

BOARD OF SELECTMEN
SELECTMEN MEETING
TUESDAY, FEBRUARY 19, 2013 - 6:30 P.M.
GREAT HALL

Meeting came to order at 6:30 p.m. with Selectmen Troy E. Garron and Kim R. Roy. Selectmen Michael J. Schleiff was not in attendance.

The following business was discussed:

AGENDA

Seelig wanted to add a discussion on regional dispatch at the end of the evening.

With the above addition, the agenda for Tuesday, February 19th, was unanimously approved.

SCHEDULED APPOINTMENTS

Police Chief Interview - Sgt. Edward Broderick

Roy began by saying that after a discussion among the board they decided to interview Sgt. Edward Broderick for the Police Chief position. She felt that it is important to go through a series of questions so that the townspeople get introduced to Broderick as well as making sure that the board and Sgt. Broderick are on the same page regarding the management of the police department and to get to know his views. She stated that it will only be Selectmen Garron and herself interviewing as Selectmen Schleiff's son is a officer in the department and he had to excuse him from the discussion.

Following are questions by Selectman Kim Roy (in italics); responses by Broderick immediately follow:

If you could just us a little bit about yourself and how long you have worked for the town?

Broderick started by saying that he has lived in Halifax all his life as he was born and grew up here and his family is here in town. He said that he has been with the department for close to twenty nine years and has enjoyed working here as he loves the town and the people. His career here has been great couldn't ask for anything more and is very proud of what they have done and what has been accomplished over the years. He added that he has not done anything else for most of his adult life except police work.

You have been a sergeant for about fifteen years?

Yes, Fourteen fifteen.

In addition to being a sergeant you have a position that was granted to you in 2006 which was Director of Operations. Can you tell us a little bit about what that position is about?

He said that under that position he took over most of the day to day operations and being the only supervisor in the department at the time a lot of those responsibilities fell on him anyways. He took care of all the daily operations, decisions that had to be made regarding patrols and worked closely with the chief

and together they have developed a direction for the department and have stayed on track with it throughout the years.

Can you identify your specific skills, abilities and experience that would aid you becoming a successful chief in Halifax?

He began by saying that his skills have been learnt over the years and being a supervisor for the past thirteen years his skills were developed over that time. He continued to say that in any position there is a learning curve and the skills that he obtained over those years have lead up to this particular point. He feels that he has done a pretty good job on as supervisor level and has the skills and is in a good place to move on and take this position on as well as the support of the department.

Based upon your knowledge of Halifax can you identify the program areas that you would focus on and describe how you would intend to undertake the task of a new chief during the first six months of your career as a chief?

He would like to get all the members of the department on the same page. At this time he has two new sergeants and maybe the possibility of a third one. They have their own ideas for the direction of the department therefore the three of them need to come up with a plan of what they feel is the right way to go. He continued to say that Halifax has the same crimes as other towns but just less. They hear a lot about quality of life issues such as speeding and house break ins therefore these are going to be some of the important issues they are going to focus on in the coming years but for the first six to twelve months he want to get the department together to work as a team so that they can work towards some of these goals.

Can you explain your approach to promoting the concept of community oriented policing?

His ideas are getting out and listen to the townspeople and the public and being active in the different activities throughout the town such as the luncheons at the COA. He continued to say that have a number of programs that we need to stay involved in and learn what the community and the people are interested in and if it is something that the police department can help with they are there to help.

In your opinion what can a police chief do to ensure that his or her officers maintain the highest ethical standards both on and off duty?

Obviously the chief is the one who sphere heads this sort of stuff and accountability is a big element. Everybody including the chief is accountable of want happens and he thinks that if people have an understanding of what is expected of them then everything will fall into place.

Describe how you deal with conflict?

What kind of conflict?

How about conflict within the department like within let's say you're having conflict between two officers?

He stated that we have two sergeants and that there is a chain of command in the department starts there and his hope is that if there is a problem within the patrolmen the sergeant should see it coming beforehand as they are the first person they should go to as the sergeants deal with the day to day issues or problems that come up. Then if they can't then it is brought up to the next level which would be the chief which depending on the problem it might be just getting everyone in the same room and talk about it and resolve the issue because if issues are acted on quickly then they don't grow to be big problems.

Please describe your general management style regarding the following areas: your dealings with the Town Administrator; your dealings with the Board of Selectmen and community relations.

How do you see your relationship with the Town Administrator?

