



Approved 11/15/2022

Tuesday, November 1, 2022

***Hanson Select Board***

Select Board's meeting room, Town Hall

Open Session

***Members Present:*** Laura FitzGerald-Kemmett, Ann Rein, James Hickey, Joseph Weeks, Edwin Heal

***Members Absent:***

***Others Present:*** Lisa Green, Town Administrator; Lynn McDowell, Executive Assistant, Gary Lundren, Gail Joyce, William Cushing, Sean Buckley; Michael Fleming; Joshua Pratti; Christopher Costello, Phil Clemons

**I CALL TO ORDER**

Ms. FitzGerald-Kemmett called the meeting to order and led the Pledge of Allegiance. Ms. FitzGerald-Kemmett announced the passing of Ernie Jutras and asked for a moment of silence.

**II PUBLIC ANNOUNCEMENTS AND UPCOMING MEETINGS**

Ms. Rein read the public announcements and upcoming meetings. It was noted that the November 15 Select Board meeting was missing.

**III NEW BUSINESS**

**1. General Discussion regarding ZBA investigation and possible future mitigation efforts**

During the October 11 Select Board meeting, Ms. Green received the investigation results. As a reminder for those watching and unaware of the history, in August 2021 the Select Board received a petition for an article to be included in the October 2021 Special town meeting, asking for an investigation of members of the Zoning Board of Appeals committee. During the October Special Town meeting, the article passed unanimously. At the next Select Board meeting, all members voted to move forward to hiring an outside investigator.

Late November 2021, the Select Board hired an investigator, and forwarded all information received to date. The Town Administrator was to be the contact person. The Investigator was finding many details during this process that was leading him from the original request; not all members of the Zoning Board cooperated with him. He also had personal matters during this time.

At the end of the investigation, he wanted all concerns to be addressed of the original petition, and delivered the package to Ms. Green on October 11, 2022. Copies were made for the Select Board; once received by all, the Zoning Board received its copies next. The public requests went sent the following Monday and the report was added to the Town's website. All five members of the Select Board wanted to be present for the discussion, hence the one week delay.

Ms. FitzGerald-Kemmett noted this evening there would only be a general discussion of the report, with focus primarily on the Executive Summary, as there cannot be a discussion of the conduct noted in the findings unless hearings are posted prior. The Select Board still needs to discuss whether hearings will or will not occur. She also stated that the entire board is using this experience as a learning opportunity to do better moving forward with questioning and interviewing candidates and volunteers for vacant committee positions.

Ms. FitzGerald-Kemmett opened the discussion to the board.

The investigator, through his report, noted some concerns. Two key points were the Zoning Board reorganization and the differing style of minutes, which includes being written too vaguely and not providing enough detail. While it was noted no harm for either event, he commented the reorganization was not improperly created nor were the minutes concerning once he spoke with the ZBA administrative assistant.

He did have a list of recommendations, primarily providing additional training on disclosures. At this point Ms. FitzGerald-Kemmett reminded the Board on July 21, the Town Clerk was asked about the missing disclosure statements. And also, up until last six months, disclosures were always filed with the Town Clerk's office. She would date stamp, sign and make copies for the Select Board. Ms. Green reached out to Ms. Sloan to verify what happened with the disclosures. Ms. Sloan forwarded an email with her response (attached), including her apology for misplacing one of disclosures in question.

Mr. Cushing stated he gave the quotation, due to the State Ethics Commission calling Mr. Perkins requesting the copy. Mr. Perkins then learned it was not on file, found his original copy and gave that to the Town Clerk for updating.

Mr., Heal pointed out that the bylaws have been updated to prevent this from reoccurring in the future. He kept his comments brief as he found it difficult to speak without getting into too many individualized details.

Mr. Hickey agrees, but wanted to point out Exhibit M a dead-end as it is focusing on events prior to certain members joining the Zoning Board.

The Executive summary suggests some members may have disclosure issues. If the Board believes it to be necessary, there will be hearings with the related parties, who are currently in an appointed position, in the future. At this point, Mr. Buckley and Mr. Perkins are eligible. Ms. FitzGerald-Kemmett asks the Board how it would like to proceed.

