Town of Hanson
542 Liberty Street, Hanson, MA 02341

Special Town Meeting - October 4, 1999

Special Town Meeting
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Moderator Charles W. Mann called the meeting to order at 7:30 p.m. in the auditorium of the Hanson Middle School, with Richard Powers, Sandra Gowin and James Armstrong appointed and sworn in as tellers.

A brief recess was called to allow voters to be checked in, and the meeting was reconvened at 7:45p.m.

Town Counsel was Everett Marder from Kopelman and Paige.

The Pledge of Allegiance was recited by the Town Meeting.

ARTICLE 1: To see if the Town will vote to amend the General By-Laws by adding to Part 3 – Articles Relating to the General Public the following:

Article 3 – 16 Discharge of Firearms

Sec. 1. The discharge of a machine gun is prohibited within the Town of Hanson. A machine gun being described pursuant to the M.G.L. Chapter 140, Section 121 as "A weapon of any description, by whatever name known, loaded or unloaded from which a number of shots or bullets may be rapidly or automatically discharged by one continuous activation of the trigger." Police Officers while carrying out their official duties or training with the approval of the Chief of Police shall be exempt from said by-law.

Sec. 2. Whoever violates the provisions of this By-Law shall be punished by a fine of not more than one hundred ($100.00) dollars for each offense.

or take any action in relation thereto.

Proposed by Judith Murdoch
And 204 other registered voters

Finance Committee refers to Town Meeting.

VOTED Aye voice to Amedn the General By-laws by adding to Part 3 - Articles Relating to the General Public the following:

Article 3 – 16 Discharge of Firearms

Sec. 1. The discharge of a machine gun is prohibited within the Town of Hanson by any persons under the age of 21 years.. A machine gun being described pursuant to the M.G.L. Chapter 140, Section 121 as "A weapon of any description, by whatever name known, loaded or unloaded from which a number of shots or bullets may be rapidly or automatically discharged by one continuous activation of the trigger." Police Officers while carrying out their official duties or training with the approval of the Chief of Police shall be exempt from said by-law.

Sec. 2. Whoever violates the provisions of this By-Law shall be punished by a fine of not more than Five Hundred ($500.00) dollars for each offense.

Moderator Charles Mann stepped down as Moderator for Article 2 in order to participate in its discussion, and the meeting elected Michael Regan to serve as temporary Moderator for Article 2.

ARTICLE 2: To see if the Town will vote to amend Article 1-2 of the General By-Laws of the Town by adding the following new Section 12: " Section 12. The order for consideration of all Town Meeting Articles shall be chosen in lottery fashion by the Town Clerk, assisted by the Town Moderator. After an article has been drawn for consideration, subsequent articles shall not be drawn until Town Meeting has acted on the drawn Article.

For the Purpose of this By-Law an exemption shall be made for the first four articles of the Annual town Meeting which shall be in the following order: 1. To hear the reports for the various Town Officers, Committees, Special Committees; 2. To see if the Town will vote to

approve the Capital Improvement Program; 3. To hear the article (s) to fix the Salary and Compensation of officials and employees of the Town, and 4. The Budget Article," or take any other action in relation thereto.

Proposed by Gordon Coyle
And 125 other registered voters

Finance Committee refers to Town Meeting.

VOTED Aye 88, Nay 169 (motion defeated) to amend Article 1-2 of the General By-Laws of the Town by adding the following new Section 12 as printed in the warrant.

ARTICLE 3: To see if the Town will vote to authorize a revolving fund under the provisions of G.L. Chapter 44, Section 53E ½ for the use by the Parks and Fields Commission for the sport programs including maintenance and equipment. The receipts will be generated through a recycling program at the Hanson Transfer Station, and any receipts generated through use of the fields and donations. The Parks and Fields Commission is authorized to expend from the fund for the stated purpose without future appropriations subject to the restrictions contained in G.L. Chapter 44, Second 53E ½ an amount not to exceed $15,000.00. Expenditures shall not be made or liabilities incurred in excess of the balance of the fund at any given time or take any other action in relation thereto.

Proposed by the Parks and Field Commission

Finance Committee recommends.

VOTED Aye, voice to establish a revolving fund under the provisions of G.L. Chapter 44, Section 53E 1/2 as printed in the warrant.

