**TOWN OF HALIFAX**

**SATURDAY, SEPTEMBER 12, 2020**

Annual Town Meeting As Voted

Quorum 100 Present 109

Guests 12

The Annual Town Meeting which is held on the second Monday in posted for June 15, 2020 due to the COVID-19 pandemic. There were several postponements of the meeting due to the pandemic.

The meeting was called to order by Moderator Dennis Carman at 9:30 a.m. at the Halifax Elementary School Gymnasium. Due to social distancing requirements and to meet quorum, a second location in the Multi-Purpose Room was utilized. Moderator Dennis Carman appointed Robert G. Gaynor II as an Assistant Moderator for the Multi-Purpose Room.

Also, a Consent Agenda Approval of Articles was called by the Moderator. A consent agenda’s purpose is to act expeditiously upon certain types of articles that historically have generated no controversy and can reasonable by voted upon with debate. With a consent agenda, several articles can be addressed with a single vote, thereby ensuring that a greater proportion of Town Meeting’s time is dedicated to articles that are the subject of genuine debate.

When the Consent Agenda is called, the Moderator will read out the number of each article, one by one. If a voter has a question or concern about an article’s inclusion on the Consent Agenda, the voter should say “hold” when the article’s number is called. If the purpose of the “hold” is only to ask a simple question, the Moderator will attempt to get the question answered quickly with the goal of leaving the article on the Consent Agenda. Failing that, or if the article is held for debate, the article will be removed from the Consent Agenda. After each article has been called, the Moderator will ask Town Meeting to pass all articles on the Consent Agenda that have not been otherwise removed in a single vote. It is hoped that voters will remove articles from the Consent Agenda only in cases where genuine concern exists.

*Please note that except for Articles 1 through 4, the actual order in which articles will be voted upon will be determined by lottery under the Town’s by-laws, Chapter 47. The Moderator, at the Moderator’s discretion, shall determine whether the article so chosen is contingent upon any articles yet to be acted upon and, if so, shall determine which articles must be acted upon and in which order before having Town Meeting act on the article chosen. Otherwise, the article numbers shown below are used to identify the articles.*

On a declaration made by Moderator, Dennis Carman:

VOTED to take out of order Articles 5, 6, 14, 15, and 38, that they be “passed by consent” in accordance with the motions show on the “2020 Halifax Annual Town Meeting Consent Agenda/Approval of Articles” distributed to Town Meeting attendees at the meeting. (Please refer to Articles in the minutes.)

**Passed**

VOTED to take out of order Articles 9, 10, 13, 17, 33, 34, 36, 40, 41, 42, 43, 44, 45, 47, 50 and 52, that they be “passed over by consent” in accordance with the motions show on the “2020 Halifax Annual Town Meeting Consent Agenda/Approval of Articles” distributed to Town Meeting attendees at the meeting. (Please refer to Articles in the minutes.)

**Passed**

ARTICLE 1 Voted to hear and act on the reports of the Town Officers and Committees.

**Passed**

Except for the following proposed amendments to the Wage and Personnel By-Law, the Wage and Personnel Board recommends that all positions and provisions in the By-Law remain unchanged.

ARTICLE 2 Voted to amend the Wage and Personnel By-Law as recommended by the Wage and Personnel Board:

A motion was made by Melinda Tarsi and seconded to Pass Over the following amendment.

**Passed**

1. Review the job description of the Animal Control Officer to determine whether a change in Grade is merited (currently Grade 4).

**Passed Over**

1. Voted to change the Grade for the position of Director of Building Maintenance from Grade 10 to Grade 14.

**Passed**

1. Voted to establish the Grade for the position of Lieutenant/Deputy Police Chief as Grade 14.

Passed

A motion was made by Melinda Tarsi and seconded to Pass Over the following amendment.

**Passed**

1. Add a disciplinary policy and procedure in the Wage and Personnel By-Law for complaints about employees covered under the Wage and Personnel By-Law - language to be presented at the Town Meeting.

**Passed Over**

**5.** Voted to amend Chapter 35, Section 16 (New Employees), paragraph (B) from:

B. All open positions will be posted for a minimum of five (5) business days; posting will be sent via email to all department heads and is to be distributed to employees. This position will be advertised through the appropriate media to attract qualified candidates and to ensure compliance with all equal opportunity requirements. All open positions will be advertised and/or posted for a minimum of five (5) business days. Copies of such job postings and/or advertisement shall be submitted to the Wage and Personnel Board, Town Clerk and the Town Administrator and an email shall be sent to the Town Administrator to be posted on the Town’s web site.

To:

B. An open position will be posted via the following methods: distribution via email to all department heads, notice on the Town’s web site, posting at Town Hall, and advertisement in a local newspaper, for a minimum of ten (10) calendar days unless the Wage and Personnel Board approves a different minimum number of days prior to the posting for the position. This position will be advertised through the appropriate media to attract qualified candidates and to ensure compliance with all equal opportunity requirements. Copies of such job postings and/or advertisement shall be submitted to the Wage and Personnel Board, the Town Clerk, and the Town Administrator by the department posting the position. The department posting the position shall e-mail a copy of the posting to the Town Administrator to be posted on the Town’s web site.

**Passed**

**6**. Voted to amend Chapter 35, Section 26 (Holidays) by adding the following:

I. All employees except permanent full-time employees, permanent part-time employees, call firefighters, and special police officers will be paid at time and one half of regular rate for working a holiday (as observed in these by laws) for hours worked: except for Thanksgiving, Christmas and New Year’s Day. On Thanksgiving, Christmas and New Year’s Day these employees will be paid at twice their regular pay rate for hours worked. In all these cases, these employees shall not receive any additional holiday pay.

**Passed**

**7.** Voted to amend the following Sections of the Wage and Personnel By-Law:

**§ 35-21.2 Municipal and School Building Committee Employees.**

From:

Any full-time employee of the Municipal and School Building Committee who has left his or her place of employment after having completed work on his or her regular shift and is called back to work, shall be paid for each hour worked and in no event shall he or she receive pay for less than the equivalent three (3) hours. In the event the employee’s regular working day starts after he or she is called and he or she continues to work up to his or her regular starting time, he or she shall be paid for such hours, and in this event, there shall be no three (3) hour guarantee.

To:

Any full-time employee of the Municipal and School Building Committee who has left the employee’s place of employment after having completed work on the employee’s regular shift and is called back to work, shall be paid for each hour worked and in no event shall the employee receive pay for less than the equivalent three (3) hours. In the event the employee’s regular working day starts after the employee is called and the employee continues to work up to the employee’s regular starting time, the employee shall be paid for such hours, and in this event, there shall be no three (3) hour guarantee.

**§ 35-26. Holidays.**

From:

E. When a holiday occurs during an employee's regular scheduled vacation, he shall be granted an additional day's (eight hours) vacation.

To:

E. When a holiday occurs during an employee's regular scheduled vacation, the employee shall be granted an additional day's (eight hours) vacation.

From:

Appendix A, Group C (Fire Department (Non-Union Personnel)

A Call Firefighter shall start on Step 1 and remain at this level for at least one year from the time he/she is appointed. At the end of the probationary period (one year) the Firefighter shall be given a practical test; the Firefighter shall have two tries at passing the test; if the Firefighter does not pass the examination at this time he shall remain at Step 1 and be retested in six (6) months. If the Firefighter does not pass the examination at this time, he/she shall be terminated.

To:

A Call Firefighter shall start on Step 1 and remain at this level for at least one year from the time the Call Firefighter is appointed. At the end of the probationary period (one year) the Firefighter shall be given a practical test; the Firefighter shall have two tries at passing the test; if the Call Firefighter does not pass the examination at this time the Call Firefighter shall remain at Step 1 and be retested in six (6) months. If the Firefighter does not pass the examination at this time, the Call Firefighter shall be terminated.

Appendix A, Group C (Fire Department (Non-Union Personnel)

From:

Before a Firefighter attends a course he must obtain approval from the Fire Chief.

To:

Before a Firefighter attends a course the Firefighter must obtain approval from the Fire Chief.

Appendix A, Group E (Water Department)

From:

Any employee of the Water Department who has left his place of employment after having completed work on his regular shift and is called back to work, shall be paid for each hour worked and in no event shall he receive pay for less than the equivalent of three (3) hours. In the event the employee’s regular working day starts after he is called in and he continues to work up to his regular starting time, he shall be paid for such hours, and in this event there shall be no three (3) hour guarantee.

To:

Any employee of the Water Department who has left the employee’s place of employment after having completed work on the employee’s regular shift and is called back to work, shall be paid for each hour worked and in no event shall the employee receive pay for less than the equivalent of three (3) hours. In the event the employee’s regular working day starts after the employee is called in and the employee continues to work up to the employee’s regular starting time, the employee shall be paid for such hours, and in this event there shall be no three (3) hour guarantee.

Passed

A motion was made by Melinda Tarsi, and seconded to Pass Over the following amendment.

**Passed**

**8.** To amend the following Sections of the Wage and Personnel By-Law by adding the following:

**§35-17. Increases.**   
E. Notwithstanding any portion of this by-law to the contrary, no employee shall receive a step increase during the period from July 1, 2020 to June 30, 2021.

Passed Over

A motion was made by Melinda Tarsi, and seconded to Pass Over the following amendment.

**Passed**

**9.** To amend the following Sections of the Wage and Personnel By-Law by adding the following:

**§ 35-21. Longevity.**

C. Notwithstanding any portion of this by-law to the contrary, no employee shall receive a change in longevity compensation during the period from June 30, 2020 to June 30, 2021.

**Passed Over**

**10.** Voted to amend the following Sections of the Wage and Personnel By-Law:

**§ 35-2. Advantages.**

From:

(B)(3) It facilitates communication among department heads, Town officials and the Wage and Personnel Board.

To:

(B)(3) It facilitates communication among department heads and Town officials.

**§ 35-7. Amendment of plan.**

From:

B. No amendment shall be considered unless a written and signed request by petitioner or petitioners is addressed and submitted to the Personnel Board and a copy thereof filed with the Town Clerk.

C. The Board shall hold a Public Hearing no later than the last business day in January, at which all persons interested shall be entitled to be present and be heard. Written notice of such hearing shall be given, not less than two weeks preceding the date thereof, to all employees whose compensation and benefits are governed by the Wage and Personnel By-Law and to all department heads for departments which include these employees. All proposed amendments to the Wage and personnel By-Law and/or requests on a related matter must be submitted two weeks prior to the Public Hearing in order to be considered at the following Annual Town Meeting. Any proposed amendment to the Wage and Personnel By-Law or a request on a related matter submitted after said deadline shall be considered at the Public Hearing the following year.

D. The Board shall, after such hearing, submit a report with recommendations to the Town Meeting at which such amendments are to be considered.

E. The Board may, after like notice to all interested persons and after like hearing, submit to a Town Meeting its own proposals for amending the plan.

To:

B. No amendment shall be considered unless a written and signed request by petitioner or petitioners is addressed and submitted to the Board of Selectmen and Finance Committee and a copy thereof filed with the Town Clerk.