Mr. Cushing clarified that he is no longer a member of the Zoning Board. Ms. FitzGerald-Kemmett stated the Board needs to speak with legal counsel before the Board can engage in conversations with him. Massachusetts state law has no requirement to record meetings; boards are required to produce meeting minutes as they need to be certified and filed. The Town is moving forward to record all meetings, but the Town Clerk's office does not want that to be the primary reason.

The process will include having former members who reapply discuss the report's findings during membership appointment process, and current members with compliance issues having hearings to address the findings. For those no longer sitting members of the board there will be no hearing.

Mr. Hickey feels that the appointments needed to happen in July and the report is not of any value. Ms. Rein stated the Select Board is addressing issues as the Town's people requested, and it needs to move forward. Mr. Heal questions the issues, wondering if they necessitate a hearing. Ms. FitzGerald-Kemmett agreed and an initiated the conversation.

Mr. Buckley commented that the investigation gave vague comments for disclosure but did not include specifics. The Board remained hands-off during the process to prevent any concerns of involvement. Mr. Young commented that it is ambiguous; if he was mentioned in the report he would welcome a hearing to his clear name. Mr. Cushing stated again that he is no longer a Zoning Board member. The Board will determine the best avenue to have conversations; no hearings are scheduled for this evening.

**MOTION** by Mr. Weeks, seconded by Ms. Rein to hold a hearing for Sean Buckley and Kevin Perkins.

**Motion Amended** by Mr. Hickey, second by Mr. Heal, that if later this evening during Zoning Board appointment discussions Mr. Cushing is appointed, he also participates in a hearing. **Voted 5 - 0**

Appoint associate member and member to ZBA to fill current vacancies

- a. Zoning Board of Appeals member applicants for three (3) year term:

Mr. Cushing opened by stating he previously served as member of the board and resigned during the investigation as he felt the bylaws did not cover temporary terms. He discussed his background, stating how it would be helpful to the zoning board. He did acknowledge his interest in Spring Street, which lead to the citizen petition. He would like to be reappointed and would be more than happy to have the hearing.

Mr. Fleming shared his background. He did submitted an application without knowing the full details of the role but felt it would be a good fit for him. He is a production mechanic in Boston and has no conflicts of interest. He also stated he will take the needed courses to get a better understanding of what will be needed.

Mr. Pratti shared that he served previously for two years on the zoning board as an alternate. He stated he understood as an alternate the role was limited but felt it would be best serving the community to be fully aware of previous discussions if he was needed to vote. He has a BS in Electrical Engineering; currently he is working as a construction supervisor. Mr. Weeks asked him why resigned; if he is looking to do the best for the town Mr. Pratti would understand leaving the board without a quorum is tenuous. Mr. Pratti state due to the frustration of the temporary appointments he felt as the Select Board already considered guilty. He came to Town Hall the next day to file an application as he regretted his decision.

Mr. Costello shared his background, also working construction and employed by the MBTA. He has no disclosure issues, nor know any members of the board.

**MOTION** by Mr. Hickey, to nominate William Cushing. No second, not moved

**MOTION** by Ms. Rein, seconded by Mr. Heal to nominate Michael Fleming as a full member of the Zoning Board of Appeals to a three year term. **Voted 4 – 1**

- b. Zoning Board of Appeals Alternative member applicants for three (3) year term:

**MOTION** by Ms. Rein, seconded by Mr. Heal to nominate Christopher Costello to be an alternative member of the Zoning Board of Appeals to a three year term. **Voted 5 - 0**

## 2. Discuss ARPA funds

Ms. Green reminded that in the Town warrant, Article 6 is focused on Capital items. With the continuance until November 9, there have been some updates to these items – 1, 2, 6 and 8 – as funding for them will be earmarked for ARPA. Each fall as eligible projects, under either Health and Human Services or Construction. Ms. FitzGerald-Kemmett reminded Ms. Green that the Board had previously discussed the ARPA money and the opportunity to add it back into the matrix. It is consisted with Capital Improvement committee's presentation; the Board is recalibrated to be in union.

During the Strategic Planning session, the Board hopes to have meaningful conversations with committee members on how best to spend the ARPA funds to make the biggest impact in the community.

The informational warrant will be updated to reflect these changes. As this will be an insert, it will be printed on colored paper.

