

Town of Hanson
542 Liberty Street, Hanson, MA 02341

October 2009 Special Town Meeting

Special Town Meeting
October 5, 2009

Moderator Charles W. Mann called the meeting to order at 7:32 P.M. in the auditorium of the Middle School with Robert Hayes, James Tuffo and Robert O'Brien appointed and sworn in as tellers.

Town Counsel was Richard Bowen from the firm of Kopelman and Paige.

A quorum was declared present with 194 voters in attendance.

The Pledge of Allegiance was recited by the Town Meeting and a moment of silence was observed in memory of deceased town officials, Jack Keene, Virginia Robbins and Pauline Harris.

ARTICLE 1: To see if the Town will vote to transfer a sum of money from Free Cash and/or stabilization and/or L.Z. Thomas Housing Grant to pay unpaid bills from fiscal year 2009 or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: There are a few unpaid bills from various departments, which were received after the end of fiscal year 2009. Requires a 9/10 vote.

Finance Committee recommends.

VOTED Aye unanimous to transfer \$12,640.59 from Free Cash and \$10,000 from L.Z. Thomas Housing Grant to pay unpaid bills from previous fiscal years.

ARTICLE 2: To see if the Town will vote to transfer a sum of money from Free Cash and/or Stabilization to be added to the amount appropriated to the May 2009 Annual Town Meeting Article 5, Line 32, Town Administrator Wages or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: These funds are necessary to pay the salary for a new Town Administrator.

Finance Committee recommends.

VOTED Aye, voice to transfer \$6,900.00 from Free Cash to be added to the amount appropriated to the May 2009 Annual Town Meeting Article 5, Line 32, Town Administrator Wages.

ARTICLE 3: To see if the Town will vote to transfer a sum of money from Free Cash and/or Stabilization to repair the roof at the Maquan School or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The roof at the Maquan School is in need of major repair.

Finance Committee recommends.

VOTED Aye, unanimous to transfer \$50,000.00 from Stabilization to repair the roof at the Maquan School.

ARTICLE 4: To see if the Town will vote to transfer a sum of money from Free Cash and/or Stabilization to be added to the amount appropriated to the May 2009 Annual Town Meeting Article 5, Line 101 Police Other Wages or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: In the event an arbitration award is issued or a settlement has been reached with the Police Union, these funds are necessary to meet the obligations of the contract agreement.

VOTED Aye, voice to Pass Over Article 4.

ARTICLE 5: To see if the Town will vote to transfer a sum of money from Free Cash and/or Stabilization to be added to the amount appropriated to the May 2009 Annual Town Meeting Article 5, Line 106 Firefighter FT Wages or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: In the event an arbitration award is issued or a settlement is reached with the Fire Union, these funds are necessary to meet the obligations of the contract agreement.

VOTED Aye, voice to Pass Over Article 5.

ARTICLE 6: To see if the Town will vote to transfer a sum of money from Free Cash and/or Stabilization to upgrade the Town's current budgeting, purchasing and accounting system or take any other action in relation thereto.

Proposed by the Finance Committee

Explanation: Currently the Town is using a DOS based program. The replacement software would be a Windows based program that would improve financial controls and reporting. This would assist all Departments in reporting, analyzing and delivering data as well as improve the quality of information provided to the Finance Committee and tax payers during budget season. Approx cost : \$35,000

Finance Committee recommends.

VOTED Aye voice to transfer a sum of money from Free Cash to upgrade the Town's current budgeting, purchasing and accounting system for \$35,000.00.

ARTICLE 7: To see if the Town will vote to transfer the sum of \$20,000.00 from available Free Cash and/or transfer from the Stabilization Fund to remove several dead trees on our public ways or take any other action in relation thereto:

Proposed by the Tree Warden

Explanation: Due to the fact that the last three to four years we have experienced a heavy infestation of various species of caterpillars that have defoliated many hardwood trees, specifically oak trees, causing the trees to die. Last October an article was submitted, however, the Town Administrator did not allow this article to be placed on the warrant. With the cooperation and assistance from National Grid, we should be able to prioritize and remove the most dangerous trees.

Finance Committee recommends.

VOTED Aye voice to transfer the sum of \$20,000.00 from available Free Cash to remove several dead trees on our public ways.

ARTICLE 8: To see if the Town will vote to transfer \$25,000 from the ambulance account to be added to the May 2009 Annual Town Meeting, Article 5, Line 106 Firefighter Full-Time wages.

Proposed by the Fire Chief

Explanation: These funds are necessary to maintain minimum staffing levels for the current fiscal year.