C. The Board of Selectmen and the Finance Committee or the Board and Committee’s designee(s) shall hold a Public Hearing no later than the last business day in January, at which all persons interested shall be entitled to be present and be heard. Written notice of such hearing shall be given, not less than two weeks preceding the date thereof, to all employees whose compensation and benefits are governed by the Wage and Personnel By-Law and to all department heads for departments which include these employees. All proposed amendments to the Wage and Personnel By-Law and/or requests on a related matter must be submitted two weeks prior to the Public Hearing in order to be considered at the following Annual Town Meeting. Any proposed amendment to the Wage and Personnel By-Law or a request on a related matter submitted after said deadline shall be considered at the Public Hearing the following year.

D. The Board of Selectman and Finance Committee shall, after such hearing, submit a report with recommendations to the Town Meeting at which such amendments are to be considered. All proposed amendments, whether recommended by the Board of Selectmen and Finance Committee or not, shall be included in the list of proposed amendments presented at the Town Meeting.

E. The Board of Selectmen and Finance Committee may, after like notice to all interested persons and after like hearing, submit to a Town Meeting its own proposals for amending the plan.

**§ 35-11. Grievance procedure.**

(A)(2)(b)

From:

(1) If the department head has not responded within the given time limit or if the grievance has not been settled to the employee's satisfaction, the employee may submit the grievance, in writing, to the Wage and Personnel Board within 10 working days of the department head's response (or if there has been no response, within ten (10) working days of the date the response was due).

(3) The Wage Board will consider the grievance at its next regularly scheduled meeting and, if the employee so requests, will hold a hearing either at or within two calendar weeks of this first meeting.

(4) The Wage Board will respond, in writing, to the employee within three calendar weeks of this meeting or hearing, whichever occurs later, sending a copy of the decision to the department head.

To:

(1) If the department head has not responded within the given time limit or if the grievance has not been settled to the employee's satisfaction, the employee may submit the grievance, in writing, to the Board of Selectmen within 10 working days of the department head's response (or if there has been no response, within ten (10) working days of the date the response was due).

(A)(2)(b) (3) and (4):

From:

(3) The Wage Board will consider the grievance at its next regularly scheduled meeting and, if the employee so requests, will hold a hearing either at or within two calendar weeks of this first meeting.

(4) The Wage Board will respond, in writing, to the employee within three calendar weeks of this meeting or hearing, whichever occurs later, sending a copy of the decision to the department head.

To:

(3) The Board of Selectmen will consider the grievance at its next regularly scheduled meeting and, if the employee so requests, will hold a hearing either at or within two calendar weeks of this first meeting.

(4) The Board of Selectmen will respond, in writing, to the employee within three calendar weeks of this meeting or hearing, whichever occurs later, sending a copy of the decision to the department head.

(A)(2)(c)

Delete the following:

(1) If the decision of the Wage and Personnel Board is not satisfactory to the employee, the department head, or the other interested party, it may be appealed, in writing, to the Board of Selectmen within two calendar weeks of the date of the Wage and Personnel Board’s decision or the date on which said decision is due, whichever occurs first. [Amended 5-13-2019 ATM, Art. 2]

(2) The Selectmen will consider the grievance at their next regularly scheduled meeting and, if the employee or Wage Board so requests, will hold a hearing either at or within two calendar weeks of this first meeting.

(3) The Selectmen will respond, in writing, to the employee, the department head and/or any other interested party within three calendar weeks of this meeting or hearing, whichever occurs later, and send a copy of the Board’s decision to the Wage and Personnel Board. [Amended 5-13-2019 ATM, Art. 2]

Delete the following:

C. Failure by the Wage and Personnel Board to process or respond to a grievance in accordance with this procedure shall automatically move the grievance to Step 3 in this procedure.

**§ 35-12. Membership.**

Delete the following:

A. There shall be a Personnel Board consisting of three unpaid members responsible for the administration and maintenance of the Classification/Compensation Plan. They shall not be employees or elected officials of the town.

B. The membership of the Board, including the filling of any vacancy or any re-appointment, shall be decided by a committee composed of the Moderator, a member of the Finance Committee and a member of the Board of Selectmen, said members to be designated by their respective Boards. Each Personnel Board member shall serve for a term of three years or, in the case of an appointment to fill the remainder of the term of a vacancy, for the remainder of the three years of the term. [Amended 5-13-2019 ATM, Art. 2]

C. All terms shall begin on July 1 and end on June 30.

D. Notwithstanding the provisions of Subsection A, in the event that there is only one appointed member on the Wage and Personnel Board, a member of the Board of Selectmen and a member of the Finance Committee shall serve as members of the Wage and Personnel Board, such members to be designated by their respective boards.

Notwithstanding the provisions of Subsection A, in the event that there are only two appointed members on the Wage and Personnel Board, a member of the Board of Selectmen or a member of the Finance Committee shall serve as members of the Wage and Personnel Board, such member is to be designated by a majority vote of the Board of Selectmen and Finance Committee.

E. Notwithstanding the provisions of Subsection A, in the event that there are no appointed members on the Wage and Personnel Board, a member of the Board of Selectmen, and a member of the Finance Committee shall serve as members of the Wage and Personnel Board, such members from the Board of Selectmen and Finance Committee to be designated by their respective boards. [Amended ATM 5-11-1998, Art. 3; Amended 5-13-2019 ATM, Art. 2]

Delete the following:

**§ 35-13. Vacancies.**

If any member of the Personnel Board shall resign or otherwise vacate his/her office before the expiration of his/her term, his/her successor shall be appointed by the remaining members and the Board of Selectmen in conformance with MGL c. 41, § 11, to serve for the balance of the unexpired term. Every member of the Board shall serve until his/her successor has been sworn in by the Town Clerk.

From:

**§ 35-14. Responsibility and duties.**

A. The Board shall administer the plan and ensure that there is uniform interpretation and application.

B. The Board shall establish such policies, procedures and regulations as it deems necessary for the administration of the plan and may employ assistance and incur expense as it deems necessary, subject to appropriation of funds therefor.

C. The Board shall, immediately following the annual appointment of a new member or members, meet and organize by electing a Chairman. A majority of the Board shall constitute a quorum for the transaction of business. The votes of a majority of all members of the Board shall be necessary on any matter upon which it is authorized or required to act.

D. The Board shall maintain written descriptions of the jobs or positions in the plan, describing the essential characteristics, requirements and general duties. The descriptions shall not be interpreted as complete or limiting definitions, and employees shall continue to perform any duties assigned by their superiors.

E. The Board shall make an annual report, in writing, to the Board of Selectmen on or before January 15 of each year.

F. The Board by its own authority may reclassify an existing position, and no position may be reclassified until the Board has determined that such reclassification is consistent with the purpose and provisions of the plan. Reclassification shall be subject to the appropriation of the funds necessary to adjust the compensation of the reclassified employee(s).

G. The Board shall review the work of all positions covered by the plan; such reviews to be scheduled so that all positions will be reviewed at intervals of not more than three years.

H. The Board shall from time to time review the salary schedules. It shall keep informed as to pay rates and policies in effect in other towns and in similar positions outside the service of the Town and shall make recommendations to the Town so as to maintain fair and equitable pay levels.

I. After recommendation of a department head, supported by written evidence of special reasons and/or exceptional circumstances, the Board may authorize an entrance rate higher than the minimum rate for a particular position and may authorize any such other variance to the plan it may deem necessary for the proper functioning of the Town. No variance shall become effective until the necessary funds have been appropriated therefor, and all variances to the plan must be approved by the next Annual Town Meeting.

J. The Board shall clearly define how part-time service contributes to eligibility for certain benefits such as sick/vacation credit, additional vacation weeks and longevity pay.

K. The Wage and Personnel Board by its own authority will consider all employees, part-time and full-time, covered under Wage and Personnel to be considered in any across-the board or C.O.L.A. increase recommended by the Board and voted at the Town Meeting. Any other change must be specifically requested and subject to a hearing.

To:

**§ 35-14. Responsibility and duties.**

A. The Board of Selectmen and the Finance Committee shall administer the plan and ensure that there is uniform interpretation and application.

B. The Board of Selectmen and the Finance Committee shall establish such policies, procedures and regulations as it deems necessary for the administration of the plan and may employ assistance and incur expense as it deems necessary, subject to appropriation of funds therefor.

C. The Board of Selectmen and the Finance Committee shall maintain written descriptions of the jobs or positions in the plan, describing the essential characteristics, requirements and general duties. The descriptions shall not be interpreted as complete or limiting definitions, and employees shall continue to perform any duties assigned by their superiors.

D. The Board of Selectmen and the Finance Committee shall review the work of all positions covered by the plan; such reviews to be scheduled so that all positions will be reviewed at intervals of not more than three years.

E. The Board of Selectmen and the Finance Committee shall from time to time review the salary schedules. It shall keep informed as to pay rates and policies in effect in other towns and in similar positions outside the service of the Town and shall make recommendations to the Town so as to maintain fair and equitable pay levels.

F. After recommendation of a department head, supported by written evidence of special reasons and/or exceptional circumstances, the Board of Selectmen and the Finance Committee may authorize an entrance rate higher than the minimum rate for a particular position and may authorize any such other variance to the plan it may deem necessary for the proper functioning of the Town. No variance shall become effective until the necessary funds have been appropriated therefor, and all variances to the plan must be approved by the next Annual Town Meeting.

G. The Board shall clearly define how part-time service contributes to eligibility for certain benefits such as sick/vacation credit, additional vacation weeks and longevity pay.

H. The Board of Selectmen and the Finance Committee by its own authority will consider all employees, part-time and full-time, covered under Wage and Personnel By-Law to be considered in any across-the board or C.O.L.A. increase recommended by the Board of Selectmen and the Finance Committee and voted at the Town Meeting. Any other change must be specifically requested and subject to a hearing.

**§ 35-15. Human Resource Liaison.**

From:

The Town Administrator shall act as Human Resource liaison for Wage and Personnel Policy and Procedures, providing information the Board deems necessary in the performance of its duties.

To:

The Town Administrator shall act as Human Resource liaison for Wage and Personnel Policy and Procedures, providing information the Board of Selectmen and the Finance Committee deem necessary in the performance of its duties.

**§ 35-16. New employees.**

From:

A. Prior to any posting and/or advertising of any open position a requisition must be submitted to the Wage and Personnel Board and Town Administrator. All postings shall list pay grade, summary of duties, hours and minimum qualifications for the position(s). All positions are required to have a posting date and a closing date. A complete job description shall be attached to the requisition.

B. All open positions will be posted for a minimum of five (5) business days; posting will be sent via email to all department heads and is to be distributed to employees. This position will be advertised through the appropriate media to attract qualified candidates and to ensure compliance with all equal opportunity requirements. All open positions will be advertised and/or posted for a minimum of five (5) business days. Copies of such job postings and/or advertisement shall be submitted to the Wage and Personnel Board, Town Clerk and the Town Administrator and an email shall be sent to the Town Administrator to be posted on the Town’s web site.

C. Except for the special authorization given the Board under Article III, § 35-14I, the hiring rate shall be the minimum for the position being filled.