He stated very similar as it is now and that Charlie and him talk when there are issues as well as send emails back and forth. He thinks the communication flow is there and does not see it changing but will be brought to another level. As the Board of Selectmen go they will be the chief's boss and again communications is important because you need to keep those channels open all the time. He added that with today's technologies we are just a text messages or cell phone call away. He does not have an issue with that and is willing to work with anyone.

As you said there was outing at the senior center that you participating in. Do you see yourself reaching out to the school to try and start their safety programs back up or do you vision building relationships with other departments not just ...

Sure. I have been to several of the COA events over the past year and have enjoyed attending them. At the school he has a working relationship with the principal and they are in contact with each other. He would be more that happy if she has the time, energy and the drive to start up a safety program as the department has always been involved with the interaction with the kids at that level. In the past that Officer Hingst would go in and have lunch with the students and if the school is open to starting that back up again he is too.

What do you think your biggest challenge would be as chief?

The unknown because right now the level I am at I am quite comfortable and a familiar with and the next level there will be a learning curve.

I think you have the advantage of having been the Director of Operations for six years. I think you know the people in your department you know the players know the Board of Selectmen and Charlie so I think that will help you.

Broderick agreed and said that he has had a working relationship with everybody at some level. He state that he is not coming into a broken departments where there are big issues to fix. He continued to say that when the chief said that he was leaving it did put everyone on edge a bit and he would like to get that settled and get everyone on the same page. In addition he would like to put forward some ideas he has.

I know that you are excited about having the sergeants and she thinks that it has been nothing but a benefit to the department to have that extra layer.

Absolutely it is a necessary thing and the two new sergeants have worked out great and there have been no problems. He thinks the patrol staff has also seen the benefits as they have someone to go to anytime. He understands that he is on call 24/7 but it is nice to have supervisors that can stand with you and to work along side you.

Following are questions by Selectman Troy Garron (in italics); responses by Broderick immediately follow:

Why should we stop the interviews with you? Give me some reasons why we should not look at other people other than yourself for this position?

We have had this talk and thinks the board has an understanding of how he works and what he has done for the town over the years and what direction that they would like to go in. The transition, if picked, would be seamless for everyone involved which would be a plus because there would be no big disruption. If the department was broken and things needed to be fixed then he would be the first one to say side help would be necessary. He said the board knows his personality and they know what they are going to get. He does not see himself changing just because he is in a different office and who he is. He has work worked with these guys for some time and they understand how he does things as well as the board has an understanding of what he is about. He thinks the change and the direction the department is going in will continue and will be a plus for everyone involved. As he stated everyone is on eggshells as to what is going on and said that once the process is complete you'll find that everyone will take a deep breath and be happy that they have gone to that next step.

If you were to give me three things that are most important as being a chief for the town of Halifax could you give me three?

He said as stated before to get the department in line, work on the quality of life issues that have come up and keep occurring and get involved with the community to see what they want and need.

If in fact you had to discipline one of your officers maybe your friend as you grown up in this town and know everybody. How would you go about doing that?

We can go back when I first got on the department as it is the same question that comes up when you are a patrolman, how do you deal with your high school buddy? I have a job to do and policies and procedures that need to be followed and the staff understands his thoughts on discipline so it will not be a shock to them. Again it is being held accountable and this includes the chief, for what is expected of you.

Garron added a couple of things to that. From his stand point the most visible commodity in the town is the duty of the police. That is the first thing people see because you're out there all of the time. If I am a new person moving to town what would you tell me as to why I should move to Halifax?

I have grown up in this town live here and I love it. What they have to understand is that any of his sergeants, patrolmen as well as the chief should be approachable and human to everybody who is out there. There should not be anyone on the

department that a citizen could not have a conversation with. You need to be personable and get along with the people you have to deal with.

One of my main issues has always been, having been a police man myself for a couple of years, is why did you become a policeman in the first place?

Broderick said that this was an interesting question as the same one was asked at the academy. The question is a not as easy as it sounds and he could give the board the text book answers such as I want to help the community or I want to do what's right but for him seeing his dad involved in the community as he had a business and this was a way for him to have this interaction with the public. He saw that interaction and he himself liked having that interaction. He also said that everyone has that instinct to want to be in charge and he was one of them as there is no way of getting around it. He worked as a special police officer for free on Friday and Saturday nights for a long time and liked it. It was exciting, fun, enjoyed the work and the interaction with the people, finding the bad guys and putting them in jail. It was a growth over months and years first getting into it then learning it. You get additive to the job and as long as you are human and doing your duties you can do it for a long time and be happy doing it.