ARTICLE 4: To see if the Town will vote to amend the Hanson Zoning Bylaws by deleting Section IV, Paragraph A, and insert the following: A. Alteration, Extension, or Change. As provided in M.G.L.A. ch. 40A. s.6, as may be amended, the alteration, reconstruction, extension or structural change (hereinafter collectively "alteration") to a nonconforming single or two family residential structure shall not be considered an increase in the non-conforming nature of the structure and shall be permitted as a matter of right under the following circumstances:

(i) Normal repairs or replacement of parts of any non-conforming structure, provided that such repair or replacement does not constitute an extension of a non-conforming use of such structure.
(ii) Alteration to a conforming structure where the alteration will also comply with all applicable sections of the zoning bylaws in effect at the time of application, if the existing structure is located on a lot which is non-conforming as the result of a zoning change.
(iii) Alteration within the existing footprint of a non-conforming structure to comply with requirements of the Massachusetts Building Code.
(iv) Alteration to a non-conforming structure where the alteration will comply with all applicable sections of the zoning bylaws in effect at the time of application, and will not increases the habitable space.
(v) Alteration to a non-conforming structure on a lot of at least 20,000 square feet, where the alteration will comply with all applicable sections of the zoning bylaws in effect at the time of application, including, but not limited to setback, yard, building coverage, and height requirements.
(vi) In cases where the applicant seeks to increase the height of any structure that encroaches on a required setback, where any increase in height will occur within such encroachment, there shall be no alteration as of right under this section.
Other preexisting nonconforming structures or uses may be extended, altered, or changed in use on Special Permit from the Board of Appeals, upon a finding by the Board that such alteration, extension, or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use, or take any other action in relation thereto.

Proposed by the Board of Appeals

Finance Committee refers to Town Meeting'

VOTED Aye unanimous to amend the Hanson Zoning Bylaws by deleting Section IV, Paragraph A, and in its place insert Article 4 as printed in the warrant.

The meeing recessed at 9:20 p.m. and reconvened at 9:25 p.m.

ARTICLE 5: To see if the Town will vote to appropriate a sum of money for the acquisition of the land formerly used as the Plymouth County Hospital campus, together with the improvements thereon, for open space and other municipal purposes; to determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

Proposed by the Board of Selectmen

Finance Committee recommends.

VOTED Aye 155, nay 62 (2/3's achieved) to appropriate the sum of $985,000.00 for the acquisition of the land formerly used as the Plymouth County Hospital campus, together with the improvements thereon, for open space, recreational and other municipal purposes; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow no more than $985,000.00 under G.L. c.44, Sec. 7(3); that the portion of the land to be acquired for open space and recreational purposes shall consist of the northerly portion of the property abutting, on the east, land now or formerly of the Cape Cod Company and on the west, land now or formerly of Reed, Bessie, Faelton and Schirmer; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

The reconsideration of Article 1 failed.

Voted at 11:10 p.m. to recess until 7:30 p.m. Tuesday, October 5, 1999, in the auditorium of the Hanson Middle School.

Special Town Meeting
October 5, 1999
(second session)

Moderator Charles Mann called the meeting to order at 7:30 p.m. in the auditorium of the Hanson Middle School with John Finiello, James Armstrong and Sandra Gowin appointed and sworn in as tellers.

Town Counsel was Everett Marder from Kopelman and Paige.

There were 187 voters present.

ARTICLE 6: To see if the Town will vote to transfer a sum of money from free cash and transfer from stabilization to Article 7 of the May 1999 Special Town Meeting to Conduct Engineering, Environmental site study and remediation, and land use analysis at the Plymouth County Hospital Site or take any other action in relation thereto.

Proposed by the Board of Selectmen

Finance Committee recommends.

VOTED Aye unanimous to transfer $150,000.00 from Free Cash to Article 7 of the May 1999 Special Town Meeting to conduct Engineering, Environmental site study and remediation, and land use analysis at the Plymouth County Hospital site.

ARTICLE 7: To see if the Town will vote to abolish the position of Executive Secretary as created at the Annual Town Meeting, April 1, 1985, in accordance with M.G.L., Chapter 41, Section 23A, or take any other action in relation thereto.

Proposed by Richard Edgehille
And 152 other registered voters

VOTED to take up Article 7 after action on Article 11 is completed ***For vote on Article 7 See: Article 7 after Article 11.***

ARTICLE 8: To see if the Town will vote to transfer a sum of money from free cash and/or transfer from stabilization to Article 5, Line 30, Selectmen Clerical Wages of the 1999 Annual Town Meeting or take any action in relation thereto.