To:

A. Prior to any posting and/or advertising of any open position a requisition must be submitted to the Board of Selectmen and the Finance Committee and Town Administrator. All postings shall list pay grade, summary of duties, hours and minimum qualifications for the position(s). All positions are required to have a posting date and a closing date. A complete job description shall be attached to the requisition.

B. An open position will be posted via the following methods: distribution via email to all department heads, notice on the Town’s web site, posting at Town Hall, and advertisement in a local newspaper, for a minimum of ten (10) calendar days unless the Wage and Personnel Board approves a different minimum number of days prior to the posting for the position. This position will be advertised through the appropriate media to attract qualified candidates and to ensure compliance with all equal opportunity requirements. Copies of such job postings and/or advertisement shall be submitted to the Board of Selectmen, the Finance Committee, the Town Clerk, and the Town Administrator by the department posting the position. The department posting the position shall e-mail a copy of the posting to the Town Administrator to be posted on the Town’s web site.

C. Except for the special authorization given the Board of Selectmen and the Finance Committee under Article III, § 35-14I, the hiring rate shall be the minimum for the position being filled.

**§ 35-17. Increases.**

From:

(B) Performance evaluations for all employees must be conducted annually in writing and a Certificate of Completion must be provided to the Wage and Personnel Board. All original performance evaluations are to be forwarded to the Treasurer’s Office to be kept in the employee’s Personnel file.

To:

(B) Performance evaluations for all employees must be conducted annually in writing and a Certificate of Completion must be provided to the Treasurer-Collector’s Office.

All original performance evaluations are to be forwarded to the Treasurer’s Office to be kept in the employee’s Personnel file.

**§ 35-18. Promotions; Change of Position.**

From:

(B) If an employee applies for a lower-graded position (acting willingly and on one’s own initiative) the employee shall enter it at the grade and step such position was posted. If warranted, the department head may request the pay rate of such employee be adjusted to the appropriate step for his/her new position within 90 days by such adjustments as the Wage and Personnel Board shall determine.

To:

(B) If an employee applies for a lower-graded position (acting willingly and on one’s own initiative) the employee shall enter it at the grade and step such position was posted. If warranted, the department head may request the pay rate of such employee be adjusted to the appropriate step for his/her new position within 90 days by such adjustments as the Board of Selectmen and Finance Committee shall determine.

**§ 35-19. Overtime and compensatory time.**

From:

C. Salaried (exempt) employees who are not eligible for overtime pay shall be entitled to compensatory time off for time worked in excess of the workweek designated by the Wage and Personnel Board as the regular workweek for that position. Employees must use this compensatory time within the next consecutive two week pay period and shall schedule this time off with their department head and/or appointing authority.

To:

C**.** Salaried (exempt) employees who are not eligible for overtime pay shall be entitled to compensatory time off for time worked in excess of the workweek designated by the Board of Selectmen and the Finance Committee as the regular workweek for that position. Employees must use this compensatory time within the next consecutive two week pay period and shall schedule this time off with their department head and/or appointing authority.

**§ 35-20. Incentive increases.**

From:

Any full-time employee may qualify for an incentive pay raise for the successful completion of certain education programs under the following conditions:

A. A written recommendation must be made by the department head to the Board of Selectmen and to the Wage and Personnel Board, giving a detailed description of the course and reasons why it should be considered for an incentive increase.

B. Prior to the start of the program, approval must have been received from the Personnel Board and the Board of Selectmen.

C. Upon completion of each approved program, the employee must submit an application, in writing, to his/her department head for an incentive increase, such application to include documentation of the successful completion of the courses and the marks attained.

D. The application shall be considered at a joint meeting of the Board of Selectmen, the Wage and Personnel Board and the department head. Approval for the increase shall be by a majority vote, with each Board and the department head having one vote each.

To:

Any full-time employee may qualify for an incentive pay raise for the successful completion of certain education programs under the following conditions:

A. A written recommendation must be made by the department head to the Board of Selectmen and the Finance Committee, giving a detailed description of the course and reasons why it should be considered for an incentive increase.

B. Prior to the start of the program, approval must have been received from the Board of Selectmen and the Finance Committee.

C. Upon completion of each approved program, the employee must submit an application, in writing, to his/her department head for an incentive increase, such application to include documentation of the successful completion of the courses and the marks attained.

D. The application shall be considered at a joint meeting of the Board of Selectmen, the Finance Committee, and the department head. Approval for the increase shall be by a majority vote, with the Board of Selectmen, the Finance Committee and the department head having one vote each.

**§ 35-25. General provisions (Leave).**

From:

A. Except for those leaves for which specific benefits are hereinafter provided, all leaves of absence shall be without compensation and any such leave must first be recommended, in writing, by the department head and approved, in writing, by the Wage and Personnel Board.

To:

A. Except for those leaves for which specific benefits are hereinafter provided, all leaves of absence shall be without compensation and any such leave must first be recommended, in writing, by the department head and approved, in writing, by the Board of Selectmen.

**§ 35-28. Sick and personal leave.**

From:

G. Should abuse of sick leave be suspected, the department head, the Town Administrator and/or the Wage and Personnel Board may require satisfactory medical evidence of illness or disability.

To:

G. Should abuse of sick leave be suspected, the department head and/or the Town Administrator may require satisfactory medical evidence of illness or disability.

**§ 35-28.1 Non-Union Sick Leave Bank.**

Management

From:

5. The board shall ensure that adequate and accurate records and communications are maintained between the board and Wage and Personnel, the Accountant and the Treasurer’s Office (personnel files). Minutes will be kept as to all decisions made and the minutes shall be kept on file with the Sick Bank Board.

To:

5. The board shall ensure that adequate and accurate records and communications are maintained between the board and Board of Selectmen, the Accountant and the Treasurer’s Office (personnel files). Minutes will be kept as to all decisions made and the minutes shall be kept on file with the Sick Bank Board.

**§ 35-29. Family and medical leave.**

From:

B. Leave will be granted in accordance with provisions of the Family and Medical Leave Act of 1993 and the procedure established by the Wage and Personnel Board, with each twelve‑month period defined on a rotating basis from the first day leave is taken.

To:

C. Leave will be granted in accordance with provisions of the Family and Medical Leave Act of 1993 and the procedure established by the Board of Selectmen, with each twelve‑month period defined on a rotating basis from the first day leave is taken.

**Passed**

**11**. Voted to approve an Across-the-board wage and salary increase of 1.6% for Fiscal Year 2021.

Proposed by Wage & Personnel – Melinda Tarsi

**Passed**

A motion was made by Barbara J. Gaynor and seconded to increase the wages of the Town Clerk, Treasurer-Collector and Highway Surveyor 1.6% to keep in line with the Wage & Personnel voted increase.

ARTICLE 3 To see if the Town will vote to determine the salaries of several elective Town Officers, July 1, 2020 to June 30, 2021 or take any action thereon:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2017-2018** | **2018-2019** | **2019-2020** | **2020-2021** |
| Moderator | $200 | $200 | $200 | $200 |
| Town Clerk | $53,036.00 | $54,097.00 | $55,179.00 | $56,062.00. |
| Selectmen (each) | $1,500.00 | $1,500.00 | $1,500.00 | $1,500.00 |
| Treasurer-Collector | $68,145.00 | $69,508.00 | $70,899.00 | $72,033.00 |
| Assessors (each) | $1,500.00 | $1,500.00 | $1,500.00 | $1,500.00 |
| Highway Surveyor | $72,294.00 | $73,740.00 | $75,215.00 | $76,419.00 |

Proposed by the Finance Committee

**Passed**

ARTICLE 4 Operating Budget.

To determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses to the Town, including debts and interest or take any action thereon.