Finance Committee does not recommend.

VOTED Aye voice to Pass Over Article 8.

ARTICLE 9 To see if the town will vote to transfer the sum of \$14,196 from free cash and/or the stabilization fund to the Recreation Revolving Account or take any other action in relation hereto.

Proposed by the Hanson Recreation Commission

Explanation: This funding is to pay for the two part time assistant caretakers needed to fill the hours created by the full time caretakers absence. The figure is reflective of two caretakers for a 19.5. hour week for \$14.00 per hour for a total of 52 weeks

Finance Committee recommends.

VOTED Aye voice to Pass Over Article 9.

ARTICLE 10 To see if the Town will vote to transfer \$50,000 from Water Surplus for the purpose of buying new water meters and related equipment for the Water Department or take any other action thereto.

Proposed by the Board of Water Commissioners

Explanation: Meter replacement is a continuing program designed to maintain accurate readings.

Finance Committee recommends.

VOTED Aye, voice to transfer \$50,000 from Water Surplus for the purpose of buying new water meters and related equipment for the Water Department.

ARTICLE 11: To see if the Town will vote to transfer a sum of money from the amounts appropriated in the May 2009 Annual Town Meeting, Line 117 Water Dept. Reimburse to Town to the amounts appropriated in the May 2009 Annual Town Meeting, Line 118 Water Expense or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

Explanation: At the 2009 May Town Meeting our expenses were cut in order to stay within budget guidelines. Positive final adjustments to our FY2009 total water revenue receipts have resulted in our ability to increase our water expenses for FY2010 by a portion of the total amount cut at the May 2009 Town Meeting and still remain safely within legal budget requirements.

Finance Committee recommends.

VOTED Aye, voice to transfer \$47,000.00 from the amount appropriated in the May 2009 Annual Town Meeting, Line 117 Water Dept. Reimburse to Town to the amount appropriated in the May 2009 Annual Town Meeting, Line 118 Water Dept. Expense.

ARTICLE 12: To see if the Town will vote to transfer a sum of money from the amounts appropriated in the May 2009 Annual Town Meeting, Line 117 Water Dept. Reimburse to Town to the amounts appropriated in the May 2009 Annual Town

Meeting, Line 118 Water Legal or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

Explanation: We expect further legal expenses regarding our application for developing a second source of water at the Pleasant Street site. In addition, our employee labor contract expires in the spring of 2010.

Finance Committee recommends.

VOTED Aye, voice to transfer the amount of \$10,000.00 from the amount appropriated in the May 2009 Annual Town Meeting on the Budget Article, Line 117 Water Dept. Reimbursements to the Town, to the amount appropriated at the May 2009 Annual Town Meeting Budget Article, Line 118 Water Dept Legal Expenses.

ARTICLE 13: To see if the Town will vote to transfer a sum of money from Water Surplus to the amounts appropriated in the May 2009 Annual Town Meeting,
Line 117 Water Dept. Reimburse to Town or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

Explanation: These funds will replenish the Water Dept. Reimburse to Town line.

Finance Committee recommends.

VOTED Aye, voice to transfer the sum of \$57,000.00 from Water Dept. Surplus to the amount appropriated at the May 2009 Annual Town Meeting Budget Article Line 117.

ARTICLE 14: To see if the Town will vote to transfer a sum of money from the Fund Balance Reserved for Reduction of Future Excluded Debt – Water Department to be added to the May 2009 Annual Town Meeting , Article 5, Line 119 Water debt & interest, for the purpose of making interest payments on debt excluded issues for the Water Department, which debt was authorized by Article 9 of the May 2005 Annual Town Meeting and Article 18 of the May 2007 Annual Town Meeting with subsequent debt exclusion vote on May 21, 2005, or take any action thereto.

Proposed by the Treasurer/Collector

Explanation: This account is used to pay the borrowing for the Water Department water mains.
Amount to transfer from F/B Reserved for Reduction of Future Excluded Debt to water budget is \$1,115.08

Finance Committee recommends.

VOTED Aye, voice to transfer \$1,115.08 from the Fund Balance Reserved for Reduction of Future Excluded Debt – Water Department to be added to the May 2009 Annual Town Meeting , Article 5, Line 119 Water debt & interest, for the purpose of making interest payments on debt excluded issues for the Water Department as printed in the warrant.

ARTICLE 15: To see if the Town will vote to raise and appropriate and/or transfer a sum of money from Free Cash and/or Stabilization and/or transfer from the May 2009 Annual Town Meeting Article 5, Line 32 Town Administrator's Wages to be added to the May 2009 Annual Town Meeting Article 5, Line 30, Selectmen's Clerical Wages, or take any other action in relation thereto.

