

***Hanson Board of Selectmen
Selectmen's Meeting Room, Hanson Town Hall
Tuesday, July 17, 2018
Regular Meeting 6:30 P.M.***

Members Present: Wesley Blauss, Matthew Dyer, James Hickey, Laura FitzGerald-Kemmett,
And Kenny Mitchell

Members Absent:

Others Present: Town Administrator Michael McCue
Executive Assistant Meredith Marini
Town Counsel Kate Feodoroff

6:35 p.m. Chairman Mitchell called the meeting to order.

II EXECUTIVE SESSION – Chairman Mitchell announced the Board would be going into Executive Session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Roller Coaster Road and Lakeside Road.

So Moved by FitzGerald-Kemmett, second by Hickey. ***Roll call, Blauss aye, FitzGerald-Kemmett aye, Mitchell aye, Hickey aye and Dyer aye. Voted 5 – 0***

6:36 p.m. Brief recess

7:02 p.m. Returned to open session

Chairman Mitchell led the Pledge Allegiance. Clerk Dyer read the announcements and upcoming meeting schedule.

III APPOINTMENT

Laura Brown – Special Counsel – Mr. McCue informed the Board that it needed to appoint Attorney Brown as special counsel to conduct the tax title auctions.

MOTION by FitzGerald-Kemmett second by Dyer to authorize the Town Administrator to enter into a contract with Laura brown and the Town and to appoint Laura Brown as Special Counsel for Tax Title purposes. ***Voted 5 – 0***

IV NEW BUSINESS

Selectmen's workshop with Town Counsel – Chairman Mitchell informed the Board that he felt it was important to review the Selectmen's roll.

Attorney Feodoroff reviewed the presentation outlining the roles of the Selectmen.

The roles are outlined by the Town by-laws and special acts. The Selectmen are the executive branch where Town Meeting is the legislative branch.

The Selectmen are the Policy Makers. They call Town Meetings, enacts rules and regulations. The Town Administrator works with Town Counsel and the Board has oversight of litigation. The Selectmen approves union and employments contracts. The Selectmen accept gift and grants. And approves the budget prepared by the Town Administrator.

The Selectmen is the licensing authority for liquor, used cars, marijuana, junk yard, parade and yard sale permits.

The Board also acts as the Town's appellate Body for grievances, wage & personnel disputes.

The Selectmen have appointing authority of certain employees as well as certain Boards and Commissions.

The Town Administrator Act, the Town Administrator supervises the employees. He is the director of personnel and implements policies. He consults and reports to the Board of Selectmen. The Selectmen give him direction. The Town Administrator deals with grievances and complaints about supervisors and general public complaints. He will delegate who should deal with the complaints. He evaluates the staff and makes recommendations. He also serves as the Chief Procurement Officer.

The Board as a Body – No authority as an individual person. A Selectman cannot make any decision or give direction without Board approval. The Selectman who receives a complaint, must refer the complaint to the Town Administrator for action. If of serious matter, it should be placed on the agenda.

The Board should be armed with all the information prior to a meeting. If you need more information, contact the Town Administrator. He may direct the members to the appropriate department.

Town Administrator runs the day-to-day operations and handles complaints. He will inform the Board of issues which the Selectmen will need to address. Members can bring him issues which need to be addressed by the Board.

Chairman ultimately controls the meeting. Chairman sets the agenda with the Town Administrator. The Chair runs the meeting. Items should be fully discussed. The Chairman is not required to include or allow the public to participate in a meeting.

Cooperation with Board members is critical and important. The Chairman will direct the conversation which can be formal or informal. The Chairman can create rules of the meetings.

Open Meeting law – Quorum – need a certain number of members to meet or violate an open meeting. Members cannot discuss items that come before the Board. Deliberation is one in which most run a fowl. Members cannot discuss thoughts on an issue outside a meeting.

Attorney Feodoroff instructed the Board to Not hit reply all on e-mails. Two members speak and one of those members calls or writes to a third member, the open meeting law would be violated.

Jim Hickey – Open Meeting law. Inquired about three members speaking. It is important that the public is aware of the discussions which should be conveyed in an open meeting. Each member is privy to one another's intention to vote.

Some materials can be distributed amongst the members. Information should be sent to the Town Administrator or Executive Assistant.

Jim Hickey – Evaluations of the Town Administrator. Mr. Hickey doesn't feel he has enough information for an evaluation, how should that be handled. Attorney Feodoroff indicated he can speak with department heads and staff members. She noted that members should never rely solely on someone else's options. There could be some constructive criticism. Need to refer to the contract.

Ms. FitzGerald-Kemmett suggested sending questionnaires to various staff.

Evaluations

Mr. Hickey inquired about placing something on the agenda. Attorney Feodoroff indicated that members would need to run it by the Chairman. The Chairman could refuse to place an item on the agenda. He could refer to a different department.

Mr. Hickey inquired how to deal with an employee not performing their job properly. Attorney Feodoroff said to go to Town Administrator if it warrants action. Do not go directly to employee, go to Town Administrator.

Commenting on Social Media. – Attorney Feodoroff said that there is a risk as serial deliberation. The Board members need to be mindful of due process violations. Don't respond to people's comments. Be general and be polite. There are other pitfalls of social media, such as inappropriate comments.

V ADJOURNMENT

MOTION by FitzGerald-Kemmett, second by Dyer to adjourn. **Voted 5 – 0**

7:56 p.m. meeting adjourned.

Respectfully submitted,

Meredith Marini,
Executive Assistant
Approved and Voted 5 – 0
August 14, 2018