**(SEE NEXT PAGES)**

Proposed by the Finance Committee

**Finance Committee Recommends**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Item# & Account Description** | **Expended** | **Expended** | **Budget** | **Recommended** |
|  | **FY18** | **FY19** | **FY20** | **FY21** |
| 1 Moderator – Salary | $200 | $200 | $200 | $200 |
| 2 Selectmen – Salary | $4,500 | $4,500 | $4,500 | $4,500 |
| 3 Town Admin. – Salary | $93,582 | $95,434 | $111,000 | $111,000 |
| 4 Selectmen – Clerical | $78,723 | $83,081 | $83,905 | $84,917 |
| 5 Selectmen – Exp. | $4,087 | $3,632 | $3,925 | $3,925 |
| 6 Law | $81,016 | $122,135 | $74,100 | $124,500 |
| 7 Town Hall - Electricity | $19,239 | $16,103 | $17,700 | $15,500 |
| 8 Town Reports | $7,591 | $10,547 | $10,400 | $6,700 |
| 9 Audit | $21,544 | $25,500 | $25,500 | $25,500 (A) |
| 10 Fin Comm – Clerical | $3,193 | $3,225 | $4,512 | $4,592 |
| 11 Fin Comm – Exp. | $180 | $225 | $359 | $359 |
| 12 Accountant - Salary | $75,572 | $77,064 | $78,836 | $80,078 |
| 13 Accountant - Clerical | $49,776 | $50,754 | $52,141 | $42,972 |
| 14 Accountant – Exp. | $1,180 | $1,225 | $1,625 | $1,625 |
| 15 Data Processing | $84,663 | $101,426 | $106,911 | $106,694 |
| 16 Assessors - Salary | $4,500 | $4,500 | $4,500 | $4,500 |
| 17 Principal Assessor/Appraiser | $70,225 | $74,022 | $77,528 | $79,047 |
| 18 Assessors - Clerical | $62,572 | $64,611 | $67,626 | $65,445 |
| 19 Assessors – Exp. | $13,108 | $13,405 | $13,165 | $14,665 |
| 20 Office Machines – Exp. | $5,245 | $4,832 | $7,000 | $6,000 |
| 21Treasurer/Collector Salary | $69,145 | $70,508 | $71,899 | $73,033 |
| 22 Treasurer/Collector - Clerical | $119,620 | $126,779 | $134,640 | $138,037 |
| 23 Treasurer - Expense | $6,477 | $7,498 | $7,500 | $7,500 |
| 24 Collector - Expense | $14,848 | $14,699 | $14,850 | $14,850 |
| 25 Treasurer - Banking & Payroll Exp. | $7,700 | $7,335 | $7,900 | $7,900 |
| 26 Tax Title - Treasurer | $20,953 | $13,210 | $5,000 | $5,000 |
| 27 Town Clerk - Salary | $54,036 | $55,097 | $56,179 | $57,062 |
| 28 Town Clerk - Clerical | $36,211 | $39,083 | $41,272 | $32,697 |
| 29 Town Clerk – Exp. | $4,770 | $3,722 | $4,649 | $4,035 |
| 30 Elect/Register | $9,350 | $14,534 | $15,106 | $31,980 |
| 31 Wage & Personnel - Clerical | $2,393 | $1,945 | $4,572 | $0 |
| 32 Wage & Personnel – Exp. | $228 | $200 | $250 | $250 |
| 33 Recruitment & Employment Costs | $8,255 | $6,153 | $7,500 | $7,500 |
| 34 Cons Commission – Exp. | $656 | $354 | $1,100 | $800 |
| 35 Planning Board – Exp. | $1,051 | $1,509 | $2,000 | $2,000 |
| 36 Zoning Board of Appeals – Exp. | $710 | $712 | $825 | $825 |
| 37 Regulatory - Clerical | $70,836 | $67,393 | $73,532 | $75,302 |
| 38 Building Committee - Clerical | $11,152 | $11,440 | $11,759 | $11,902 |
| 39 Building Committee – Exp. | $403 | $275 | $450 | $450 |
| 40 Town Buildings - Custodial | $163,092 | $165,885 | $182,853 | $200,808 |
| 41 Town Buildings – Exp. | $33,648 | $25,971 | $35,360 | $35,360 |
| 42 Town Building Preventative Maint. | $51,899 | $48,021 | $52,616 | $52,616 |
| 43 Town Buildings - Snow & Ice Exp. | $1,825 | $1,050 | $3,000 | $2,000 |
| **Total General Government** | **$1,369,953** | **$1,439,794** | **$1,480,245** | **$1,544,626** |
|  |  |  |  |  |
|  |  |  |  |  |
| **Item# & Account Description** | **Expended** | **Expended** | **Budget** | **Recommended** |
|  | **FY18** | **FY19** | **FY20** | **FY21** |
| **Public Safety- Police** |  |  |  |  |
| 44 Police - Chief Salary | $105,180 | $124,827 | $115,614 | $115,614 |
| 45 Police - Wages | $1,027,564 | $1,065,378 | $1,133,567 | $1,158,191 |
| 46 Police - Training | $2,243 | $8,692 | $10,000 | $10,000 |
| 47 Police - Clerical | $44,866 | $46,280 | $47,555 | $48,127 |
| 48 Police – Exp. | $58,440 | $62,282 | $62,485 | $70,000 |
| 49 Police - Station Maintenance | $25,202 | $19,405 | $24,100 | $20,000 |
| 50 Police - Cruiser Maintenance | $9,680 | $15,705 | $13,000 | $13,000 |
| **Total Police** | **$1,273,175** | **$1,342,570** | **$1,406,321** | **$1,434,932** |
|  |  |  |  |  |
| **Public Safety - Fire** |  |  |  |  |
| 51 Fire - Chief Salary | $110,000 | $119,000 | $125,000 | $125,000 |
| 52 Fire - Clerical | $41,440 | $41,404 | $37,628 | $38,523 |
| 53 Fire - Wages | $842,915 | $843,230 | $1,000,552 | $1,014,353 |
| 54 Fire - Training | $48,607 | $57,813 | $58,596 | $58,758 |
| 55 Fire – Exp. | $29,884 | $44,676 | $46,750 | $46,750 |
| 56 Fire - Station Maintenance | $17,001 | $16,740 | $17,124 | $17,000 |
| 57 Fire - Vehicle/Equip Maintenance | $33,509 | $30,118 | $28,000 | $33,500 |
| 58 Fire - Medical Supplies | $23,512 | $25,506 | $25,000 | $26,000 |
| 59 Ambulance Billing | $6,916 | $24,340 | $27,500 | $27,500 |
| **Total Fire** | **$1,153,784** | **$1,202,827** | **$1,366,150** | **$1,387,384** |
|  |  |  |  |  |
| **Public Safety- Other Public Safety** |  |  |  |  |
| 60 Emergency Management | $1,545 | $1,545 | $4,550 | $4,550 |
| 61 Building Inspector - Wages | $64,557 | $69,509 | $72,715 | $75,965 |
| 62 Asst Building Inspector Wages | $2,115 | $2,158 | $2,202 | $2,238 |
| 63 Building Inspector – Exp. | $4,269 | $4,181 | $4,750 | $4,750 |
| 64 Sealer Weights/Measure - Salary | $2,311 | $2,620 | $2,673 | $2,716 |
| 65 Sealer Weights/Measure – Exp. | $252 | $0 | $527 | $527 |
| 66 Animal Control Officer - Salary | $16,556 | $18,609 | $19,496 | $18,105(B) |
| 67 Animal Control Officer – Exp. | $483 | $1,426 | $4,616 | $4,616 (B) |
| **Total Other Public Safety** | **$92,087** | **$100,048** | **$111,529** | **$113,467** |
|  |  |  |  |  |
| 68 Dispatch Services | $133,879 | $150,000 | $155,000 | $163,000 |
| **Total Communications** | **$133,879** | **$150,000** | **$155,000** | **$163,000** |
| **Total Public Safety** | **$2,652,926** | **$2,795,444** | **$3,039,000** | **$3,098,783** |
|  |  |  |  |  |
| **Schools** |  |  |  |  |
| 69 Elementary - School Costs | $5,386,684 | $5,437,286 | $5,659,147 | $5,794,574 |
| 70 Vocational – Education | $182,796 | $190,575 | $244,719 | $156,500 |
| 71 Special Needs – Tuitions | $1,704,335 | $1,577,639 | $1,777,377 | $1,857,409 |
| 72 Special Needs – Transportation | $436,103 | $459,990 | $510,000 | $473,800 |
| 73 Silver Lake Assessment | $4,280,675 | $4,937,394 | $4,594,943 | $4,632,541 |
| 74 Debt Exclusion Budget Silver Lake | $478,296 |  | $475,150 | $463,867 (C) |
| **Total Schools** | **$12,468,891** | **$12,602,883** | **$13,261,336** | **$13,378,691** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Item# & Account Description** | **Expended** | **Expended** | **Budget** | **Recommended** |
|  | **FY18** | **FY19** | **FY20** | **FY21** |
| **Public Works- Highway** |  |  |  |  |
| 75 Highway - Surveyor Salary | $72,294 | $73,740 | $75,215 | $75,419 |
| 76 Highway - Wages | $285,627 | $278,958 | $296,480 | $310,732 |
| 77 Highway - Clerical | $40,209 | $41,263 | $43,084 | $42,926 |
| 78 Highway – Exp. | $6,836 | $6,538 | $6,771 | $6,771 |
| 79 Highway - Barn Maintenance | $10,323 | $10,032 | $11,610 | $11,610 |
|  |  |  |  |  |
| **Public Works- Highway** |  |  |  |  |
| 80 Highway - Equipment | $48,480 | $40,222 | $52,500 | $52,500 |
| 81 Highway - Town Roads | $72,598 | $86,808 | $58,705 | $58,705 |
| 82 Highway Stormwater Management |  |  | $114,300 | $144,400 |
| 83 Highway - Snow & Ice | $182,098 | $128,836 | $177,509 | $177,509 |
| 84 Street Lights | $29,731 | $27,776 | $27,300 | $32,500 |
| 85 Traffic Lights | $6,100 | $5,856 | $5,500 | $5,500 |
| 86 Tree Warden Salary | $0 | $0 | $1 | $1 |
| 87 Tree Maintenance | $3,500 | $3,500 | $3,500 | $3,500 |
| 88 Insect & Pest Control | $0 | $0 | $1 | $1 |
| **Total Highway** | **$757,795** | **$703,529** | **$872,476** | **$923,074** |
|  |  |  |  |  |
| **Public Works - Cemetery** |  |  |  |  |
| 89 Cemetery - Supt Salary | $10,831 | $11,048 | $11,269 | $11,450 |
| 90 Cemetery - Wages | $68,492 | $68,859 | $74,058 | $67,991 |
| 91 Cemetery - Supplies & Equip. | $5,316 | $5,015 | $6,195 | $6,195 |
| **Total Cemetery** | **$84,639** | **$84,922** | **$91,522** | **$85,636** |
|  |  |  |  |  |
| **Public Works - Water** |  |  |  |  |
| 92 Water - Supt Salary | $76,600 | $80,252 | $82,775 | $85,874 |
| 93 Water - Wages | $178,294 | $178,339 | $202,843 | $204,966 |
| 94 Water - Clerical | $52,298 | $39,122 | $42,468 | $44,214 |
| 95 Water - Supply | $183,830 | $166,870 | $182,600 | $182,600 |
| 96 Water - Insurance | $35,936 | $31,524 | $60,579 | $50,000 |
| 97 Water - Retirement | $14,777 | $15,741 | $19,000 | $19,000 |
| 98 Water - Legal fees | $0 | $0 | $1,500 | $1,500 |
| 99 Water - Meters | $24,905 | $24,710 | $25,000 | $25,000 |
| 100 Water - Gas & Oil | $4,828 | $9,918 | $13,750 | $11,000 |
| 101 Water - Vehicle/Equipment Maint. | $8,080 | $7,079 | $9,000 | $9,000 |
| 102 Water - Tower/Wells Maint. | $16,191 | $14,377 | $100,000 | $100,000 |
| **Total Water** | **$595,740** | **$567,933** | **$739,515** | **$733,154 (D)** |
|  |  |  |  |  |
| **Public Works - Solid Waste Manage.** |  |  |  |  |
| 103 Recycling Office - Clerical | $28,284 | $29,978 | $32,429 | $31,907 |
| 104 Recycling Office – Exp. | $2,794 | $3,016 | $3,785 | $3,785 |
| 105 Recycling Center - Wages | $68,463 | $73,970 | $71,805 | $71,321 |
| 106 Recycling Center – Exp. | $30,967 | $41,461 | $45,000 | $45,000 |
| 107 Hazardous Waste Collection | $14,016 | $10,111 | $14,550 | $14,550 |
| 108 Trash Collection/Disposal | $192,038 | $176,308 | $243,540 | $235,919 |
| **Total Solid Waste Management** | **$336,561** | **$334,843** | **$411,109** | **$402,482 (E)** |
| **Total Public Works** | **$1,774,736** | **$1,691,227** | **$2,114,622** | **$2,144,346** |
| **Item# & Account Description** | **Expended** | **Expended** | **Budget** | **Recommended** |
|  | **FY18** | **FY19** | **FY20** | **FY21** |
| **Health and Human Services** |  |  |  |  |
| 109 Health - Clerical | $41,287 | $37,931 | $44,002 | $44,118 |
| 110 Health – Exp. | $5,060 | $5,254 | $7,873 | $7,873 |
| 1111 Health - Inspections | $67,393 | $70,259 | $73,715 | $68,478 |
| 112 Health - Nursing Service | $5,600 | $5,320 | $7,000 | $7,000 |
| 113 Landfill - Engineering & Monitoring | $6,500 | $23,966 | $15,233 | $15,217 |
| 114 Inspector of Animals | $2,755 | $3,109 | $3,172 | $3,223 |
| 115 Council on Aging - Wages | $171,519 | $180,329 | $189,799 | $186,736 |
| 116 Council on Aging – Exp. | $8,429 | $8,571 | $8,880 | $8,880 |
| 117 Popes Tavern Electricity | $2,815 | $2,962 | $3,000 | $3,000 |
|  |  |  |  |  |
| **Health and Human Services** |  |  |  |  |
| 118 Veterans Agent - Salary | $14,679 | $14,973 | $15,273 | $15,518 |
| 119 Veterans Agent – Exp. | $1,317 | $997 | $1,350 | $1,350 |
| 120 Veterans Benefits | $149,704 | $170,769 | $201,200 | $205,225 |
| 121 Housing Authority | $0 | $0 | $1 | $1 |
| 122 A.D.A. – Exp. | $0 | $0 | $1 | $1 |
| **Total Health and Human Services** | **$477,058** | **$524,440** | **$570,499** | **$566,620** |
|  |  |  |  |  |
| **Culture and Recreation** |  |  |  |  |
| 123 Library - Director Salary | $60,681 | $63,858 | $66,923 | $69,904 |
| 124 Library - Wages | $157,175 | $162,942 | $171,407 | $171,470 |
| 125 Library - Expense | $92,752 | $87,392 | $89,349 | $90,626 |
| 126 Youth & Rec - Wages | $16,127 | $16,433 | $16,779 | $18,084 |
| 127 Youth & Rec – Exp. | $13,366 | $12,994 | $13,216 | $13,216 |
| 128 Youth & Rec - Director | $17,048 | $17,372 | $17,739 | $18,023 |
| 129 Parks - Wages | $0 | $0 | $100 | $100 |
| 130 Parks – Exp. | $109 | $414 | $450 | $450 |
| 131 Cable Television |  | $200,539 | $200,000 | $199,000 (F) |
| 132 Patriotic Celebrations |  | $0 | $400 | $400 |
| 133 Historical Commission | $2,199 | $2,870 | $3,500 | $3,500 |
| 134 Historical District Commission | $0 | $446 | $446 | $446 |
| 135 Holidays in Halifax | $1,925 | $3,395 | $3,395 | $0 |
| 136 Halifax Fireworks Committee | $0 | $4,343 | $3,200 | $3,200 |
| 137 Beautification Comm – Exp. | $500 | $500 | $500 | $500 |
| 138 Website Committee Exp. | $2,850 | $2,850 | $3,050 | $3,050 |
| 139 Music Rights | $342 | $349 | $357 | $366 |
| **Total Culture and Recreation** | **$365,074** | **$576,695** | **$590,811** | **$592,335** |
|  |  |  |  |  |
| **Debt Service** |  |  |  |  |
| 140 Debt - Water Extension Project | $82,163 | $78,600 | $0 | $0 (G) |
| 141 Debt - Water Tower Paint & Repair | $75,985 |  | $0 | $0 |
| 142 Debt WPAT | $10,400 | $10,400 | $10,400 | $10,400 (H) |
| 143 Debt WPAT II | $10,000 | $10,000 | $10,000 | $10,000 (I) |
| 144 Debt - Landfill Capping | $110,138 | $106,538 | $102,938 | $99,282 (J,K) |
| 145 Debt - HES Roof & Repairs | $0 | $242,000 | $412,650 | $327,350 (L) |
| 146 Debt - HES Fire Suppression Sys. | $0 | $0 | $21,750 | $179,250 |
| 147 Interest on Temporary Loans | $37,556 | $0 | $60,000 | $5,000 |
| **Item# & Account Description** | **Expended** | **Expended** | **Budget** | **Recommended** |
|  | **FY18** | **FY19** | **FY20** | **FY21** |
| **Total Debt Service** | **$326,241** | **$447,538** | **$617,738** | **$631,282** |
|  |  |  |  |  |
| **Fixed Costs** |  |  |  |  |
| 148 Plymouth County Retirement | $1,114,843 | $1,145,686 | $1,181,789 | $1,277,154 (M) |
| 149 Group Insurance - Town Share | $973,239 | $1,089,120 | $1,068,828 | $1,100,908 |
| 150 Medicare - Town Share | $115,617 | $125,340 | $128,520 | $132,080 |
| 151 Insurance | $225,713 | $236,842 | $250,000 | $281,000 |
| 152 OPEB Trust | $35,000 | $35,000 | $36,000 | $37,000 |
| 153 Telephone | $23,738 | $25,438 | $29,200 | $29,200 |
| 154 Gas & Oil - All Depts. | $88,812 | $86,633 | $110,000 | $90,000 |
| 155 Heating Oil - All Bldgs. | $45,351 | $42,728 | $62,500 | $50,000 |
| **Total Fixed Costs** | **$2,622,313** | **$2,786,788** | **$2,866,837** | **$2,997,342** |
| **Total General Operating** | **$22,057,191** | **$22,864,809** | **$24,541,088** | **$24,954,025** |
|  |  |  |  |  |
|  |  |  |  |  |
| **Funding Notes** | **Expended** | **Expended**  **FY18** | **Budget**  **FY19** | **Recommended**  **FY20** |
| (A) From Solid Waste Retained Earn. | 7,000 | 8,666 | 8,500 | 8,500 |
| (A) From Water Retained Earn. | 7,000 | 8,666 | 8,500 | 8,500 |
| (B) From Dog Fund | 22,672 | 23,580 | 24,112 | 22,721 |
| (C) Under Debt Exclusion | 478,296 | 480,982 | 475,150 | 463,867 |
| (D) From Water Fund/Revenue | 733,687 | 718,391 | 739,015 | 733,154 |
| (E) From Solid Waste Fund Revenue | 220,428 | 197,441 | 218,665 | 270,982 |
| From Solid Waste Fund Retained Earn. | 150,000 | 150,000 | 150,000 | 131,500 |
| (F) From PEG Access Fund Revenue | 202,000 | 225,000 | 200,000 | 199,000 |
| (G) From Water Retained Earn. | 85,725 | 82,163 | 78,600 | 0 |
| (H) From Abatement Trust Revenue | 10,400 | 10,400 | 10,400 | 10,400 |
| (I) From Abatement Trust Revenue | 10,000 | 10,000 | 10,000 | 10,000 |
| (J) Under Debt Exclusion | 109,716 | 106,538 | 102,667 | 99,087 |
| (K) From Fund Balance Reserved  For Bond Premium | 422 | 347 | 271 | 194 |
| (L) Under Debt Exclusion |  | 414,159 | 412,650 | 327,350 |
| (M) From Water Retained Earn. | 53,000 | 53,000 | 55,000 | 55,000 |

