

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Selectmen Minutes 7-8-14

Town of Hanson - Board of Selectmen
Meeting Minutes – Hanson Town Hall
July 8, 2014

Members Present: Donald Howard, James McGahan William Scott, David Soper & Bruce Young

Members Absent:

Others Present: Town Administrator Ronald San Angelo
Executive Assistant Meredith Marini

I~ 7:30 p.m. Chairman Soper called the meeting to order, led the Pledge Allegiance. Chairman Soper read the announcements, and upcoming meeting schedule.

II SWEARING IN OF NEW SELECTMAN

James McGahan – Town Clerk Elizabeth Sloan was present to swear in newly elected Selectman James McGahan who was elected in a recall election of Stephen Amico on June 28th.

III TOWN ADMINISTRATOR'S REPORT

Mr. San Angelo congratulated Mr. McGahan and invited him to the office at anytime. Mr. San Angelo thanked Mr. Amico for all his work on behalf of the town, noted that Mr. Amico devote hours of time for the town.

Snow Removal – Mr. San Angelo will be establishing an Ad Hoc committee to review the costs for snow removal and the process for hiring of vendors for plowing. Mr. San Angelo would like to have a member of the Board work on his committee along with the Highway Surveyor, Town Accountant, a representative from the Finance Committee. Mr. Howard volunteered to work with the committee.

Repair and Painting of Town Hall – Mr. San Angelo reported that three bids were received and two of the bids came in under the amount funded for the project. Mr. San Angelo has researched the references all of which have been positive.

Discussion 62 Ocean Avenue – Mr. San Angelo read the following statement to the Board relative to issues at 62 Ocean Avenue:

An emergency meeting was held today (July 8, 2014) with representatives of the Building Department, Fire Department, Police Department, legal counsel and the Town Administrator in which the safety of the building located at 62 Ocean Avenue was discussed.

It was made clear this property is an Attractive Nuisance that could be a danger to children, residents, and property and emergency personnel. Town Counsel has outlined a hearing process that he recommends be established by the Board of Selectmen. This process required notice to the property owner. I do not want to discuss the particulars. I would like a motion from the Board to begin the hearing process. If you agree, I will add this to the next Board of Selectmen's agenda.

I have discussed this issue with Town Counsel and he had made it clear that this can be done at tonight's meeting because of the need to deal with this emergency. The property is being used in ways that make it dangerous to the public.

MOTION by Scott, second by Young to establish a hearing on 62 Ocean Avenue to deem the property an Attractive nuisance and to notify the property owner of such hearing. **Voted 5 – 0**

Mr. San Angelo indicated that Town Counsel Jay Talerman will assist the Board with the hearing process.

IV NEW BUSINESS

Vote to open the October Special Town Meeting Warrant – Warrant closes August 26th

MOTION by Howard, second by Scott to open the October 2014 Special Town Meeting Warrant. ***Voted 5 - 0***

Vote composition of the Indian Head & Maquan School Priority Repair Committee –

MOTION by Young, second by Howard to increase the number of voting members of the Indian Head & Maquan School Priority Report Committee from seven to nine. ***Voted 5 – 0***

Resignation:

Stephen Amico resigning from Street Safety & Development, Emergency Comm. and Parks & Fields

MOTION by Young, second by Howard to accept with regret the resignation of Stephen Amico from the Street Safety & Development ***Voted 5 – 0***

Appointments:

Indian Head & Maquan School Priority Repair Committee

Gary Banuk - 324 Holmes Street

Christopher Howard – 17 Equus Drive

MOTION by Young, second by Howard to appoint Gary Banuk and Christopher Howard to the Indian Head & Maquan School Priority Repair Committee. ***Voted 5 – 0***

Conservation Commission –

Rian Kearney – 1605 Main Street – Mr. Kierney withdrew his application.

Brad Kirlin – 95 Roller Coaster Road

Mr. San Angelo informed the Board that Mr. Kearney has withdrawn his application for appointment.

MOTION by Howard, second by Scott to appoint Brad Kirlin to the Conservation Commission. ***Voted 5 – 0***

Selectmen's Representative:

Whitman Hanson Facilities and Capital Improvement Sub-committee - Mr. McGahan volunteered to served

Street Safety & Development Committee – Mr. Scott Volunteered

Emergency Communications Committee – Mr. Scott Volunteered

MOTION by Howard, second Young to appoint Mr. McGahan to the WH Facilities & Capital Improvement Sub-committee and Mr. Scott to the Street Safety & Development Committee and the Emergency Communications Committee. ***Voted 5 – 0***

Requests:

Designate Hanson Police Officers as agents for the Board relative Liquor Licensees. –

Chief Michael Miksch	Off. Sarah Fantasia
Lt. Joseph Yakavonis	Off. William Frazier, Jr.
Sgt. Eugene Andrews	Off. Daniel Godwin
Sgt. Michael Casey	Off. Michelle Hughes
Det. Paul O'Brien	Off. Kevin McCarthy
Off. Leo Arseneau	Off. Douglas Smith
Off. Jeffrey Bailey	Off. Elisha Sullivan, Jr.
Off. Michael Bearce	Off. Brian Watson
Off. Peter Calogero	Off. Mark Vigneau
Off. Peter Daley	

Chief Miksch requested that all the full time police officers be appointed as agents of the local liquor licensing authority which will

allow the officers the ability to conduct the investigations of the liquor license holders. It gives the police officers administrative search rights. These appointments close legal loop holes with respect to investigations. He will offer guidance to the officers. He requested that the appointments be concurrent with the officers terms of employment.