Fair firm and consistent. At this time Garron stated that he did not have any further questions.

Roy: Are you excited about being police Chief?

Going through the years it's been something that I have worked for and you get to the point in your career where you're looking for the next step as you can get stale in any job and are always looking for that extra step and at this point in my career and life this is the next step for me.

Roy asked the Town Administrator if he had any questions.

Following are questions by Town Administrator Charlie Seelig (in italics); responses by Broderick immediately follow:

He asked Broderick how we encourage the public to follow speed limit or find ways of discouraging them from speeding. What can the police department and the town do to encourage the town at large to obey the speed limits.

Broderick had to be honest stating that he does not know and that it is very difficult. We do the best we can we have signage, we do educational programs, start early with the kids, directed patrols they may not work great but they are a few things they have at their disposal. Yes you could ticket the speeders but it does not fix the problem. Seelig agreed and he mentioned that fact that we have only so many hours to devote to that.

How do we work with residents to discourage their homes their businesses from being a soft target against those who want to invade our homes and businesses? How do we work whether it's just Halifax or regional efforts to discourage this and bring them in?

Broderick stated he has a couple of people in the department who have been trained to "harden your house". He stated that they would be more than happy to tell people how to make their house less desirable to be broken into.

Roy asked if they could do a workshop and Broderick said they could as they have done them in the past. Roy thought this would be beneficial and that would be one aspect of the department reaching out to the community. Broderick said that this is low cost issue and he has guys that are trained to do something along those lines or even on a one on one basis. Broderick stated the root of the B&Es is drugs. They are active in that area even though the public does not hear much on it law enforcement is active on the drugs here in town. They do what they can on their level as it might not make a big difference but they do what they can.

Roy then stated that she worked very closely on projects with Sergeant Broderick as has assisted at the station for a bit. She feels that she has a good sense of how he works and what his management style is and feels confident of his ability. She also has had discussions on her view and expectations of the department and realizes that they are high expectations but thinks that the town deserves those high expectations and has confidence that Broderick will be able handle them.

Garron stated the only expectations he has is that the public is able to reach him if need be as that seems to be the biggest problem towns face that they are not able to contact the person to get things done. This is important. The second is control and that the department is under his control and that he understands that if anything is wrong it stops with him third is to keep the community safe. These are three things that Garron thinks are key things in being a chief. Please keep the doors open. Broderick commented that you need to be available to explain to when residents come in to ask questions. Garron would like to have a monthly report so that the residents can understand what is going on and understands that this is the decision that the chief will have to make but thinks it might be a good thing. Broderick said he could get together with the board and they can let him know what they want to hear.

Moved by Garron and seconded by Roy, the board voted to accept Sergeant Edward Broderick as their new police chief contingent upon negotiations of the contract and coming to reasonable terms.

Seelig asked assuming this would occur when would his term of office begin and Roy stated July 1, 2013.

Roy asked Broderick if he had any questions and stated no as he has had numerous conversations with the board over the last few months regarding the expectations and what they all want to accomplish and feels that they are all on the same page.

Seeing as everyone was here this evening Garron wanted to congratulate and thank Chief Manoogian on his insight for choosing Sgt. Broderick to step in when he was out because it has made his job easier to take someone he knows and understands will do good things for the town. Roy also thanked him.

Presentation by William Stevenson - President of Lycott Environmental

Seelig began the open forum explaining that the plan this spring is to do algae treatment on West Monponsett as algae problems have inundated the Monponsett ponds over the last few years. This forum will give the residents the opportunity to ask questions. After Mr. Stevenson presentation there will be another discussion about the water quality on the lake.

Mr. Stevenson began by saying that algae is becoming a big problem in the pond as there is a lot of phosphorous in the water which in turn makes the algae grow. The solution is to start copper sulfate treatment this spring. This treatment will bind the phosphorus to the bottom of the pond making it unusable by algae. This could involve 10 to 12 treatments and results may not be seen for a few years. The start date scheduled for May 15th with the next treatment in June, July and next one in May 2014. The treatments will be in low dose so that they do not smother the mussels and protect them as this is required under state law. Health Agent, Cathy Drinnan, asked how early in the spring do the mussels and his colleague that it varies because of temperature therefore it could vary from year to year and it was stated that May 15th is the earliest date they can start because that is what Natural Heritage has put in the monitoring program. Mr. Stevenson also mentioned that they do not want to treat during an algae bloom and if there is an algae bloom before they are able to do the mussel survey (they will be monitored before during and after) then that is going to be a problem and if the mussels are okay then Natural Heritage may allow more. He also said that this is not a one shot deal. This is an ongoing maintenance process.