ARTICLE 5 Voted to fix the maximum amount that may be spent during Fiscal Year 2021 beginning on July 1, 2020 for the revolving funds established in city ordinances/town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E1⁄2.

|  |  |  |
| --- | --- | --- |
| **Revolving Fund** | **Department, Board, Committee, Agency or Officer authorized to spend from the fund** | **FY2021**  **Spending Limit** |
| Conservation Commission | Conservation Commission | $ 20,000 |
| Board of Health consulting | Board of Health | $ 30,000 |
| Recycling bins | Highway Surveyor | $ 5,000 |
| Earth Removal Review | Board of Selectmen | $ 10,000 |
| Planning Board consulting | Planning Board | $ 30,000 |
| Building Inspector consulting | Building Inspector | $ 15,000 |
| Youth and Recreation Programs | Youth and Recreation | $ 90,000 |
| CPR classes | Fire Chief | $ 5,000 |
| ZBA consulting | Zoning Board of Appeals | $ 25,000 |
| Library computer, printers & copier | Library Trustees | $ 5,000 |
| Selectmen legal advertising | Board of Selectmen | $ 1,500 |
| Council on Aging Elderbus | Council on Aging | $ 15,000 |
| Inspector wages | Building Inspector | $ 100,000 |
| Concession stand | Board of Selectmen | $ 10,000 |
| Solar projects | Board of Selectmen | $ 10,000 |
| Library book replacement | Library Trustees | $ 2,000 |
| Water tower/cell tower inspections | Board of Water Commissioners | $ 20,000 |

Proposed by the Board of Selectmen

**Passed (Consent Agenda Article)**

ARTICLE 6 Voted to raise and appropriate the sum of $75,000 to the Reserve Fund to cover extraordinary or unforeseen expenditures during Fiscal Year 2021 in accordance with Chapter 40, Section 6 of the Massachusetts General Laws, and to transfer from Water Retained Earnings the sum of $50,000 to the Water Department Reserve Fund.

Proposed by the Finance Committee

**Passed (Consent Agenda Article)**

ARTICLE 7 Voted to raise and appropriate $10,400 to fund the provisions of the collective bargaining agreement for Fiscal Year 2021 between IAFF, Local 3159 (Firefighters) and the Town of Halifax.

Proposed by the Board of Selectmen – Gordon C. Andrews

**Passed**

ARTICLE 8 Voted to raise and appropriate $6,622 to fund the provisions of the collective bargaining agreement for Fiscal Year 2021 between AFSCME AFL-CIO Union Council 93, Local 1700 (Highway/Cemetery) and the Town of Halifax.

Proposed by the Board of Selectmen – Thomas Millias

**Passed**

ARTICLE 9 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement for Fiscal Year 2021 between Massachusetts C.O.P., Local 459 (Sergeants) and the Town of Halifax or take any action thereon.

Proposed by the Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 10 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement for Fiscal Year 2021 between the Halifax Association of Police Patrolmen and the Town of Halifax or take any action thereon.

Proposed by the Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 11 Voted to raise and appropriate $4,386 to fund the provisions of the collective bargaining agreement for Fiscal Year 2021 between the Police Chief Joao Chaves and the Town of Halifax.

Proposed by the Board of Selectmen – Troy E. Garron

**Passed**

ARTICLE 12 Voted to raise and appropriate $2,000 to fund the provisions of the collective bargaining agreement for Fiscal Year 2021 between the Fire Chief Jason Viveiros and the Town of Halifax.

Proposed by the Board of Selectmen – Gordon C. Andrews

**Passed**

ARTICLE 13 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement for Fiscal Year 2021 between AFSCME AFL-CIO Union Council 93, Local 1700 (Mixed Unit) and the Town of Halifax or take any action thereon.

Proposed by the Board of Selectmen

Finance Committee Recommends

**Passed Over (Consent Agenda Article)**

ARTICLE 14 Voted to transfer from undesignated fund balance the sum of $150 for the use of the Trustees for County Cooperative Extension Service and authorize the Selectmen to appoint a Town Director within fifteen days as provided in revised Chapter 128, Section 41 of the Massachusetts General Laws.

Proposed by the Board of Selectmen

**Passed (Consent Agenda Article)**

ARTICLE 15 Vote to transfer from available funds the sum of $0 to meet the Town’s share and to appropriate the sum of $269,350 from available funds under Chapter 114 of the Acts of 2020 as the State’s share of the cost of work under Chapter 90, Section 34(2)(a) of the General Laws, for the purposes as set forth in the memorandum of agreement with the Massachusetts Highway Department including maintaining, repairing, improving, and constructing town and county ways and bridges, sidewalks adjacent to said ways and bridges, bike ways and other projects eligible for funding as a “transportation enhancement project” as described in the Intermodal Surface Transportation Efficiency Act of 1991, P.L. 102-240, salt storage sheds, public use off-street parking facilities related to mass transportation, for engineering services and expenses related to highway transportation enhancement and mass transportation purposes, for care, repair, storage, purchase, and long-term leasing of road building machinery, equipment and tools, and for the erection and maintenance of direction signs and warning signs.

Proposed by the Highway Surveyor

**Passed (Consent Agenda Article)**

ARTICLE 16 Voted to transfer the sum of $150,000 from undesignated fund balance for the maintenance of Town roads.

Proposed by the Highway Surveyor – R. Steven Hayward

**Passes**

ARTICLE 17 To see if the Town will vote to raise and appropriate or transfer from available funds $150,000 to replace a backhoe or take any action thereon.

