisory discussion. Shiovone will put an article on the town meeting warrant in the spring at which time the Board and the townspeople can discuss the matter.

FOURTH OF JULY EVENTS

Selectmen met with Brian Evangelista (Chairman of Halifax in Lights), Maureen Rogers (Chairman of the 275th Anniversary Committee) and Bruce Pulliam (Chairman of the Youth and Recreation Commission) relative to plans for the Fourth of July.

Rogers showed the Board a quilt made by the Halifax Friendship Circle as a fundraiser. It will be on display July 4th from noon to 4:00 p.m. at which time the drawing will be held. The cost of tickets is to be determined. Also for sale are HAL stickers, long sleeve shirts, buttons, and wooden replicas of the Town Hall.

Rain or shine, the Parade will step off from Wal*Mart at 10:00 a.m., pass the reviewing stand located on the Town Green and disband between the Brockton Store and the Mobil Station. Route 106 will be closed one way at 9:00 a.m. and closed completely prior to the parade start. The Selectmen were asked to march up front in the parade and then take seats in the reviewing stand along with the Parade Marshalls. A 3' x 4' birthday cake will be cut at noon. Rogers gave a brief overview of parade participants including two bands and World War II militia equipment as well as various floats from Town departments and local businesses. In response to a question from the Board, Evangelista said residents along the parade route were not personally notified the road would be shut down.

Evangelista provided the Board with a complete list of Fourth of July activities beginning at noon and ending with the fireworks at 9:00 p.m. He thanked the townspeople for their strong support, noting that other towns were cancelling events this year because of lack of funds.

Bruce Pulliam informed the Selectmen that the Youth and Recreation Commission and Compass Medical Group were co-sponsoring a concert with the Burnham Brothers on July 3rd. Brunham Brothers is a popular youth band that recently won the Battle of the Bands. The band would set up near the top of the hill behind the playground and would play for an hour and a half sometime around 6:00 p.m. The concert would be free; donations would be welcome. The Police Department is supportive of the event and will treat the event like a school dance. In case of rain, the event will be moved into the gym.

Moved by Bruno and seconded by Garron, Board unanimously approved Permit #09-59 issued to the Youth and Recreation Commission for Live Entertainment (band) on Friday, July 3rd, from 6:00 p.m. to 8:00 p.m. on the Elementary School grounds. The Board waived the permit fee.

The Board thanked the three committees for their hard work to provide Halifax with great events and programs all year long.

At this point, Rogers and Pulliam had left the room and Schleiff asked Evangelista if an invitation will be given to all former Selectmen to march in the parade and/or sit in the reviewing stand. Evangelista said he is not involved in the parade and that question would have to be asked of the Committee. Schleiff asked the Selectmen Assistant to call Rogers in the morning and ask that an invitation be extended. He noted that he was newly elected and other Selectmen who have served the Town for many years should be included.

TOWN ACCOUNTANT

Bruno stated the Board had advertised for a Town Accountant and received approximately twenty nine resumes. Selectmen individually reviewed the resumes, agreed on five candidates and interviewed them last week.

Bruno thought all of the candidates brought different strengths. Some had extensive education; others solid experience in the field. All were capable people and would most likely make a good Town Accountant. He felt the choice should be Sandra Nolan. For fifteen years, she has worked for the Town of Halifax, starting as a secretary and successfully working her way through several departments. For the last two years, she has been the Assistant Town Accountant. She has shown a willingness and ability to take on a job and do well. Every time she moved to a new position, she managed to do a superb job. When Laurel Rigo was appointed as the Town Accountant, the Board talked with her about the Assistant Town Accountant and trying to put someone in place that would develop into the role because we knew that Rigo was near the end of her career. Nolan was chosen. She has done a good job and put in extra time. Of all the potential Town Accountant candidates we interviewed, any one of them would rely on Nolan to explain Halifax's system. Bruno did not think the Board should bring someone else in to be trained by the talent already available in house. He

thought it was a good practice, when possible, to promote from within because it brought continuity and consistency. For these reasons, Bruno recommended Sandra Nolan.