Typically they will try and shut down the lake from a safety prospective because they will be out in the boats with their GPS and doing the treatment. With that being said it was asked if they have talked with the state about shutting down the lake. Mr. Stevenson said that they have talked with them and they have not been too forth coming in shutting it down and said usually when they have a tanker on the ramp with hoses people are not going to want to go through it. Garron brought up the point that there are two other ramps that can be used to get into the lake. Roy also mentioned that Sgt. Broderick is the lake master and he might be able to assist him on this issue of closing the lake.

The following questions (in italics) were asked from the audience.

What is being done about the cranberry growers who are contaminating the lakes?

Mr. Stevenson stated that the cranberry growers have not been using as much phosphorous for their production and are not putting as nearly as much fertilizers on the cranberry bogs as they used to. They will never get rid of it all as it will always be there phosphorus deposits in the water, from things like storm water run off, fertilizers, sewage, warm weather, lack of turbulence on the pond and the shallow depths of the pond.

Asked if DEP is involved?

Mr. Stevenson said yes they are the ones where they get their permitting from. Cathy Drinnan wanted to add that Mark Mattson is the gentleman from DEP who has been here in the past and she has received an email from him stating that he could not make it this evening but will pass along to him that people from the audience would like to hear from him.

Garron asked Drinnan that as a Board should they send a letter to DEP requesting a copy of the reports and she said sure and sometimes DEP chooses to have a contact person. Roy asked Drinnan if she would like to be that contact person and she stated that she will ask Mark who he would like that person to be.

Roy asked what the cost for this treatment would be and she is aware that money had been appropriated a couple years ago for this. At this time he does not have that figure.

Is the east side was going to be treated?

Mr. Stevenson said that they have not seen the same algae problem in the east pond as they have in the west and that the East Monponsett was treated about four or five years ago.

What happens when the alum treatment sinks to the bottom does it break down and releases or does it rot causing a horrendous smell that they get in August?

The alum molecules will stay under.

Once the treatment was done when could they swim in the lake.

He answered that they will post restrictions but at this time he cannot predict anything as they have no control over the process. Garron said that this all depends on the weather if we get an early spring then the algae will come up sooner.

Seelig asked it would affect the aquatic life?

No

(Seelig)What will people see from one day to the other?

You will see water turn clearer during a brief time.

(Seelig)He also asked what can be done before, during and after treatment to help the process along?

Mr. Stevenson said a lot of it comes from the watershed piece of it what could we do to have storm water intercept systems, have phosphorus free fertilizers being used and minimize boat traffic in the days of treatment.

He also asked what will people see once the pond has been treated.

There will be a couple boats couple tanker trucks loaded up pontoon boat during treatment the solution will be put in the water the water will turn clearer in that zone but will spread out quickly.

Seelig stated that he will distribute the reports that he receives regarding the treatment this way here people are informed of when the treatment occurred and see the results.

Garron stated that they could send letters to the cranberry management to let them know we are doing this but there could be a problem is notifying the people around the lake and in Hanson and suggested sending a letter to Hanson letting them know what we are planning in doing because they can help us. The problem does come from the cranberry growers as well as the people around the lake who do not have closed tanks and he stated that we cannot cure the problem all at once bit do it a little bit at a time and that this is a start to a plan.

Mr. Collis asked for the dates of treatment as the members of the MWA can get that information out to the people Stevenson said as soon a schedule is published he will get it to Seelig, who will then put it up on the website.

Karen Fava asked if there could be some type of requirement that homeowners pump their septic tanks every so often or would it be a good idea to have them pumped right before the treatment and Mr. Stevenson said they could not require them to do so. Health Agent, Cathy Drinnan wanted to say that the Board of Health does not know everything there is to know about every single septic system but she can say they have a couple of things in place for proactive measurements. One is 50 feet waste water management that has been in place for years which asks residents who live within 50 feet on the lake when pumping out their septic systems to fill out a report by doing so this gives the BOH a function checklist. Also in place is a covenant case pertaining to properties that are close to the pond. These properties are required to pass a Title 5 inspection every spring and get registered with the Plymouth County Registry of Deeds. Another thing that is done is that once the water has cooled off Drinnan will do two inspections for E coli in the fall in addition to doing periodically E coli checks. She added that they have not identified any problems in the older homes along the ponds and said that there is lots of monitoring around the pond as well as upgrades over the last few years.

