



Tuesday, August 23, 2022

Hanson Select Board

Select Board's meeting room, Town Hall

Open Session

Members Present: Laura FitzGerald-Kemmett, Ann Rein, James Hickey, Edwin Heal
Members Absent: Joseph Weeks
Others Present: Lisa Green, Town Administrator; Linda Mulrey, Christopher Hoffman, Christopher Ernest, Phil Clemens, Mary Collins, Brian Winner, Town Counsel, Joe Campbell; Antonio DeFrias, Town Planner; Don Howard

I CALL TO ORDER

Ms. FitzGerald Kemmett called the meeting to order and led the Pledge of Allegiance.

II PUBLIC ANNOUNCEMENTS AND UPCOMING MEETINGS

Ms. Rein read the public announcements and upcoming meetings.

III APPOINTMENTS

1. Appoint Linda Mulrey to position of Outreach Worker.

Ms. Collins shared some of her history with Ms. Mulrey and formerly requested the Select Board appoint Ms. Mulrey for the Outreach Position at the Senior Center. Ms. Mulrey is happy to be here and excited by the opportunity.

MOTION by Mr. Hickey, seconded by Mr. Heal, to appoint Linda Mulrey to the position of Outreach Worker for the Senior Center. ***Voted 4 - 0***

2. Discuss and Appoint Chris Hoffman as an alternate member of the Conservation Commission for a three year term ending 6/30/2025.

Mr. Hoffman was able to attend this evening's meeting. Mr. Clemens shared his history with Mr. Clemens from his attendance at previous Conservation meetings. He believes he would be an excellent addition as an alternative member.

MOTION by Mr. Heal, seconded by Ms. Rein, to appoint Chris Hoffman as an alternate member of the Conservation Commission for a three year term, ending 6/30/2025. ***Voted 4 - 0***

3. Discuss and Appoint Christopher Ernest to the Economic Development Committee for an annual term ending 06/30/2023.

Mr. Ernest was previously part of the Deregulation Committee. He shared his background with the Board; he would like to give back and be more active in the Town.

MOTION by Mr. Hickey, seconded by Ms. Rein, to appoint Christopher Ernest to the Economic Development Committee for an annual term ending, 06/30/2023.

Voted 4 - 0

IV NEW BUSINESS

1. Alden Way, Gray Lane, Stringer Lane request for Town to accept roadways

Ms. FitzGerald-Kemmett set the ground rules stating that all who speak need to at the podium, and must speak only to the facts. And to remember the Board is keeping what is best for the Town first and foremost.

Ms. Green received correspondence from Ms. Sandra Crawford regarding the above three addresses. Ms. Crawford spoke for several residents of three streets regarding the roads being private ways. She stated her documentation for her home did not list her street as private and did not know it was private until July 2022. She met with Ms. Green and Mr. DeFrias as well as reviewed minutes related to the street, going back to 2011. Through her research she learned some of the history of the streets, including the Town returning bond to the developer through a settlement.

All this is not the fault of the residents of the streets. She approached some the residents and discussed some of the liabilities of private ways. From there they created a petition, leading them to ask where the Board stands.

Ms. FitzGerald-Kemmett stated there may be a precedent, as there are several private ways in Hanson. The cost of maintaining roads will be beyond the current budget. The Town receives Chapter 90 funding for road repairs based on public ways only. Some of the consequences for the Town is the burden of expense, leading to betterments leading to assessments of the property owners.

Mr. DeFrias shared the historical details he had. The subdivision was approved in 1997, the developer withdrew and completed the road. Noting some of deficiencies in the road an outside consultant was hired and noted the developer did not do the best work. The Planning Board decided not to return the bond due to these deficiencies; the developer sued the Town. The

settlement included a third party reviewing what needed to happen for the developer to be refunded. The developer made the corrections to satisfy both the Planning Board and the Court, which released the bond. The Planning Board retained \$6500 of the bond to use pay the third party and costs to the Court. At this time, there was also changes in the Planning Board, and the previous owner of Mrs. Crawford's home joined the Board.

Mr. Campbell stated that 10-12 years have had several changes to the Planning Board. He shared that, as noted in the minutes, several projects, including this project, are repeatedly discussed in meetings as they are considered loose ends of the Town. Unfortunately the deficiencies on Alden Way prevents it from getting past the rules and regulations of Town. Also for the Town, the litigation stated there were satisfactory partial completions, favoring the developer. It is a lengthy process for private ways to become public roads.