**MOTION** by Mr. Weeks, seconded by Ms. Rein to update these items in Article 6 for the Special Town meeting. **Voted 5 - 0**

If there is no quorum, the Board of Health may not receive the balance of the funding. Ms. Green will confer with Town Accountant to determine if it is possible to use ARPA money, then be reimbursed at next Town Meeting. There is a possibility of a similar issue for the Library, regarding the warming station. And five Town employees needing salaries to be adjusted for the fiscal year. The Board can make these decisions.

Also, funding for plowing may be an issue if it is a bad winter. Ms. Green noted that the Town generally does go over the budgeted allocation. The process is for Highway to do the removal, then request reimbursement of expenses.

Previously, when meetings were held on Saturdays, the quorum number was changed to 50 people. Ms. FitzGerald-Kemmett stated it was related to the pandemic. She also suggested it can be changed but prefers to have a strong attendance. Mr. Heal went to Shaw's to distribute reminder flyers and speak with people. Ms. Cafardo will speak with Ms. Stoller to add a reminder to the Library's Facebook page. Ms. Green said schools sent an email to all parents with flyer reminder and that daycare will be available. Mr. Hickey asked if Ms. Green was able to place a half page ad in the Whitman-Hanson Express.

**MOTION** by Mr. Hickey, seconded by Mr. Weeks to place a half page in the Whitman-Hanson Express. **Voted 5 - 0**

### **3. Discuss and vote to offer Medicare FreedomRx PPO plan**

Ms. Green attended the Mayflower Municipal health group meeting last week; it provides the Town's health care programs. Also provide health care coverage for retirees. During this meeting a new health care program was introduced for 2023 benefits – the Medicare FreedomRx PPO Plan.

Ms. Green referred to the chart demonstrating what is covered and what will be covered under current program compared to the new option, as well as pricing in network vs. out of network. The cost difference will a bit lower.

**MOTION** by Mr. Weeks seconded by Ms. Rein to offer Medicare FreedomRx PPO plan as a benefit. **Voted 5 - 0**

#### **4. Plymouth County Hospital Committee – name change and Land Planning invoice**

Planning and release of funds for services already rendered. Mr. Ellis stated that due to time constraints and illness, Land Planning has completed 90% of the work. Now they are requesting payment of services. The committee decided that there are engineering requirements that need to be completed. The committee felt it best to make a payment less \$10,000, which would be about 60% of the invoice. Funding for this project is coming from the CPC, which Town meeting did approve.

Mr. Clemons made a presentation through the committee's timeline to better reflect the work implemented. The current committee is called The Final Plymouth County Hospital Use Committee. When appointed in 2015, it reviewed what was completed as well as what did not move forward. At this point it was rebuilding on the work of previous committees. In 2017 the committee recommended the hospital be demolished; it happened on schedule and on budget. Several ideas for a park on the location were then brought forward. In 2018 the committee brought its plans to a public meeting and received support for the park. In past few years, the committee received a \$100K grant to put in a new trail using existing roads and redirect the traffic flow. Land Planning created these plans, which include a playground for all ages, an amphitheater, open land for informal play and a trail system for hiking and walking. The committee feels that a name change will help for the focus on the goal, which would be the park. The current working title is the High Street Park Committee.

There is also the opportunity for naming in different areas of the park – playground, trails, etc. – in the future. Ms. Cafardo offered to assist with the Facebook presence. The Committee will also need to address funding to run the facility as well as hiring support staff. Mr. Howard suggested working with Camp Kiwanee, as it may be possible to pool resources. Ms. FitzGerald-Kemmett reminded them of the Strategic Planning session on November 19, 2022, and hopes to see them participate in this discussion there. Ms. FitzGerald-Kemmett also requested the committee attend the next Select Board meeting to update on the other projects it is overseeing, including a solar field. Mr. Clemons mentioned that while research was done, it is very complex and there may be a better use for green fields in town for community use. While solar is a potential revenue source, Mr. De Frias has offered other possibilities to review.

**MOTION** by Mr. Heal, seconded by Mr. Hickey to change the Final Plymouth County Hospital Committee to High Street Park Committee. **Voted 5 - 0**

**MOTION** by Mr. Heal, seconded by Ms. Rein to pay Land Planning, Inc. \$12057.50 for services rendered. **Voted 5 - 0**

**5. Discuss Holiday schedule**

Ms. Green shared for the holidays this year, it will be similar as last year as Christmas and New Year fall on the weekends. As Christmas Eve is Saturday, the union suggests giving staff a floating day. With Christmas on a Sunday, the holiday will be observed on Monday. This follows previous precedents, with 2016 being the most recent.