Brian Creedon

This evening Brian Creedon, Water System Manager for the City of Brockton, and members of the Brockton Water Commissioners were invited to come in to talk about the ponds. Roy had asked Creedon if any of the members of the commission accompanied him this evening and he said no. She wanted to note that the board did invite other people from the city of Brockton to participate in this discussion.

Roy had asked Creedon to let the audience know what his role is and he stated that he is the Water System Manager for the City of Brockton. He stated that they can work with Lycott for any distributed that needs to be done. Roy stated that the Monponsett ponds are one of the largest natural resources that the town has that is enjoyed by many whether it is swimming boating or fishing. She continued to say that over the years the quality of the ponds has been compromised and we cannot offer those recreational uses to the residents and this is a big concern. In addition Roy wanted to note that the Town of Halifax has invested a lot of money to put the ponds where they should be and that a watershed committee has been established who have done a lot of hard work over the last nine months regarding the regional problem of algae and the board has been very impressed by their recommendations. The board had sent a letter (dated December 11, 2012) to Mr. Creedon asking specific questions that have come up within committee's particular research. Creedon stated that he sent a letter (dated January 3, 2013) back to the town answering the questions but the board as well as the committee felt that that they did not receive the proper answers. What Roy hopes to accomplish is Brockton partnering with Halifax to assist maintaining our ponds. She knows that there is an agreement that is many years old regarding the City of Brockton using our ponds for their drinking water but there were certain stipulations that were agreed to in order to have that agreement and she does not know if all that has been done.

Creedon then said that he believes the actions have been taken and tried to clarify the Acts of 1964 in his response. In dealing with public safety they have when the fish kill occurred they were in contact with public safety. When the plane landed in east pond they were on site and did testing to make sure there were no hydro carbons and stated that they have taken appropriate actions and have worked with the town.

Garron wanted to begin by saying that they both have known each other for many years therefore going to be very frank. He stated that they did receive his letter and it did specify certain things in it but the biggest element is that there are no records or proof to show that 900,000 gallons is going over the dam during certain periods of time. Seeing as the law requires the City of Brockton to do it the town as well as the residents just would like proof that it has been and it very well could be happening but just want to see it on paper. Creedon agreed stating that the meter there was vandalized and have reinstalled a new one. Roy asked when was it vandalized and he said early fall of 2012 and said that it went back online January 13th. He said that there is data at the treatment plant on Route 36 that goes back a few years and that they have been monitoring but again the meter had been vandalized. Garron asked when the meter was functioning is there any records of how much water was going over the dam. He said that he provided them a sheet that showed the flow data whenever they divert it is lowered 7 inches and 4 inches that fish ladder is required to allow 900,000 gallons of water to go over the dam everyday and they doubled the opening to make sure that release occurs and that they did not divert during the blizzard because they were not able to go out there because of the roads but start diverting again when the road was open. Garron understands but what they are trying to do is get the proof that they are doing what they are suppose to be doing under the law of the Act of 1964. Creedon provided a graph to the board of the period of flow with record data that it is occurring. Garron understood that they are doing the diversions but when they are not diverting how much water is going over the dam? As the board is being asked this question by the residents and the only way we can justify that the City of Brockton is doing what they are suppose to be doing as stated in the law. Creedon said the 900,000 gallons is required during diversion and they concentrate on that.

Paul Collis then was asked to speak and he stated that he is the president of the MWA and began by saying in October 2012 two members went to Stump Brook Dam and conducted an experiment and found that the flow rate through a closed fish ladder gate was about 18,000 gallons per day far below the 900,000 that is required by the law and this information was presented to the board in November. Garron asked Collis what his interpretation of the law was and he said that when diverting 900,000 gallons a day minimum must go over the dam and that does not say anything about when they aren't diverting which is it should just flow. He stated that this ties into the earlier discussion with Lycott referring to the algae as we have a stagnant body of water with no flow. MWA estimation is that Brockton is not living up to the 900,000 gallons a day minimum flow and on days not diverting should just flow. Roy asked Creedon if he had a response and he said the requirement is during diversion and those days he thinks they can show the data to back it up and said at the time Creedon responded to the letter from the board the meter was vandalized. He stated that the data could be emailed to the

MWA or the town on a periodic basis and feels that the 900,000 is being flowed during the diversion periods.

Garron asked if they were diverting water at the time MWA took their measurements and Mr. Rogers said they were not. Mr. Rogers wanted to clarify with Creedon that when they are not diverting under what authority are they able to close the dam or the fish ladder as there is nothing in the law that the MWA has read saying that they can close the ladder only that you have to have a minimum when you're diverting. Creedon said that in the law they were given the ability to build the dam and that the fish ladder is part of the dam.