The Board would like to know what the deficiencies are and what can be done to address them. Progression forward surveys need to be completed and reviewed for how they will impact the Town. From reviewing the final documents, it will not be easy or inexpensive for the Town to address. As the roads are private ways, there is very little the Town can do, as it will be considered trespassing.

Mr. DeFrias noted in 2019 the Town did pay for an assessment for drainage. This report can be used or the Town can go back to the company and requested an updated in-depth report. This is give the Town a better sense of what it would be taking on to make the roads public. The cost is estimated to be \$5000-10000. Mr. DeFrias recommended not taking on as a public way as everything that's wrong with it will the responsibility of the Town.

Ms. Rein wants to know if meets requirements of egress. Tony stated it met the standards of the subdivision control law. Mr. Weeks stated, as a member of the planning committee, always used Alden Way as how not to develop a subdivision, as a lesson for moving forward with other developers. He also suggested using Town Meeting as a way to address by asking for a betterment and the Town to accept the road; there will be financial consequences with this path as well.

Ms. FitzGerald-Kemmett stated that the assessment may need a refreshment but improvements and repairs need to occur before the Town can accept it as a public way. And to do this need to know who will fund. it would be possible to do a betterment. Two-thirds of the people effected would need to agree and the cost would be spread over a period of time, and would require an approval during Town Meeting. Another option would be going directly to Town Meeting.

Mr. Winner stated, based on what he heard, the Planning board's involvement is concluded as there is nothing left open for them to act upon. The action is on Select Board, Town meeting and

the residents of the roads. He noted that the assessment report is often done by a homeowner's association opposed to a Town. The petitioners wanting to make private roads public are the advocates; they will need to fund it, then bring to the Town specifying exactly what needs to be done and how it will happen. If there is cooperation with the Town to share of cost, the improvements will still need to be funded, either by Town Meeting or betterments.

For next steps, the residents need to have one point of contact, representing a unified story for all owners involved. The Board suggested creating an HOA but the residents are not certain that is their preferred method. The Board offered to host workshops for the assessment report which would provide information on how to get the updates for the road, who will pay and what it needed, as well as listen and partner in the development of next steps to bring to a Town meeting

2. Discuss and vote Police Detail at Polls

MOTION by Mr. Heal, seconded by Mr. Weeks, to for the recently past Votes Acts, Section 72 of Chapter 92 of the Acts of 2022 to assign a sufficient number of police officers at the polling location on September 6, 2022 to preserve and to aide in enforcing the laws relating to elections, and further to vote to designate the police chief and his designees as the appointing authority of police details for all future elections assigning specific police officers according to scheduling and availability. **Voted 5 - 0**

3. Discuss all proposed Special Town Meeting Warrant Articles – Place holder for Planning Board article to update zoning bylaw to reflect change of name from Board of Selectmen to Select Board.

Mr. Clemens submitted articles to Ms. Green regarding Conservation lots, replenishment of the conservation fund as it has been spent down with general management of the properties, and increase the part-time conservation agent to full-time. The Town Accountant said it would be sustainable.

Mr. Campbell submitted articles proposing for Highway to install private ways signage. Some of the streets in Town have signage, as requested by the Planning board to the developers for new development. Moving forward signage should be added for all that are private, preventing homeowners from being unaware. Mr. Campbell has done some outreach and most he spoke with were happy to have it added to the street signage.

Chief Miksch had one article to submit for new positions related to civilian traffic control for construction control. The administration fee will continue to go to the Town. He has also cleared the role through the union.

Mr. Milisi submitted several articles, related to capital improvements. The first will be to change the Capital Improvement committee bylaws for the size of the committee; it will reduce the number from seven members to five members and two nonvoting alternates. The next is to amend the life of a capital improvement item from ten years to five. The remainder are placeholders for the matrix and priority list.

He then addressed the Recreation Commission articles. The budget is set that there will not be a need to request funding from the Town for the meeting. Instead are requesting moving retained earnings to pay for insurance coverages, a security system, staffing salaries and landscaping. Finally proposing changing the name to the Camp Kiwanee Commission, to better reflect the mission.