Proposed by the Board of Selectmen

VOTED Aye to Pass Over.

ARTICLE 9 To see if the Town will vote to transfer a sum of money from free cash and/or transfer from stabilization to Article 9 Employee Sick and Vacation Time Buyouts of the May 1998 Special Town Meeting or take any action in relation thereto.

Expanation: Executive Secretary Position

Finance Committee does not recommend

VOTED Aye 117, Nay 47 to transfer $34,698.00 from Free Cash to be added to Article 9, Employees Sick Leave and Vacation Buyouts of the May 1998 Special Town Meeting.

ARTICLE 10: To see if the Town will vote to transfer a sum of money from free cash and/or transfer from stabilization to Article 9 Employee Sick and Vacation Time Buyouts of the May 1998 Special Town Meeting or take any action in relation thereto.

Proposed by the Board of Selectmen
Explanation: Other town employees

Finance Committee recommends.

VOTED Aye unanimous to transfer $3,600.00 from Free Cash to Article 9 Employee Sick and Vacation Time Buyouts of the May 1998 Special Town Meeting.

ARTICLE 11: To see if the Town will vote to transfer a sum of money from free cash and/or transfer from stabilization to fund the Executive Secretary Position for the balance of FY2000 or take any action in relation thereto.

Proposed by the Board of Selectmen

Finance Committee does not recommend.

VOTED Nay, voice to transfer $35,000.00 from Free Cash to fund the Executive Secretary Position for the balance of FY2000.

ARTICLE 7: To see if the Town will vote to abolish the position of Executive Secretary as created at the Annual Town Meeting, April 1, 1985, in accordance with M.G.L., Chapter 41, Section 23A, or take any other action in relation thereto.

Proposed by Richard Edgehille
And 152 other registered voters

Finance Committee refers to Town Meeting

VOTED Nay, voice to abolish the position of Executive Secretary as created at the Annual Town Meeting, April 1, 1985 in accordance with M.G.L. Chapter 41, Section 23A.

ARTICLE 12: To see if the Town will vote to transfer a sum of money from free cash and/or transfer from stabilization a sum of money to be expended in conducting the search for a new Fire Chief and a new Executive Secretary or take any action in relation thereto.

Proposed by the Board of Selectmen

Finance Committee recommends.

VOTED Aye unanimous to transfer $12,000.00 from Free Cash to be expended in conducting the search for a new Fire Chief and a new Executive Secretary.

ARTICLE 13: To see if the Town will vote to raise by borrowing $49,000.00 for the Triennial recertification of the Town's Real Estate and Personal Property valuations, as required by Massachusetts General Law, Chapter 797, Acts of 1979, or take any action in relation thereto.

Proposed by the Board of Assessors

Finance Committee recommends.

VOTED Aye, voice to transfer from Free Cash $49,999.00 for the Triennial recertification of the Town's Real Estate and Personal Property valuations, as required by Massachusetts Geneal Law, Chapter 797, Acts of 1979.

ARTICLE 14: To see if the Town will vote to transfer a sum of money from Free Cash and/or the Stabilization Fund to be added to the 1998 Annual Town Meeting, Article 12. Exhaust System for the Liberty Street Fire Station or take any other action in relation thereto.

Proposed by the Fire Chief

Explanation: Bids came in over budgeted amount

Finance Committee recommends.

VOTED Aye unanimous to transfer from Free Cash the sum of $18,100.00 to be added to the 1998 Annual Town Meeting, Article 12, Exhaust System for the Liberty Street Fire Station.

ARTICLE 15: To see if the Town will vote to transfer from free cash and/or the stabilization fund a sum of money for the labor project (painting various office files and fixtures) and office furnishings or take any other action in relation thereto.

Proposed by the Board of Assessors

Finance Committee does not recommend.

VOTED Aye unanimous to Pass Over.

ARTICLE 16 : To see if the Town will vote to transfer a sum of money from Free Cash to be added to the Stabilization Fund or take any other action in relation thereto.

Proposed by the Board of Selectmen

Finance Committee recommends.

VOTED Aye unanimous to transfer the sum of $250,000.00 from Free Cash to be added to the Stabalization Fund.

VOTED Aye voice at 9:10 p.m. to dissolve the meeting.

A true copy of the vote, Attest:

Sandra E. Harris, CMC,CMMC
Town Clerk