Roy then asked why don't they just lower the gate. Creedon answered that one of the purposes is to hold the water back and at times when there is high water to move water through. Roy understood that but asked on a regular basis why can't Brockton open the gate and let it flow and his answer was it is attempt to keep Silver Lake at a high enough level. Garron asked how many sources of water does Silver Lake take in and Creedon replied water comes in from Tubbs Meadow. Roy then asked if there were gates on it and he said no but there is a gate on Forge Pond Dam. She asked if he understood why this is so important to Halifax and Creedon does see what we are getting at and said that the dam's fish ladder is open at times when they divert which is required and stated that what the town is asking would require some looking into and Roy asked if he would be willing to do that and he said he just put in a grant to investigate ...

Garron explained that what we are trying to do is put enough water in Snake River so that if we mediate the dams in Bridgewater and other places the fish can come in but we need to begin some where. Creedon understands that but said that this needs to be at a time when the herring are running.

Roy wanted to move this discussion along and Mr. Rogers had asked if Creedon could provide a letter stating where he finds in the Act of 1964 that they (City of Brockton) are allowed to block the water when they are not diverting. He said that he could not offer him a letter as he is not a biological lawyer and Roy suggested that town council could take a look at it. Garron asked if they were to find some discrepancies in the law and that Brockton is at fault would Brockton consider opening the dam and let it flow because Halifax is going to be spending thousands of dollars to treat this pond if water is not circulating then we are going to continue to spend money to solve this problem. Creedon said that in the summer the ladder is left down at this time Roy said it is not and this is the problem and Garron added that over the past two summers it has not because he has been down there to look at it. Creedon stated that in the last couple of years there has been a drought period and can honestly say that he has not sent a message for them to lower the gate.

Roy wanted to move the discussion along saying that it has been established that Halifax would like the gate lifted and that Creedon does not feel that he can do that. Mr. Rogers asked if we could request a letter in writing stating that they are allowed to block water when they are not diverting in the Acts of 1620. Creedon stated that he could not offer him that letter seeing as he was not a biological lawyer. Roy suggested that we could have town council look at it and Garron added that if the laws are the same as the copies that they have we could find out through legal means. Garron concern is that if they do find discrepancies in the

law and that it turns out that Halifax is right would Brockton be willing to open it and let it flow because we are going to be spending a lot of money to treat the ponds and if not circulating that it is a waste of time and money.

Creedon stated that they do this with the Town of Pembroke. What Garron is hearing from Creedon that they are not considering it unless the herring are running and what Garron is saying is that if you do not have the flow of fresh water coming down the fish are not going to come up because of the weeds the stagnate water. Creedon said that during the summer time the gate is down the whole time and someone from the audience said that it is not down and that is what the problem is. Roy said that has not happened and Garron added that over the past two summers it hasn't and knows for a fact because he has been down there.

Creedon stated seeing as we have been in a drought period and couple years back he did tell them to lower the gate on June 1st but he can't honestly say that he has sent a message to do that. He stated that you can establish something and then it stops and in the summer it had been a practice for a number of years. Garron was being up front and said that if he goes to Pembroke and gets herring out in the Snake River that he would let it flow and Creedon said yes.

Cathy Drinnan wanted to add that during the summer months if there is a lot of rain water the City of Brockton is by legislative right diverting the water from East Lake over to Silver Lake because some residents will call saying that the water levels are high. She continued to say that this happened about four of five years ago and the water from the West Monponsett was being diverted to East Monponsett bring in the algae so to stop this from happening they opened the gate and diverted through Snake River. Creedon said that when requests have been made it has been done immediately. He also said that they do not divert during the non diverting period and if requested by the town they then notify DEP because they have a requirement not to keep above 6.5 inches.

Roy thanked him and said that they need to get through the letter so that they can get some answers.

In reference to the letter from Brian Creedon dated January 3, 2013 the following questions and answers transpired.

Item 1 in Creedon's letter stated

The fish ladder is always opened to a more than sufficient to allow 900,000 gallons per day. When we divert the ladder is set 7 inches down where lowering it only 4" is needed for the required flow. Our recording device at the flume has been vandalized but previous data is available at the treatment plant. We are in the process of making repairs to the meter.

Collis stated that they have only seen the fish ladder opened once over the last few months. Creedon said that it is open at this time and Collis stated that is good but members of the MWA have gone out there probably a dozen times or more and it was closed. Creedon stated that when they divert they open the gate and when they don't divert it is closed.