He then requested a change in Article 1, Section 1 of the General bylaws to change the start of Annual Town meeting from 7:30pm to 6:30pm. He has not addressed with the Town Moderator not the Town Clerk yet but will reach out for conversations.

4. Karen Stolfer – Library Director to discuss Library articles for Special Town Meeting

Ms. Stolfer and Ms. Cafardo shared, for Special Town Meeting, would like articles that would 1 - include a new HVAC system and 2 - new security camera. They are working to get quotes to present to the Board on the requested deadline. Ms. Stolfer spoke to the custodial position; would it need to be an article as well. Ms. Green noted it will be discussed later in the evening during the Wage and Personnel meeting. For the HVAC, Ms. Green shared that Green Communities is reviewing what is currently there; there is potentially grant money available.

5. Discuss and vote to approve application from Paul Clark to hold the Damien's Freaky 5K Road Race on October 30, 2022.

MOTION by Mr. Hickey, seconded by Mr. Weeks, to approve application from Paul Clark to hold the Damien's Freaky 5K Road Race on October 30, 2022.

Voted 5 - 0

6. Discuss proposed gift of land owned by Eversource located on Whitman Street.

Mr. Frank Schellenger sent an email to Ms. Green notifying her of the request from Eversource. He stated Conservation would be very interested in the land and would like to accept. The Board needs to have it put on the warrant during Special Town Meeting. There will be a loss of revenue by accepting this gift; the land is currently valued at \$258,000. The lot is 7.7 acres but is not a buildable lot.

MOTION by Mr. Weeks, seconded by Mr. Heal, to accept concept of the gift of land owned by Eversource located on Whitman Street and will add it to the warrant for October Special Town meeting. **Voted 4 - 1**

7. Discuss and vote to authorize filling an immediate temporary Administrative Assistant in the Town Administrators office for four weeks.

Ms. Green approached Town Accountant what will be needed to a temporary assistant. He stated that the Board would need to authorize the filling of this position. Ms. Green stated no one has used a temp agency; she reached out to Bridgewater State University for a student to fifteen hours per week.

MOTION by Ms. Rein, seconded by Mr. Weeks, to authorize the hiring of a temporary administrative assistant for a period of four weeks. **Voted 5 - 0**

8. Vote to rename the Drainage Committee to the Stormwater and Drainage Management Committee.

The Board updated Mr. Howard that the name changed already occurred and was approved.

V

OLD BUSINESS

1. Ratify and sign Hanson Police Contract

Ms. Green noted that once this, the last of all union contracts, is signed, she will post all union employee contracts to the Town website. This will be the first time in several years to happen.

MOTION by Mr. Weeks, seconded by Mr. Hickey, to ratify and sign the Hanson Police contract. **Voted 5 - 0**

2. Committee Updates

No updates tonight

VI

ONE DAY LICENSES

1. Vote to approve One Day Liquor License for Camp Kiwanee, Stephanie Romano, on October 28, 2022, between hours of 4:00pm and 9:00pm for a wedding

2. Vote to approve One Day Liquor License for Camp Kiwanee, Paul Mulcahy, on September 11, 2022, between hours of 10:00am and 2:00pm for a charity event.

MOTION by Mr. Weeks, seconded by Mr. Heal to approve the one-day liquor licenses as printed on the agenda. **Voted 5 - 0**

VII TOWN ADMINISTRATOR REPORT

- Ms. Green shared the grant application for waste site cleanup – hiring a consultant to assist with determining the environmental impact – has been received. Notification if awarded the grant will not happen until January 2023.
- Received correspondence from Mass DOT awarding a grant to fix and repave sections of the highway. It will cover State Route 27 from mile marker 7.4 to mile marker 10 and State Route 14 from mile marker 4.7 to mile marker 5.6.
- She also shared she has hired Lynn McDowell as the new executive assistant and will be starting September 7.
- Ms. Fitzgerald-Kemmett requested follow-up information and next steps from Impress LLC. Ms. Green has reached but has not heard back from them. If they do not reach out by next board meeting, this article will need to wait until May Town meeting.

VIII ADJOURNMENT

MOTION by Mr. Weeks, seconded by Mr. Heal to adjourn to Wager and Personnel. **Voted 5 - 0**

*Respectfully submitted,
Lynn McDowell*