Schleiff said it was very tough choosing from the great pool of candidates. He is familiar with Nolan working hard at the Town Hall. She works hard and does a job well. He noted that another candidate, Elizabeth Zaleski, was also high qualified to do this job and felt the decision was difficult. He sated he would have to defer to Bruno who saw Nolan grow over the years.

Bruno said he liked Zaleski who has been an Assistant Town Accountant for a number of years. However, if she came to Halifax, she would have to go to Nolan to be trained. Zaleski is an Assistant and the Town has an Assistant.

Garron liked Nolan and felt she would do a good job. However, he felt Zaleski has been more involved in all aspects in Abington; something Nolan has not had an opportunity to be involved in. It was not Nolan's fault. Garron would vote for Zaleski because she has the ability to do the job and he felt she would do a better job. She has already been trained and certified and ready to do the job. She interviewed better than any of the other candidates.

Bruno thought Zaleski had a lot of experience, did her homework before coming into the interview, and interviewed well. If he was in a position to hire someone from the outside, she would be at the top of his list. But he thinks the edge goes to someone who knows the personnel. Given her (Nolan) track record and the fact she is the Acting Town Accountant and trying to do the job, she will quickly learn the role of Accountant. He thought there was an edge there. It would have been ideal if Nolan could have had more time in the Assistant position but he thought she was capable and ready to move on to the next level.

Schleiff said he knows she will try hard to get up to speed. It was difficult choosing between Nolan and Zaleski but he believed Nolan could do the job if given the chance to do it.

Moved by Bruno and seconded by Schleiff, Board voted as follows to appoint Sandra M. Nolan of 360 South Street, Halifax as the Town Accountant:

John H. Bruno II	-	Yes
Michael J. Schleiff	-	Yes
Troy E. Garron	-	No

Motion passes by a 2/3 vote.

Moved by Garron and seconded by Bruno, Board unanimously voted that the appointment of Sandra Nolan be effective July 1, 2009 at a starting salary of Grade 11 Step 1, for a term to expire June 30, 2012. Schleiff asked if the

expiration of the term should be to complete Rigo's unexpired term ending in 2011. Seelig believed the statute required an appointment of three years but will check the statute to see if there is any flexibility.

GENERAL MAIL/BUSINESS (CONTINUED)

F. Sign on Town Property - Nessralla

The Board discussed a request from Kozhaya Nessralla to increase the size of the sign for his farm currently located on Hemlock Lane near Plymouth Street on town property. The current size is 17" x 27"; he would like to increase the dimensions to 20" x 48" (four times the size of the current size) which is similar in size to the St. David sign located on Town property diagonally across the street and the Ellis Auto Body sign located further down Plymouth Street. Because the sign is located on Town property, it is exempt from the restrictions under the Town's Sign By-Law. Schleiff stated that, according to the Selectmen's Manual, this would not set a precedent. Seelig said that, in essence, the Board is making a decision if similar requests come before the Board. The sign should be placed no further forward than where the current sign is located.

Bruno motioned to allow the increase in size to 40" x 48" provided that it is equivalent in size to that of St. David's sign, the Highway Surveyor and Police Chief approve the size and location, and Nessralla provides a schematic of the sign. Finance Committee Chairman Kim Roy was present and noted the sign would be located in the Historic District. Bruno withdrew his motion at this time.

Moved by Bruno and seconded by Garron, Board unanimously voted to refer the request to the Highway Surveyor, Police Chief and Historic District Commission for their input. Seelig will get the schematic from Nessralla and forward the request and schematic to those departments.

G. Assistant Town Clerk

Moved by Garron and seconded by Schleiff, Board unanimously authorized the Chairman to sign the form certifying that Stacy Elmes has been appointed by the Town Clerk as the Assistant Town Clerk.