Proposed by Barbara Murphy and 110 others

Finance Committee does not recommend.

VOTED Aye 84, Nay 67 to transfer \$17,435.60 from Free Cash to be added to the May 2009 Annual Town Meeting Article 5, Line 30, Selectmen's Clerical Wages.

ARTICLE 16 : To see if the Town will vote to authorize the Board of Selectmen to petition the Legislature to change the position of Highway Surveyor from elected to appointed by the Town Administrator in accordance with the Town Administrator Act or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The elected term for the Highway Surveyor ends on May 15, 2010. The Board recommends that the position be changed from elected to appointed.

Finance Committee refers to Town Meeting.

VOTED Nay, voice to authorize the Board of Selectmen to petition the Legislature to change the position of Highway Surveyor from elected to appointed position by the Town Administrator in accordance with the Town Administrator Act.

ARTICLE 17: To see if the Town will vote to revise the vote taken under Article 11 of the Annual Town Meeting to provide as follows:

To reserve or appropriate from Community Preservation Fund FY2010 estimated annual revenues, as recommended by the Community Preservation Committee, sums of money for committee administrative expenses, community preservation projects and other expenses in fiscal year 2010 as follows, with each item to be considered a separate appropriation:

Appropriations:

From FY 2010 estimated revenues for Committee Administrative Expenses \$ **8,700.**

Reserves:

From FY 2010 estimated revenues for Historic Resource Reserve	\$ 18,318.
From FY 2010 estimated revenues for Community Housing Reserve	\$ 18,318.
From FY 2010 estimated revenues for Open Space Reserve	\$ 18,318.
From FY 2010 estimated revenues for Budgeted Reserve	\$111,786.

or take any other action in relation thereto.

Proposed by the
Community Preservation Committee

Explanation: This is a housekeeping article in order to clarify the motion made at the May 2009 Annual Town Meeting.

Finance Committee recommends.

VOTED Aye, voice Article 17 as printed in the warrant.

ARTICLE 18: To see if the Town will vote to transfer from the Community Preservation Fund FY2010 estimated annual revenues a sum of money for the restoration and preservation of Town of Hanson Historical Books and Records, or take any other action in relation thereto.

Proposed by the
Community Preservation Committee

Explanation: The restoration and preservation work will include the Marriage Intentions Books 1905 – 1924 and 1924 – 1954, the Overseers of the Poor Book 1858 – 1866 and the Pauper Register 1864 – 1878.

Finance Committee recommends.

VOTED Aye, voice to transfer from the Community Preservation Fund FY2010 estimated annual revenues the sum of \$3,829.00 for the restoration and preservation of Town of Hanson Historical Books and Records.

ARTICLE 19: To see if the Town will vote to transfer from the Community Preservation Fund FY2010 estimated annual revenues a sum of money for the acquisition of the property located at Assessor's Map 81, Lot 8, located at 573 Liberty Street, Hanson, MA, also known as the Nathaniel Thomas Mill property; and to authorize the Board of Selectmen to acquire such property by purchase, gift, eminent domain or otherwise, under such terms and conditions it deems appropriate, for open space, historic preservation, and recreation purposes, such land to be under the care, custody and control of the Hanson Conservation

Commission; and further, in accordance with the provisions of G.L. c.44B, §12(a) to authorize the Board of Selectmen to convey to a non-profit or charitable organization or foundation a restriction in said property meeting the requirements of G.L. c.184 and to take any other action necessary to effectuate the vote taken hereunder; or take any other action in relation thereto.

Proposed by the
Community Preservation Committee

Explanation: Cost: Purchase price \$69,000.0 Legal Fees: \$5,000 –Total \$74,000. The operation and maintenance responsibility to remain with the Nathaniel Thomas Mill Committee.

Finance Committee recommends.

VOTED Aye 150, Nay 13 (2/3's achieved) to transfer the sum of \$74,000.00 from the Community Preservation Fund FY2010 estimated annual revenues for the acquisition of the property located at Assessor's Map 81, Lot 8, located at 573 Liberty Street, Hanson, MA, also known as the Nathaniel Thomas Mill property as printed in the warrant.