Proposed by the Highway Surveyor

Finance Committee Does Not Recommend

**Passed Over (Consent Agenda Article)**

ARTICLE 18 Voted to transfer the sum of $4,100 from undesignated fund balance for a new copier for the Halifax Council on Aging.

Proposed by the Council on Aging – Susan M. Lawless

**Passed**

ARTICLE 19 Voted to transfer the sum of $600,000 from undesignated fund balance to purchase and equip a Fire Engine for the Halifax Fire Department.

Proposed by the Fire Chief – Gordon C. Andrews

**Passed**

ARTICLE 20 Voted to transfer the sum of $50,000 from undesignated fund balance and to raise and appropriate the sum of $50,000 for a total of $100,000 to purchase and equip with miscellaneous police equipment, two (2) new marked police vehicles to be use for patrol.

Proposed by the Police Chief – Troy E. Garron

**Passed**

ARTICLE 21 Voted to transfer the sum of $20,000 from undesignated fund balance to purchase and/or upgrade the existing inventory of portable radios and/or cruiser radios to be digitally compatible; the cost will include eight (8) portables to be upgraded to P25 capability, two (2) APX 4500 to complete all vehicles to be digitally compatible, and a bank of five (5) digitally compatible spare portables to be used by reserve and special police officers.

Proposed by the Police Chief – Troy E. Garron

**Passed**

ARTICLE 22 Voted to transfer the sum of $14,000 from undesignated fund balance to purchase a 2016 Harley-Davidson Motorcycle FLHPD, currently being leased by the Halifax Police Department, to include the current equipment installed on the motorcycle.

Proposed by the Police Chief – Troy E. Garron

**Passed**

ARTICLE 23 Voted to transfer the sum of $5,000 from undesignated fund balance to purchase bullet resistant vests for the Officers of the Police Department, said funds to be used in conjunction with any grants available to the Police Department.

Proposed by the Police Chief – Troy E. Garron

**Passed**

**A motion was made by Thomas Millias and seconded to Pass Over the following article.**

**Passed**

ARTICLE 24 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $22,057 to reimburse the Halifax Housing Authority for payments made by the Halifax Housing Authority to the Plymouth County Retirement Fund on behalf of Town of Halifax, or take any action thereon.

Proposed by the Halifax Housing Authority

**Passed Over**

ARTICLE 25 Voted to transfer the sum of $18,500 from undesignated fund balance for the Assessors’ Recertification Account.

Proposed by the Board of Assessors – John Shiavone

**Passed**

ARTICLE 26 Voted to raise and appropriate the sum of $36,000 to support a part-time school resource officer for the Silver Lake Middle School.

Proposed by the Silver Lake Regional School Committee – Gordon C. Andrews

Standing Count Yes: 72 No: 41

**Passed**

**A motion was made by Gordon C. Andrews and seconded to Pass Over the following article.**

**Passed**

ARTICLE 27 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $20,000 to cover the cost of wages and expenses for a truck inspection program including but not limited to certifying a police officer as a Massachusetts Department of Transportation Inspector, purchasing the necessary equipment for truck inspections, and the operation of a truck inspection program or take any action thereon.

Proposed by the Harold L. Sprague, et al

**Passed Over**

ARTICLE 28 Voted to transfer the sum of $11,000 from undesignated fund balance to grade all unpaved roads in Halifax, including all private roads and unaccepted roads in Halifax.

Proposed by the Ann Marie Reid, et al – Gordon C. Andrews

**Failed**

ARTICLE 29 Voted to transfer the sum of $27,800 from undesignated fund balance for crosswalk control devices and their installation.

Proposed by the Traffic Safety Committee – Thomas Millias

**Passed**

ARTICLE 30 Voted to transfer the sum of $65,000 from undesignated fund balance to pay for a complete revision of the Town’s zoning by-laws or take any action thereon.

Proposed by the Finance Committee – Melinda Tarsi

**Passed**

ARTICLE 31 Voted to transfer the sum of $3,500 from undesignated fund balance to support South Coastal Counties Legal Services, Inc.’s continued free legal services in civil matters to elders, low-income families and their children.

Proposed by Ellen Murphy, et al – Troy E. Garron

**Passed**

ARTICLE 32 Voted to transfer the sum of $3,500 from undesignated fund balance to support South Shore Resource and Advocacy Center for domestic violence intervention and prevention services for its residents.

Proposed by the Board of Selectmen – Troy E. Garron

Finance Committee Recommendation at Town Meeting

**Passed**

ARTICLE 33 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to the General Stabilization Fund or take any action thereon.

Proposed by the Finance Committee

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 34 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $3,000 for folding chairs for the Selectmen’s Meeting Room and the Great Hall in Town Hall or take any action thereon.

Proposed by the Municipal and School Building Committee

Finance Committee Does Not Recommend

**Passed Over (Consent Agenda Article)**

ARTICLE 35 Voted to transfer the sum of $13,000 from undesignated fund balance for insulation and a vapor barrier in the old section of the Town Barn.

Proposed by the Municipal and School Building Committee – Gordon C. Andrews

**Passed**

ARTICLE 36 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $20,000 for repair and replacement of overhead doors at the Town Highway/Water Barn or take any action thereon.

Proposed by the Municipal and School Building Committee

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 37 Voted to transfer the sum of $90,000 from undesignated fund balance for the repair and replacement of the roof at Pope’s Tavern including and not limited to any architectural, engineering, project management, and construction costs.

Proposed by the Municipal & School Building Committee - Thomas Millias

**Passed**

ARTICLE 38 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of $291.70, distributed from the Commonwealth Transportation Infrastructure Fund, to address the impact of transportation network services on municipal roads, bridges, and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program established in Section 1 of Chapter 901 of the General Laws and other programs that support alternative modes of transportation or take any action relative thereto.

Proposed by the Highway Surveyor

Finance Committee Recommendation at Town Meeting

**Passed (Consent Agenda Article)**

ARTICLE 39 Voted to transfer the sum of $15,000 from undesignated fund balance for repairs to the capped landfill on Hemlock Lane, including any engineering or associated costs.

Proposed by the Board of Health – Alan Dias

**Passed**

ARTICLE 40 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to purchase an e-permitting system, including but not limited to hardware, software, and any associated costs, or take any action relative thereto.

Proposed by Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 41 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to purchase a document management system including but not limited to hardware, software, and any associated costs, or take any action relative thereto.

Proposed by Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 42 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to purchase an electronic payroll system, including but not limited to hardware, software, and any associated costs or take any action relative thereto.

Proposed by Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 43 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for expenses related to the COVID-19 pandemic or take any action relative thereto.

Proposed by Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 44 To see if the Town will vote to approve the Agreement for Payment in Lieu of Taxes for Real and Personal Property (the “PILOT Agreement”) dated \_\_\_\_\_\_\_\_\_, 2020 among and by the Town of Halifax and the solar energy generation company Halifax Solar, LLC (or their eligible assignee) for its proposed facility on River Street as such PILOT Agreement was negotiated by the Board of Assessors on behalf of the Board of Selectmen or take any action thereon.

Proposed by Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 45 To see if the Town will vote to instruct the Board of Selectmen to file the following proposed legislation with the Massachusetts State Legislature:

SECTION 1. Notwithstanding any general or special law to the contrary, all members of the police department of the town of Halifax shall be exempt from Chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of any member of the police department of the Town of Halifax employed by the town on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

Proposed by the Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 46 Voted the code of the Town Halifax by adding the following by-law:

TOWN OF HALIFAX

ILLICIT DISCHARGE DETECTION AND ELIMINATION BY-LAW

THE BOARD OF HEALTH

UNDER M.G.L. c. 111, s.26-33

Discharges To The Municipal SEPARATE Storm SEWER System

**Sec. 1 PURPOSE**

Increased and contaminated stormwater runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, and wetlands; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding.

Regulation of illicit connections and discharges to the municipal storm drain system is necessary for the protection of the Town of Halifax’s water bodies, and to safeguard the public health, safety, welfare and the environment.

The objectives of this by-law is to:

1. Prevent pollutants from entering the Town of Halifax’s municipal separate storm sewer system (MS4);
2. Prohibit illicit connections and unauthorized discharges to the MS4;
3. Require the removal of all such illicit connections;
4. Comply with state and federal statutes and regulations relating to stormwater discharges;
5. Establish legal authority of the Board of Health to prevent pollutants from entering the Town’s MS4 and to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

**Sec. 2 DEFINITIONS**

For the purposes of this by-law, the following shall mean:

AUTHORIZED ENFORCEMENT AGENCY: The Town of Halifax Board of Health (the Board), its employees or agents designated to enforce this by-law.

BEST MANAGEMENT PRACTICE (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq*.) as hereafter amended.

DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

ILLICIT CONNECTION: A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this by-law.

ILLICIT DISCHARGE: Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 8. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit, or resulting from firefighting activities exempted pursuant to Section 8, of this by-law.

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM: The system of conveyances designated or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Halifax; which is not a combined sewer; and which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT: A permit issued by United States Environmental Protection Agency (EPA) or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

NON-STORMWATER DISCHARGE: Discharge to the municipal storm drain system not composed entirely of stormwater.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POLLUTANT: As defined in 40 CFR 122.2 and any element or property of sewage, agricultural, industrial or commercial waste, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth.

Pollutants shall include without limitation**:**

(1) paints, varnishes, and solvents;

(2) oil and other automotive fluids;

(3) non-hazardous liquid and solid wastes and yard wastes;

(4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;

(5) pesticides, herbicides, and fertilizers;

(6) hazardous materials and wastes; sewage, fecal coliform and pathogens;

(7) dissolved and particulate metals;

(8) animal wastes;

(9) rock, sand, salt, soils unless applied for the purpose of public safety during winter conditions;

(10) construction wastes and residues; and

(11) and noxious or offensive matter of any kind.

PROCESS WASTEWATER: Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

RECHARGE: The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

STORMWATER: Storm water runoff, snow melt runoff, and surface water runoff and drainage.

SURFACE WATER DISCHARGE PERMIT: A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

TOXIC OR HAZARDOUS MATERIAL or WASTE: Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under M.G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

WATERCOURSE: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

WATERS OF THE UNITED STATES: As defined under the Clean Water Act.

WASTEWATER: Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

**Sec. 3 APPLICABILITY**

This by-law shall apply to flows entering the municipally owned storm drainage system.

**Sec. 4 AUTHORITY**

This by-law is adopted pursuant to the authority granted to local boards of health under Massachusetts General Laws, Chapter 111, Section 31 and Section 127, and pursuant to the regulations of the federal Clean Water Act found at 40 CFR 122.34.

**Sec. 5 RESPONSIBILITY FOR ADMINISTRATION**

The Board shall administer, implement and enforce this by-law. Any powers granted to or duties imposed upon the Board may be delegated in writing by the Board to employees or agents of the Board.

**Sec. 6 PROHIBITED ACTIVITIES**

Illicit Discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the municipal separate storm sewer system (MS4), into a watercourse, or into the waters of the United States.

Illicit Connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, by-law, regulations, or custom at the time of connection. Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Board.