**MOTION** by Mr. Weeks, seconded by Mr. Hickey to accept the holiday schedule. **Voted 5 - 0**

**6. IT Assistant intern**

Ms. Green met with Mr. Moberg to discuss his current workload. As he is one person managing all IT needs for municipal staff, he is feeling overwhelmed. Ms. Green would like to hire a nonpaying intern, possibly from Bridgewater University.

**MOTION** by Mr. Heal, seconded by Mr. Weeks, to hire a nonpaying IT Assistant/Intern. **Voted 5 - 0**

**IV OLD BUSINESS**

**1. Vote to appoint Town Administrator as Custodian of Tax Possession Property under MGL Chapter 60, Section 77b, for 69 Wood Street auction**

Ms. Green reminded the Board that on July 19, 2022 two properties authorized for auction. At this time, 69 Wood Street is moving forward. The Select Board needs to appoint custodian as point of contact for the auction house; it will be filed with the registry.

**MOTION** by Mr. Weeks, seconded by Mr. Heal to appoint Town Administrator Lisa M. Green as the Custodian of Tax Possession Property, who shall have the care, custody, management and control of 69 Wood Street, Hanson, MA 02341, to act on behalf of the town, notwithstanding any provision of law, ordinance or by-law inconsistent herewith. To sell at public auction, 69 Wood Street, Hanson, MA 02341. **Voted 5 - 0**

**V**

**APPROVE OPEN SESSION MINUTES**

1. June 14, 2022
2. June 21, 2022
3. July 19, 2022
4. August 9, 2022
5. September 27, 2022
6. October 11, 2022

Ms. Fitzgerald-Kemmitt requested one change to the October 11, regarding the use of profanity not being acceptable during meetings.

***MOTION*** by Mr. Hickey, seconded by Mr. Weeks to approve the meeting minutes as presented. ***Voted 5 - 0***

**VI.**

**TOWN ADMINISTRATOR REPORT**

1. A reminder that October Special town meeting is November 9, 7:30pm at Hanson Middle school.
2. Ms. Green stated that the Maquan Street demolition is going live. Some of the expenses will use ARPA funding, as it is a vacant building. Accepting bids will open on December 1, 2022. Policy is generally use the lowest bid. Ms. Green will know by that day how much money will be available.
3. From her conversation with the MIAA representative, there will not be a separate charge for Maquan building; it is now included in the premium. This provides a savings of over \$38,000.
4. Mr. Matyi assisted with researching and drafting a public records policy. It will provide guidance going forward for handling records request. He also reviewed the policy book and created a spreadsheet with name and original date for Ms. Green to use for updating policies as many are dated and need revision.
5. Ms. Green provided an update for the Social media policy. It was adopted in 2019 but modifications requested but not done at the time. It will be updated as well.
6. Ms. McDowell is updating the licensing process. The plan is to have all updated and ready for signatures for the December 13 meeting.
7. Mr. Moberg is working on phone issues at the Fire department and updating the security system at Camp Kiwanee. Mr. Baker has been assisting. Ms. Green commented on how they are a great team.
8. Ms. Sloan and Ms. Kelly are focused on the early voting process, and have had a steady steam come to vote daily. Ms. Green noted they are both doing a great job. They are also prepared for Special Town meeting next week.



9. Ms. Green updated that the Town Building Inspector forwarded enforcement and fine correspondence as requested.
10. Ms. Green also updated the Board regarding the grant programs she submitted with Mr. DeFrias. The Town has been awarded for two of the grants. One is for \$60,000 for updating the master planning; the second is \$90,000 for pedestrian walkways improvements by the MBTA commuter station. For the ones the Town was not granted, Ms. Green and Mr. DeFrias plan to reapply.
11. Ms. Green also noted Mr. Shave worked with members of the Department of Transportation and the Town was awarded municipal pavement plan that totals close to \$1 million. Route 27 – from the intersection of Route 27 and 58 to Franklin Street – and Route 14 – from the end of County Road up to the Water Department building – will both be repaved. Details will follow for start dates.

**VIII. ADJOURNMENT**

***MOTION*** by Mr. Weeks, seconded by Mr. Heal, to adjourn the meeting. **Voted 5-0**

*Respectfully submitted,  
Lynn McDowell*