ARTICLE 20: To see if the Town will vote to amend the Wage and personnel By-Laws, Article 2-12, Classification and Compensation by deleting Section 11A in its entirety and inserting the new Section 11A as printed below:

SECTION 11 A: PROFESSIONAL POSITIONS

	<u>7/1/08</u>	<u>7/1/09</u>
A. Director of Elder Affairs	35,000 to 55,000	35,000 to 55,000
B. Town Accountant	45,000 to 65,000	45,000 to 66,000
C. Treasurer/Collector	45,000 to 65,000	45,000 to 66,000
D. Inspectors of Building - Full-time Salary	40,000 to 60,000	20,000 to 60,000
Inspectors of Building – Part-time hourly rate	-----	\$25.00 to \$32.00
E. Health Agent	40,000 to 60,000	40,000 to 60,000
F. Assistant Town Administrator	-----	45,000 to 66,000

Explanation: Section "D. Inspectors of Buildings" has been expanded to include a part-time hourly rate in order to accommodate for the reduction in hours for the Inspectors of Building Position. Town Meeting voted to reduce the salary to \$30,000 requiring the position to become part time. Section "F. Assistant Town Administrator" is a new position. No additional personnel will be added to the office. The current position of Executive Assistant to the Board of Selectmen will become vacant.

Finance Committee recommends.

VOTED Aye, voice Article 20 as printed and amended by deleting "F. Assistant Town Administrator".

ARTICLE 21: To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws (MGL) Chapter 44B to amend the Town of Hanson Municipal By-Laws, Article 2-20 and create a Section 9 - **Exemption from the CPA Surcharge** to read as follows: "Applications for exemption from the Community Preservation Act surcharge must be filed with the Board of Assessors no later than three (3) months after the actual tax bills are mailed," or take any action in relation thereto.

Proposed by the Board of Assessors

Explanation: With the acceptance of this article, the deadline for the CPA exemption would be three (3) months after the actual bills are mailed. This is the statutory deadline for all other property tax exemptions.

Finance Committee refers to Town Meeting.

VOTED Aye, voice Article 21 as printed on the warrant.

ARTICLE 22: To see if the Town will vote to authorize the Board of Selectmen to acquire the following land, parcels and/or rights of land parcels for the purpose of obtaining and securing drainage for the reconstructing of the Winter Street Bridge. This will allow for the construction and roadway safety improvements for the Winter Street project according to plan entitled “**The Commonwealth of Massachusetts Highway Department Bridge Replacement Project Broadway over Indian Head River in the Towns of Hanover-Hanson Plymouth County.**” Further that the Selectmen may acquire these parcels, or modification of this parcel through all legal means, as a donation. The subject parcels are currently identified on plans drafted by Lamson Engineering Corporation on behalf of Mass. Highway dated May 29, 2009 Titled “The Commonwealth of Massachusetts Highway Department; Bridge Replacement Project Broadway over Indian Head River in the Towns of Hanover-Hanson Plymouth County,” and on the Hanson Assessors Maps.

Parcel No. E-1 Ralph E. & Harold L. Post 17,900’ square feet, 95 Winter Street the entire property is also shown on Assessors Map #121 Parcel #1, this lot is unbuildable due to a structure that was not rebuilt within a two (2) year time frame and within the Rivers Act.

Proposed by the Board of Selectmen

Explanation: This article will provide for the donation of a parcel of land for securing drainage along Winter Street in order to effectuate the replacement project of the Winter Street Bridge. This construction is within the Town of Hanover and Hanson boundaries.

Finance Committee refers to Town Meeting.

VOTED Aye, voice to authorize the Board of Selectmen to acquire the land, parcels and/or rights of land parcels for the purpose of obtaining and securing drainage for the reconstructing of the Winter Street Bridge as printed in the warrant.

ARTICLE 23: To see if the Town will vote accept a deed-in-lieu of foreclosure from the Hanson Fire Fighters Association, Inc. pursuant to and in accordance with Mass. Gen. L. C. 60 Sec. 77C (2002) and Massachusetts Department of Revenue Property Tax Bureau Informational Guideline Release No. 02-206 for a certain parcel of land taken by the Town on June 19, 2009 for nonpayment of taxes, which parcel is described as:

A parcel of land on Main Street, containing about 3,000 feet being described as Town of Hanson Assessor’s Map 43, Lot 36E and also recorded at Book 2528 on Page 356 at the Plymouth County Registry of Deeds. As of September 14, 2009, the outstanding tax amount due is \$4,222.73. The assessed value of the parcel is \$61,600.00.

or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This parcel of land is owned by the Hanson Fire Fighters Associations and located next to the Main Street Fire Station. The Association is willing to turn the property over to the Town.

Finance Committee refers to Town Meeting.

VOTED Aye, voice to Pass Over Article 23.