**Sec. 7 EXEMPTIONS**

Categories of non-stormwater discharges that are allowed under this permit unless the Town of Halifax, EPA, or the DEP identifies any category or individual discharge of non-stormwater discharge as a significant contributor of pollutants to the MS4 are as listed in the *General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems in Massachusetts – Authorization to Discharge Under the National Pollutant Discharge Elimination System*, latest version.

**Sec. 8 EMERGENCY SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS**

The Board may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment.

In the event any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

**Sec. 9 NOTIFICATION OF SPILLS**

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Halifax Fire Department. In the event of a release of non-hazardous material, the reporting person shall notify the Authorized Enforcement Agency no later than the next business day. The reporting person shall provide to the Authorized Enforcement Agency written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

**Sec. 10 ENFORCEMENT**

The Boardor an authorized agent of the Boardshall enforce these by-laws, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

Orders. the Board or an authorized agent of the Board may issue a written order to enforce the provisions of this by-law, which may include: (a) elimination of illicit connections or discharges to the MS4; (b) performance of monitoring, analyses, and reporting; (c) that unlawful discharges, practices, or operations shall cease and desist; and (d) remediation of contamination in connection therewith. If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Halifax may, at its option, undertake such work, and expenses thereof shall be charged to the violator. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town of Halifax including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Board within thirty (30) days of receipt of the notification of the costs incurred.

If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Board affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner’s property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in M.G.L. Ch. 59, Section 57 after the thirty-first day at which the costs first become due.

Non-criminal disposition process as provided in M.G.L. Chapter III, Section 31 and Chapter 40, Section 21D. If non-criminal disposition is elected, then any person who violates any provision of these or any associated by-laws, decision, permit or order issued pursuant to these by-laws shall be punished by a fine in accordance with the Non-Criminal Disposition Enforcement By-law under the Town of Halifax Chapter 1, Section 2.

If the property owner violates more than one provision of these by-laws or any condition of an approval issued hereunder, each provision, or condition, so violated shall constitute a separate offense.

Civil Relief. If a person violates the provisions of these by-laws, permit, notice, or order issued thereunder, these by-laws may be enforced through any other means available at law as deemed appropriate by the Board of Health and the Board may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Entry to Perform Duties under this By-Law. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Board, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this By-Law and may make or cause to be made such examinations, surveys or sampling as the Board deems reasonably necessary.

Appeals. The decisions or orders of the Board shall be final. Further relief shall be to a court of competent jurisdiction.

Remedies Not Exclusive. The remedies listed in this by-law not exclusive of any other remedies available under any applicable federal, state or local law.

**Sec. 11 SEVERABILITY**

The provisions of this by-law are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this by-law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this by-law.

**Sec. 12 TRANSITIONAL PROVISIONS**

Property owners shall have 30 days from the effective date of this by-law to comply with its provisions provided good cause is shown for the failure to comply with the by-law during that period.

Proposed by Board of Selectmen – Thomas Millias

**Passed**

ARTICLE 47 To see if the Town will vote to make the following changes in Chapter 167-15 (Floodplain District regulations):

1. Insert the following Statement of Purpose before Paragraph A: Statement of Purpose

The purposes of the Floodplain District are to:

1. Ensure public safety through reducing the threats to life and personal injury;

2) Eliminate new hazards to emergency response officials;

3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;

4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;

5) Eliminate costs associated with the response and cleanup of flooding conditions;

6) Reduce damage to public and private property resulting from flooding waters.

1. Update the IDs and dates of the Floodplain Maps listed in the by-law so that the current Paragraph A:

A. Floodplain District. The Floodplain District is herein established as an overlay district. The underlying permitted uses are allowed, provided that they meet the following additional requirements, as well as those of the Massachusetts State Building Code dealing with construction in floodplains. The Floodplain District includes all special flood hazard areas within the Town of Halifax designated as Zone A, and Al to A30AE, on the Town of Halifax, Plymouth County Flood Insurance Rate Maps (FIRM) and the Flood Boundary and Floodway Maps issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Halifax are panel numbers 25023C0194J, 25023C0213J, 25023C0214J, 25023C0218J, 25023C0326J, 25023C0327J and 25023C0328J, dated July 17, 2012, and panel numbers 25023C0306K, 25023C0307K, 25023C0308K, and 25023C0309K, dated July 16, 2015. The exact boundaries of the District may be defined by the one-hundred-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report, dated July 16, 2015, on file with the Town Clerk, Planning Board and Building Inspector. These maps, as well as the accompanying Town of Halifax Plymouth County Flood Insurance Study, are incorporated herein by reference.

The Floodplain District is shown as an overlay district on the Town of Halifax Zoning Map.

is replaced by:

A. Floodplain District. The Floodplain District is herein established as an overlay district. The underlying permitted uses are allowed, provided that they meet the following additional requirements, as well as those of the Massachusetts State Building Code dealing with construction in floodplains. The Floodplain District includes all special flood hazard areas within the Town of Halifax designated as Zone A, and Al to A30AE, on the Town of Halifax, Plymouth County Flood Insurance Rate Maps (FIRM) and the Flood Boundary and Floodway Maps issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Halifax are:

panel numbers: 25023C0194J, 25023C0213J, 25023C0326J, 25023C0327J and 25023C0328J, dated July 17, 2012; panel numbers 25023C0306K, 25023C0307K, 25023C0308K, and 25023C0309K, dated July 16, 2015; panel numbers 25023C0214K, 25023C0218K dated July 22, 2020. The exact boundaries of the District may be defined by the one-hundred-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report, dated July 22, 2020, on file with the Town Clerk, Planning Board and Building Inspector. These maps, as well as the accompanying Town of Halifax Plymouth County Flood Insurance Study, are incorporated herein by reference. The Floodplain District is shown as an overlay district on the Town of Halifax Zoning Map.

A. Insert the following between Paragraphs 1 and 2 in Section B – Development Regulations:

**Floodway Data**.  In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Proposed by Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

**A motion was made by Troy E. Garron and seconded to Pass Over the following article**

**Passed**

ARTICLE 48 To see if the Town will vote to amend Chapter 167 (Zoning) concerning multi-family structures and developments through the following language:

SECTION I:

Pertinent Sections of the Halifax Zoning Bylaw

Regarding Multi-family Uses

**~~§ 167-3. Definitions.~~**

~~DWELLING - A building or portion thereof designed exclusively for residential occupancy, including single-family, two-family or multiple-family dwellings, but not including hotels, motels, boardinghouses, trailers or structures solely for transient or overnight occupancy.~~

~~DWELLING, DUPLEX - A two-family building designed with separated dwelling units, side by side, separated by a firewall.~~

~~DWELLING UNIT - One (1) or more living or sleeping rooms arranged for the use of one (1) or more individuals living as a single housekeeping unit, with permanent provisions for cooking, living, sanitary, eating and sleeping facilities.~~

~~MULTIFAMILY DEVELOPMENT - A development of three (3) or more dwelling units on a single lot of land under one (1) ownership of not less than ten (10) acres in size.~~

~~MULTIFAMILY DWELLING - A building intended and designed to be occupied by more than one (1) single housekeeping unit in separate units; any residential structure containing more than one (1) room for cooking facilities.~~

~~SINGLE FAMILY DWELLING – A freestanding structure designed and equipped for occupancy in its entirety by one household and having no party wall or walls in common with adjacent house or houses. This excludes house trailers, mobile homes, trailer coaches or similar units designed to be transported over the highway by attached wheels, whether or not on wheels, blocks or a conventional foundation. [Amended 5-12-2014 ATM, Art. 54]~~

~~TWO-FAMILY DWELLING - A dwelling containing two (2) dwelling units, whether on different floors or side by side as in a semidetached or duplex configuration.~~

**~~§ 167-7. Schedule of Use Regulations.~~**

~~D. Specific use regulations.~~

~~(2) Multifamily development allowable by special permit from the Zoning Board of Appeals in the AR, B and C Districts.~~

~~(a) It is required that any multifamily development complex proposed hereunder shall locate each building on an individual lot which shall have continuous frontage on a public or private way.~~

~~(b) The complete parcel must be under the ownership of the developer before a special permit is granted.~~

~~(c) Design guidelines. The shapes, scale, location and materials of all buildings, lighting, roads and parking shall be consistent with the character of the neighborhood and with the terrain and vegetation of the site.~~

~~(d) All utilities in a multifamily development shall be installed underground.~~

**~~§ 167-12. Density regulations for specific uses.~~**

~~A. Multifamily development~~

~~(1) The number of units in a multifamily development shall not exceed the number of acres in the parcel on which they are to be built.~~

~~(2) Eighty percent (80%) of the total parcel tested on a two-hundred-foot by two hundred-foot grid must be found to be percable by the Board of Health.~~

~~(3) The minimum parcel size shall be ten (10) acres.~~

~~(4) No unit shall have any more than two and one-half (2½) stories which contain any amount of living space. This limitation will be enforced by a covenant with the purchaser of each unit.~~

~~(5) The minimum front setback shall be seventy-five (75) feet, the minimum rear yard shall be one hundred (100) feet, and there shall be at least one hundred (100) feet between any two (2) buildings. In addition, the required thirty-foot minimum side yard between the development and adjacent properties shall be maintained as a vegetated buffer area free of parking or any structures, and any changes in its natural state shall require approval by the special permit granting authority.~~

~~(6) Minimum residential floor area. No multifamily housing, whether condominium or rental, shall be erected, reconstructed, remodeled or altered so that the lowest level, (i.e., ground floor or equivalent) of living space per dwelling unit (i.e., in a unit) contains less than seven hundred fifty (750) square feet.~~

SECTION II  
 Proposed Multifamily Bylaw

New Section: Two-Family and Multifamily Dwellings Developments:

Two-family and multifamily dwelling units shall be permitted in the Agricultural Residential (“AR”), Conservancy (“C”) and Business (“B”) Zoning Districts only upon issuance of a special permit from the Zoning Board of Appeals and shall be subject to the following:

1. **Definitions: The following definitions found in Section 167-3 are pertinent to this Section:**

CONDOMINIUM - A system of ownership of real estate, including attached and detached residential dwelling units, established pursuant to the Condominium Act of the Commonwealth of Massachusetts, Chapter 183A of the Massachusetts General Laws, in which the dwelling units are individually owned and the land and common areas are owned in common. A condominium is not a use or a building type; rather it is a form of ownership that can apply to any use or building type.

DWELLING - shall mean any building containing one or more dwelling units, but excluding mobile homes.

DWELLING, DETACHED SINGLE-FAMILY - shall mean a dwelling containing not more than one (1) dwelling unit.

DWELLING, TWO-FAMILY/DUPLEX - shall mean a single building containing two (2) dwelling units.

DWELLING, MULTI-FAMILY - shall mean a single building containing at least three (3) dwelling units, but not more than four (4) units. This definition shall include “town houses” consisting of side by side units open at least two sides.

DWELLING UNIT - shall mean a building or part of a building occupied or suitable for occupancy as a residence and arranged for the use of one or more individuals living as a single housekeeping unit with its own cooking, living, sanitary and sleeping facilities.