H. Emergency Dispensing Plans / Mutual Aid Agreement - Board of Health

Moved by Garron and seconded by Schleiff, Board unanimously authorized the Chairman to sign (a) Acceptance of the Emergency Dispensing Site Plans for the Town of Halifax and (b) the Mutual Aid Agreement Among Public Health Agencies in the Emergency Preparedness Region 5.

I. Line Item Transfer Request

The Board acknowledged a line item transfer request from the Water Commissioners. Seelig informed the Board additional requests will be forthcoming for accounts under the Board of Selectmen. Discussion ensued with Kim Roy on whether the requests should be taken up jointly at a Finance Committee or Board of Selectmen meeting. Once all requests are in, Seelig will call Roy and Bruno to determine the time and place for the joint meeting.

J. Water Department - Public Water Systems Award

Moved by Bruno and seconded by Garron, Board unanimously voted to send a letter of congratulations to the Halifax Water Department for achieving one of the top scores in the Community System category of the Department of Environmental Protection's 2009 Public Water System Awards Program.

K. Application - ZBA Associate Member

The Board acknowledged an application from Jerry Scully to serve as an Associate Member on the Zoning Board of Appeals. The Board instructed Seelig to set up an interview with him on July 14th.

L. Plymouth County Health Group

Moved by Garron and seconded by Schleiff, Board unanimously designated Charles Seelig as the delegate and Kathleen Shiavone as the alternate to the Plymouth County Health Group.

M. Area Selectmen Meeting - Regionalization

Garron will attend the meeting scheduled on Thursday in Whitman to explore regionalization opportunities. Schleiff cited animal control as a good starting place for sharing positions amongst towns. Garron noted it would be difficult to share one person particularly if that individual were out. However, it might be viable if there were one Animal Control Officer and then an assistant in each town. Bruno pointed out the Halifax Police Officer contract has a provision that the officers will be paid a certain amount to act as Assistant Animal Control Officers. Schleiff said it was worth a try, noting that, if cooperation is not possible on something as simple as animal control, how will towns find common ground to share fire services, etc. Garron will bring the topic up at the meeting.

REPORTS AND DISCUSSIONS

A. Liaison List

The Board postponed action on discussing the vacancies on the liaison list except for the Financial Team. Moved by Garron and seconded by Schleiff, Board unanimously designated Bruno as the liaison to the Financial Team. Bruno will attend the meeting on Thursday.

B. Appointments - Boards and Committees

With the exception of the Conservation Commission, moved by Bruno and seconded by Garron, Board unanimously appointed the attached list of individuals to various boards and committees; terms to expire as indicated (attached hereto and made an official part of these Minutes).

Schleiff asked if John Peck was a large land owner in Town. Seelig stated he was. Schleiff asked if he is involved in a lot of conservation issues. Seelig said that, if an issue involves any of his properties, he would have to abstain. Schleiff asked if he had to do that often. Seelig said the Selectmen do not keep track of votes by the Conservation Commission and the Commission meeting minutes would have to be reviewed. Bruno knew of one instance involving building near the Country Club and Peck had to abstain from that vote. Schleiff said he was just curious as to whether he had to abstain more than participate. Moved by Bruno and seconded by Garron, Board unanimously voted to re-appoint John Peck to the Conservation Commission, term to expire June 30, 2012.

Moved by Bruno and seconded by Garron, Board unanimously acknowledged the appointments made by the Building Inspector (attached hereto and made an official part of these Minutes).

EXECUTIVE SESSION

Moved by Bruno and seconded by Garron, Board voted as follows to enter into Executive Session at 9:40 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 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 Schleiff, Board voted as follows to come of Executive Session at 10:00 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 10:00 p.m.

Michael J. Schleiff
Clerk

/bfs

ATTACHMENT: LIST OF APPOINTMENTS - BOARDS/COMMITTEES