A member of the MWA stated in the Acts of 1964 they made a provision for the fish to migrate and he asked when did they interpret it to mean that it is okay to keep the fish ladder closed most days throughout the year. Creedon said that it would defeat the purpose of what a dam is and the member said it was defeating the purpose of the migrating of the fish. It was brought up that the closing of the fish ladder has affected the stopping of the migration of the fish to the pond. Creedon said that the cotton field dam stopped it for the longest time.

In reference to the letter from the town dated December 11, 2012:

Item #4

The language of the 1964 legislation includes the following: "it shall be the sole responsibility of the city to assume all cost of water filtration or purification required by the DPH because the public use of Furnace, Oldham and Monponsett Ponds, as provided in section eight in order that they may be permanently usable by the public for purposes described therein." What measures has the City of Brockton taken to make sure Monponsett Pond permanently usable by the public, especially in light of the problems with the toxic algae? What measures will the City be taking in the future and when will they be completed?

Answered in Creedon's letter #4

We annually report to the DPH on our water quality however this is regarding the water we divert. In the beginning of the diversion DPH has us chlorinate the water being diverted but this was discontinued in the 1970's due to the harmful effect it caused to the fish population. While we have continually worked with the town regarding the pond since I began with the City much of the problems come from West Monponsett in the form of phosphate elevation from failed septic systems and fertilization.

Collis said that the MWA had a recommendation that to help the toxic algae to stop diverting early enough in the season like in April so that they are not importing the toxic algae from the west lake to the east lake. He asked if Brockton would be willing to do that and Creedon said that they would have to look at it. Collis said if the diversion could be seized earlier then currently stated by law it could prevent the algae from flowing. Creedon said that they will try and work with them and again it is last 2 years has been a difficult because of lack of rainfall. Collis wanted to state another recommendation that the MWA wanted to make to the town as well as Brockton is that they think it would be helpful if Halifax Water Department jointing operated the dam with Brockton that way there Halifax would have hands on appreciation of what is involved and have the information they have been looking for. Garron said that would be a decision that would have to be made by the Water Superintendent but stated it was a good thought. Roy asked our Water Superintendent, who was present, his input. Dick Clark asked what would they want them to do and Collis said to make sure that the flow meters are working properly, that the records are being recorded as required and maintain as required by law and that the gate is open on time. Clark replied that they would do it. Creedon said that he would bring this to the water commissioners as it is a management issue but he did not see a major issue and is willing to work with Mr. Clark as he has over the years.

Another gentleman spoke stating that he understands that Creedon is trying to save the water for Brockton and does not want Brockton not to have water but what he is saying is that the algae, which has a lot to do with the cranberry growers, gets dumped into Snake Brook and when you divert the water does go the other way and takes the nutrients into west pond. He asked if Creedon recognized that and Creedon stated that Bog 18 used to flow into Monponsett when they were taking water above it forcing the water to flow back into the pond but this is not happening now.

Garron stated to Creedon that several issues were brought up this evening and he asked if the following things could be done a.) take this information back to the commissioners and review the law to make sure that everyone's interpretation is same so that they all are on the same page; b.) ask the commissioners to strongly consider allowing the flow after they do their distraction from the lake and 3.) ask if there was a major issue that Brockton was not getting enough water prior to building the dam.

Creedon wanted to say that one of the things that has occurred with the City of Brockton is that they have lowered the use of water in Brockton, mainly the wasting of water of their system. They are still using more water than Silver Lake alone and said that there are certain times that the flow exceeds the rain fall and they are trying to work around this and manage it.

Priscilla Chapman, representative from Mass Audubon, began by saying that they own the 250 acre Stump Brook Wildlife Sanctuary which borders Stump Brook, Monponsett Pond and Stoney Brook and for many years they have been concerned about the allowed flow to Stump Brook as well as the conditions of Monponsett Pond due to the lack of flow. She continued to say that the low flow affects the wetland and the aquatic life as it flows by the sanctuary. In addition she said that Mass Audubon would really like to work with the BOS and the Monponsett Watershed Association to improve the water flow in any way that they can and asked if there is some way of receiving records of the flow over the dam that Mr. Creedon referred to earlier. She is asking for the Stump Brook flows and Creedon said that he does not have that data and said it is at Silver Lake and getting the data to he cannot be done.