MULTIFAMILY DEVELOPMENT - shall mean more than one, two-family and/or multifamily structures on one or more contiguous lots.

**(B) General Requirements - Applicable to all Single Structure Two-Family Dwellings and Multifamily Developments:**

(1) Review Standard. Notwithstanding any other section of the Zoning Bylaw, the Zoning Board of Appeals must find that the multifamily use will not be more detrimental to the established or future character of the neighborhood or the town. The Zoning Board of Appeals may condition a project to minimize any impact to the established or future character of the neighborhood or the town.

(2) Single Structure Two-Family Dwellings and Multifamily Developments shall be subject to § 167-28, Site Plan Review. Site Plan Approval must be obtained prior to the grant of a Special Permit pursuant to this section. A multifamily development with two or more structures on two or more lots may be treated as one project requiring one application for site plan review. The Planning Board, at its sole discretion and in accordance with its rules and regulations may engage a peer review consultant to review any Site Plan application filed pursuant to this Section.

(3) Each lot containing a two-family structure, a multifamily dwelling or a multifamily development must have access, drainage and utilities functionally equivalent to that provided under the Planning Board's Subdivision Rules and Regulations. The Zoning Board of Appeals shall refer the special permit application to the Planning Board for written comments and recommendations within seven (7) days of receipt. The Planning Board shall acknowledge the written Site Plan Approval required under sub-Section (2) above or make additional written recommendations and comments and send copies thereof to the Zoning Board of Appeals and to the applicant within forty (40) days of receipt of the referral request by said Zoning Board of Appeals or there shall be deemed no opposition or desire for comment.

The Zoning Board of Appeals shall not act upon said special permit until:

a) Site Plan Approval has been obtained; and

b) Either comments from the Planning Board have been received, or said forty (40) days have elapsed, whichever is sooner.

(4) Departure from the visual scale of single-family development shall be minimized by limiting each multifamily structure to no more than four dwelling units. The architectural theme of a two-family and/or multifamily structure shall be carried out by use of compatible building materials, color, exterior detailing, bulk, and/or rooflines. Rigidity in design shall be avoided by variations in building, location, planting, lot coverage, and building materials.

(5) No building shall be floodlit. Drives and parking areas shall be illuminated only by shielded lights not higher than 15 feet.

(6) The applicant shall submit a 310 CMR 15.000 compliant septic system design approved by the Board of Health with the special permit application.

(7) No in-law apartments or accessory dwelling units are allowed in any single-family structure, two-family structure or multi-family structure after development has occurred.

**(C) Single Structure Two-Family Dwelling:**

(1) A single structure comprising a two-family dwelling which is not part of a Multifamily Development must have at least 150 feet of frontage on an existing public way.

1. The following lot area density is required:

|  |  |
| --- | --- |
| **Density Requirements: Single Structure**  **Two-Family or Multifamily Dwelling** | |
| Number of Dwelling Units | Contiguous Upland Lot Area Required |
| 2 | 40,000 sf |

(3) The minimum front setback shall be fifty feet (50) feet from the public way, the minimum rear yard shall be forty (40) feet, and the minimum side setback shall be at least thirty (30) feet. The maximum height shall be 2 ½ stories or forty (40) feet. Maximum lot coverage (including accessory buildings) shall be 25%.

**(D) Multifamily Development: Two-Family or Multifamily Dwellings (more than one structure):**

(1) Multifamily Development is defined as more than one, two-family and/or multifamily structures.

(2) Multifamily Developments are allowed by special permit from the Zoning Board of Appeals on a single lot of land under one (1) ownership of not less than ten (10) acres in size which contains 150 feet of frontage on an existing public way.

(3) Each Multifamily Development must have at least 150 feet of frontage on an existing public way.

(4) Each Multifamily Development must have at least 150 feet of lot width frontage.

(5) Each Multifamily Development must have a lot width of 150 feet of frontage for a distance of 100 feet from the frontage of the public way.

(6) Internal drives are permitted provided they are of sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic generated by the site. There shall be no overnight parking allowed on any internal drive.

(7) Each two-family or multifamily structure within the Multifamily Development must contain the following lot area density:

|  |  |
| --- | --- |
| **Density Requirements for each Structure**  **comprising a Two-Family or Multifamily**  **Dwelling within a Multifamily Development** | |
| Number of Dwelling Units | Contiguous Upland Lot Area Required |
| 2 | 80,000 sf |
| 3 | 120,000 sf |
| 4 | 160,000 sf |

(8) Each two-family or multifamily structure within the multifamily development must have 150 feet of frontage on a public way or internal drive within the exclusive use areas as required under sub-section D(12).

(9) The minimum front setback shall be fifty feet (50) feet from the public way or internal drive, the minimum rear setback shall be seventy-five (75) feet, and the minimum side setback shall be fifty (50) feet.

The minimum distance between each two-family or multifamily structure within the Multifamily Development shall be sixty (60) feet. The maximum height shall be 2 ½ stories or forty (40) feet. Maximum lot coverage (including accessory buildings) shall be 25%.

(10) There shall be two and one-half (2 ½) parking spaces per dwelling unit. Each parking space shall be, at a minimum, 9 feet by 18 feet. Required parking spaces may not be sited on any internal drive.

(11) There shall be a fifty (50) foot vegetated buffer between the Multifamily Development and abutting properties that are not part of the development. Said vegetated buffer area shall be maintained as a vegetated buffer area free of parking, structures, or drives, including any internal drives and any changes in its natural state shall require approval by the special permit granting authority.

(12) Each application for a Multifamily Development must provide a “Concept Plan” depicting exclusive use areas for each dwelling so that the Board of Appeals may determine that adequate land exists for the use and enjoyment of residents. Exclusive use areas shall be depicted as dashed lines on the plan.

Proposed by the Board of Selectmen

There was no recommendation from the Planning Board

**Passed Over**

ARTICLE 49Voted to amend Chapter 167-7 (Zoning – Schedule of Use Regulations) from:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Use** |  | **AR** | **B** | **I** | **I-2** | **C** |
|  | Marijuana Establishment [See § 167- D(15)] **[Added 05-08-17 ATM, Art. 48]** | N | N | SP | N | N |

To:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Use** |  | **AR** | **B** | **I** | **I-2** | **C** |
|  | Marijuana Establishment [See § 167- D(15)] **[Added 05-08-17 ATM, Art. 48]** | N | SP | SP | N | N |

Proposed by Robert Maker, et al

A two-thirds vote is required.

Planning Board did not recommend (3-1 vote)

Standing Count: Yes: 83 No: 35

**Passed**

ARTICLE 50 To see if the Town will vote to amend Chapter 13, Section 18 (Committees/Beautification Committee) of the Code of the Town of Halifax from:

There is established a Beautification Committee consisting of five (5) members to work with other town boards to enhance the natural beauty of the Town of Halifax and to raise community pride. All members shall be appointed by the Board of Selectmen for a term of one (1) year from July 1 to June 30.

To:

There is established a Beautification Committee consisting of seven (7) members to work with other town boards to enhance the natural beauty of the Town of Halifax and to raise community pride. All members shall be appointed by the Board of Selectmen for a term of one (1) year from July 1 to June 30.

Proposed by the Beautification Committee

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Agenda Article)**

ARTICLE 51 Voted to instruct the Board of Selectmen to request that the Town’s legislative delegation file the following legislation:

An Act relative to the Town of Halifax.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding the provisions of section 5, clause Forty-fifth of Chapter 59 of the General Laws, as appearing in the 2018 Official Edition, the Town of Halifax is hereby authorized to subject to taxation any solar powered system or device which is capable of producing more than 125 per cent of the annual electric energy needs of the real property upon which it is located and contiguous and non-contiguous real property of the owner of the system or device within the Town of Halifax.

SECTION 2. The owner of a solar powered system or device subject to taxation under section 1 of this act may, in order to comply with its property tax liability obligation, execute an agreement for the payment in lieu of taxes with the Town of Halifax, and the owner shall be exempt from property taxes, in whole or in part, as provided in the agreement during the term thereof.

Any such agreement shall be the result of good faith negotiations and shall be the equivalent of the property tax obligation based on full and fair cash valuation. Any such negotiated amount shall be included in the tax base for purposes of determining the levy ceiling and levy limit under Section 21C and in determining minimum residential factor and classification of property under Section 1A of Chapter 58 of the General Laws and Section 56 of Chapter 40 of the General Laws. The legislative body of the Town of Halifax shall authorize negotiations and approve all agreements for the payment in lieu of taxes on a solar powered system or device, which agreements shall not exceed a term of 20 years.

SECTION 3. The owner of a solar powered system or device and the Town of Halifax shall not be required to amend, modify or renegotiate an existing payment in lieu of tax agreement that was entered into or executed before the effect date of this act.

SECTION 4. This act shall take effect on July 1, 2021.

Proposed by the Board of Selectmen – Thomas Millias

**Passed**

ARTICLE 52 To see if the Town will vote to amend Chapter 47 (Town Meeting) of the Code of the Town or Halifax by replacing the following:

§ 47-3. Distribution of warrant.

A. At least seven (7) days before the day appointed in the warrant for the Annual Town Meeting, the Selectmen shall cause to be left at each occupied dwelling house a copy of the warrant and a copy of the report of the Finance Committee thereon.

With:

§ 47-3. Distribution of warrant.

A. At least seven (7) days before the day appointed in the warrant for any Annual or Special Town Meeting, the Selectmen shall cause to send to each occupied dwelling house a notice of the Town Meeting and where copies of the warrant and the report of the Finance Committee for said meeting shall be available. The Board of Selectmen shall distribute copies of the warrant and report to municipal buildings including but not limited to the Town Hall, Holmes Public Library, and the Council on Aging and shall make it available on the Town's web site.

Proposed by the Board of Selectmen

Finance Committee Recommendation at Town Meeting

**Passed Over (Consent Article Agenda)**

**And on Saturday, June 20, 2020 from 10:00 a.m. to 6:00 p.m. to meet at the Halifax Elementary School:**

ARTICLE 53 To see if the Town will vote to elect one Board of Assessors member for a term of three years, one Board of Health member for a term of three years, one Highway Surveyor for a term of three years, one Housing Authority member for a term of three years, one Housing Authority member for a term of four years, one Housing Authority member for a term of five years, two Board of Library Trustees members for terms of three years, one Park Commissioner for a term of one year, one Park Commissioner for a term of three years, one Planning Board member for term of one year, one Planning Board member for a term of five years, two Halifax Elementary School Committee members for a term of three years, one Silver Lake Regional School Committee member for a term of three years, one Board of Selectmen member for a term of three years and one Board of Water Commissioners member for a term of three years.

Shall the town vote to accept the provisions of section thirteen of chapter two hundred and fifty-eight of the General Laws which provides that the town shall indemnify and save harmless municipal officers, elected or appointed, from personal financial loss and expense including reasonable legal fees and costs, if any, in an amount not to exceed one million dollars, arising out of any claim, demand, suit or judgment by reason of any act or omission except an intentional violation of civil rights of any person under any law, if the official at the time of such act or omission was acting within the scope of his official duties or employment?

Yes \_\_\_\_ No \_\_\_\_