ARTICLE 24: To see if the Town will vote to accept as a Town way William Way and to see if the Town will further vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement to use said street for all purposes for which public ways are used in the Town of Hanson:

William Way is shown on a plan entitled “Roadway as-built plan William Way in Hanson, Massachusetts prepared for Cordwood Developers LLC Dated December 10, 2007, by Land Planning, Inc.”

or take any other action in relation thereto.

Explanation: William Way has been constructed in accordance with Town standards and the Planning Board and Highway Surveyor have recommended acceptance. The subdivision control law contemplates that towns will accept as public ways all such roads, which are constructed in conformance with local standards while they are still in good condition.

Finance Committee refers to Town Meeting.

VOTED Aye, voice to accept as a Town way William Way as printed in the warrant.

ARTICLE 25: To see if the Town will vote to amend the Hanson Zoning Bylaw and Zoning Map, dated July 2002, as amended, by extending the Business Zone as follows:

By changing the area to the East of the existing Business District along Liberty Street. Beginning at the Residence A Zone and the Business Zone as shown on Assessors Map 99 at a point in the sideline of East Washington Street at Lot 8-1, thence running Northeasterly along East Washington Street to Lot 8, thence Southeasterly by the property line of Lot 8 to a point in the property line of Lot 20, thence Southeasterly by the property line of Lot 20 to the Northwest corner of Lot 23A, as shown on Map 91, thence easterly by the Northerly property lines of Lot 23A and Lot 16A as shown on Map 99 to the northerly corner of 16A at Lot 26 as shown on Map 91, thence Southerly by the Easterly property line of Lot 16A to a corner, thence Westerly by Lot 16A to the Northerly corner of Lot 24 as shown on Map 91, thence Southerly by the Easterly property line of Lot 24 to a corner with Lot 26, thence Westerly by the property line of Lot 24 and Lot 26 to a corner in the Easterly property line of Lot 22, thence running Southerly by the Easterly property lines of Lots 22 and 28 extended through Lot 26 to a point in the Northerly property line of Lot 19, thence Easterly along the Northerly property lines of Lots 19 and 17 to the Northwesterly corner of Lot 14, thence Southerly by the Easterly property line of Lot 17 extended through Lot 14 to a point in the Northerly property line of Lot 6-1 as shown on Map 82, said line crosses the existing Residence A and Residence B zone line, thence Easterly along the Northerly property line of Lot 6-1 to the Northerly corner of Lot 6-1 at Lot 8 shown on Map 90, thence Southerly by the Westerly property line of Lot 8, as shown on Map 90, to a corner in the Northerly property line of Lot 2 as shown on Map 82, thence Easterly by the property line of Lot 8, as shown on Map 90, to a corner, thence Southerly by the property line of Lot 8 and the Westerly property line of Lot 20, as shown on Map 81, to the Southerly corner of Lot 20, thence Easterly 535 +/- feet to a point in the Southerly property line of Lot 20, said point being the projected Northerly extension of the Westerly property line of Lot 15 through Lot 19-1, thence Southerly through Lot 19-1, along the extended line of Lot 15, to the Northwesterly corner of Lot 15, thence Easterly along the Northerly property line of Lot 15 to the Northwest corner of Lot 15-2, thence Southerly along the Westerly property line of Lot 15-2 to the Northwesterly corner of Lot 15-1, thence Easterly along the Northerly property line of Lot 15-1 crossing Winter Street, to the Northeasterly corner of Lot 10-3, said point being at the centerline of the Indian Head River at the existing Residence B and Agriculture-Recreation zone line, thence Southerly by the centerline of the Indian Head River to a point in the Northerly property line of Lot 8, thence Westerly by the Northerly property line of Lot 8 to the Northeasterly corner of Lot 7, thence Southerly and Westerly by multiple courses along the property lines between Lot 8 and Lot 7 to a point in the Northerly side line of Liberty Street, thence Southerly running perpendicular to the centerline of Liberty Street and the existing Residence B and Residence A zone line, thence Westerly, along the centerline of Liberty Street and the existing Residence B and Residence A zone lines to the existing Business zone line, thence running in a general Northerly direction, along the existing Business zone line, various courses, approximately parallel to Liberty Street to the Point of Beginning and containing 74 +/- acres.

Proposed by the Zoning Bylaw Committee

EXPLANATION: This article allows the expansion of the Business District on Liberty Street to provide greater opportunity for business growth.

Finance Committee refers to Town Meeting.

VOTED Aye, voice to Pass Over Article 25.

VOTED Aye, voice to dissolve the meeting at 9:48 p.m.

A true copy of the vote, Attest:

Sandra E. Harris, CMC, CMMC
Town Clerk