Ms. Chapman continued to say that Mass Audubon has been having discussions with the City of Brockton and DEP communications and are frustrated that the Aquaria Plant that has been built is not working to the capacity it was intended which is to purify water from the lower part of the Taunton River. They would like to see this option used so that we can have a healthier ecosystem. Creedon stated that they spend five million dollars a year to maintain the plant and then it cost more to take the water. They were hoping that the state formed an authority to allow all the communities.... Creedon stated that it is a financial issue and he can not give an answer to this issue.

In closing Garron asked that if the BOS made the request, which he just did, would you (Creedon) give the board copies of the flow as he said he would. Creedon stated that they are trying to cooperate as much as they can and agreed with Garron that he would also like to see the herring start running again with the hope that if the grant gets awarded will help. They will be using a solar bee in the future in Silver Lake to try and decrease the oxidization. Garron personally

requested that Creedon go back to his commissioners and tell them that Halifax is trying to clear the lake up and that they could add to that effort and help us. Creedon agreed and said that the letter from the town will go to the water commissioners and will be brought up at the next meeting which they are invited to attend. Roy said that she would be happy to attend and look forward to working with him. She wanted to meet again in a four or six weeks to get an update as to what he found out. Roy said that they will get back to him with a date to meet again to see what progress has been made. Garron appreciated him coming this evening and the board wanted to thank everyone for coming this evening as well as the MWA for the work they have taken on.

APPROVED WARRANT

Moved by Roy and seconded by Garron, the board unanimously approved payment of the following warrant

Vendor Warrant	# 67	\$ 16,553.90
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DISCUSSION

Dispatch Regionalization

Roy wanted to give Garron as quick update as to where the Communication Committee is regarding regionalization. She began by saying that she, the fire chief and Beth had but together some numbers for an actual regionalization project, which was presented to the Communications Committee by the fire chief. She continued to say that over the years there has been talk of having a supervisor in dispatch as this the only department that does not have a supervisor and it is a critical department. With that being said the committee does not want to offer the service to Plympton until a supervisor is hired as well as getting coverage for a couple of extra shifts. A cost has been established if Plympton was to join Halifax and at this time they need to send a letter back to Plympton stating that Halifax is willing to work with them on a regional dispatch center. Seelig wanted to say that the financial proposal is not part of the letter but says that Halifax is willing to work with Plympton and we know what our obligations would be and that it does not bind Halifax to anything. Roy stated that the expectations on the police side of it has been ironed out but they still need to do the fire side of it and thinks the next step would be sit down with members of the Board of Selectmen and maybe members of Plympton's Finance Committee to make a proposal to them. Garron is for it and understands there will be some financial repercussions and things will need to be ironed out but as long as it is more efficient and if needs of the fire, police and public are met he thinks is a great way to go. Roy asked if a motion could be made to send a letter to Plympton letting them know Halifax is committed in pursuing a regional dispatch center with them.

Moved By Garron and seconded by Roy, the board unanimously voted to send a letter to Plympton to acknowledge the fact that Halifax is willing to work with them on a regional communication center with the stipulation stating in the letter that if it does not work out Halifax is not obligated to go any further.

The letter was signed by Roy and Garron.

Roy stated that if Halifax can work this out they would be happy to do it with Plympton and they would not enter into this if she did not feel that they could not provide the quality of service to the residents of Halifax and Plympton.

Seelig wanted to add that he thinks that the two towns will be trying to work with OCPC to obtain grant funding to move this process along.

Added Thoughts Regarding Meeting with Brian Creedon

Roy thought that it was important to invite Brockton back for a follow up meeting. Seelig thought the important point that was brought up tonight was that under the legislation there was no question that Brockton is responsible for maintaining the water quality and thinks that it is going to come down to Halifax having specific proposals in line that they want to see happen and then go back to the City of Brockton and say our interest and your interest is to maintain the water quality. Garron asked that if we could send a letter to them after meeting as well as sending a copy to the person who owns the dam in Bridgewater stating that Brockton has agreed to open the dam and by doing this the herring will come this way. Roy has asked Seelig if he will be sending the Acts of 1964 to town council and Seelig stated he could but what questions does the board want to ask. Seelig explained that the legislation was clearly written fifty years ago and what they were thinking then is not what we are thinking now because things have changed but he can pass along to council. In closing Seelig suggested the following two questions could be addressed to town council:

- when can water go down there besides during diversion
- is Brockton obligated to open the dam

MEETING ADJOURNED

There being no further business, moved by Garron and seconded by Roy, the board unanimously voted to adjourn the meeting at 9:20 p.m.

Kim R. Roy
Clerk

/pjm