MOTION by Howard, second by Young to appoint the full time Hanson Police officers as agents of the local liquor licensing authority for discussion.

Mr. Scott suggested the motion be amended to include all licenses and not be restricted to liquor licenses. Chief Miksch indicated that he was going to do additional research on the matter. Mr. Soper suggested waiting until the Chief is comfortable with the verbiage of broaden the scope of authority and leaving it only with liquor licenses only. Chief Miksch explained that the appointments will not change the current practice of the police. Chairman Soper cautioned the Chief of Police about broadening powers and the Chief reiterated that they are not looking to broaden the powers but to keep things as they are. He has spoken with Alcoholic Beverages Control Commission regarding the wording of the appointment and they confirmed the title is appropriate. Chief Miksch doesn't feel changing the motion to agents of the local licensing authority to include general by-laws is a problem.

MOTION by Scott, second by Howard to amend the motion to appoint the full time police officers as agents of the local licensing authority. **Voted 5 – 0**

Voted as amended. 5 – 0

Approve and Vote revisions to Police Rules & Regulations. – Chief Miksch informed the Board that the Police Rules and Regulations and amendments to the rules and regulations need to be approved by the Board of Selectmen. Since advertising the vacancy due to Sgt. Perron's retirement, it has come to his attention that the current language in the Rules and Regulations relative to tattoos and body piercings may limit the potential pool of candidates. The existing language under Rule 9.7 Tattoos and Body Piercing is:

Department members shall not have any body art, tattoos, intentional scarring, mutilation, piercings or dental ornamentation which would be visible while wearing the department uniform. Areas in violation of this rule include the head, neck, hands, arms and legs. Current department members with existing tattoos and body piercings will be exempt from this rule for their current tattoos and body piercings.

Chief Miksch requested the following language:

Department members shall not have any body art, tattoos, intentional scarring, mutilation, piercings or dental ornamentation which would be visible while wearing the department winter uniform. Areas in violation of this rule include the head, neck, and hands, arms. Officers with tattoos, body art, intentional scarring mutilation, or piercings shall wear long sleeves, long pants and/or approved coverings while on duty.

Chief Miksch feels the amendment to the Rules and Regulations will open up the larger field of applicant which could include some military veterans. The Union suggested and supports the amendment to the rules and regulations.

MOTION by Howard, second by Young to amend Rule 9.7 of the Police Rules and Regulations, regarding tattoos and body piercings for discussion.

Mr. Scott asked if the Rule and Regulations are at the Chief's discretion. Chief Miksch indicated it would not be discretionary as it could cause a legal issue. There is attire available that the officers can wear in the summer which will cover tattoos.

So Voted 5 – 0

Hanson American Legion Auxiliary – Flea Market Sat., September 20th with rain date September 27th to use the parking area at Memorial Field.

MOTION by Howard, second by McGahan to allow the Hanson American Legion Auxiliary to use the parking area at Memorial Field on September 20th with a rain date of September 27th. **Voted 5 – 0**

V OLD BUSINESS

Discussion of Statement of Interest with MSBA – Tabled. Mr. San Angelo indicated that he will be discussing the matter with MSBA on Wednesday.

Mr. San Angelo indicated that he had a discussion with the Chairman Soper relative to bringing in the “big three departments”, police fire and highway departments to provide quarterly reports to the Board. Mr. San Angelo will be scheduling the department heads to come in on a quarterly basis to give a budget and departmental updates.

VI APPROVE MINUTES

June 3, 2014 – Mr. Young requested that his statement be added to the minutes following the reading of the letter dated May 20th to MSBA. “Mr. Young commented that in his opinion many of the reasons listed in the letter as misinformation were not accurate.”

Mr. Vess encouraged that all five members of the Board try to re-establish communications with MSBA to try to recover which the previous committee and School Board did not do, which was a fall back plan to help the town move forward with some of the emergency repairs to the schools. Mr. Young indicated that is part of the building priority repairs committee’s intention.

MOTION by Howard, second by Scott to approve the minutes of June 3rd as amended.

Voted 4 – 0 – 1 McGahan

June 17, 2014

MOTION by Howard, second by Scott to approve the minutes of June 17th - Mr. Young wanted know which “board could return the grant money and eliminate the bundled requirement for private haulers” with respect to the Pay As You Throw discussion. Mr.

San Angelo indicated that the Board of Health could vote to rescind the regulation and by necessity the DEP would not give the Town the grant as to Town would not be eligible to receive the grant money. Mr. Young ask if returning the grant would eliminate the regulation. Mr. San Angelo explained that the Board of Health would have to vote to rescind the regulation and it at not done so to date. Consequently the Board is moving forward with the grant. Mr. Young would like the minutes to reflect the Board of Health could return the grant.

MOTION by Howard, second by Scott to amend the minutes as requested by Mr. Young

Voted 4 – 0 – 1 (McGahan)

June 24, 2014

MOTION by Howard, second by Young to approve the minutes as presented. ***Voted 4 – 0 – 1 (McGahan)***

VII EXECUTIVE SESSION – Mr. San Angelo indicated that the Board will only be discussion the Clerical Union matter. To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel – Police Lieutenant - ***Tabled***

Chairman Soper announced that the Board would be going into Executive Session only to return to open session to adjourn 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 –Administrative Professionals Union

So moved by Howard, second by Young. ***Roll Call Howard aye, McGahan aye, Soper Aye, Young Aye and Scott Aye. Voted 5 – 0***

8:22 p.m. Brief Recess

8:40 p.m. Return to Open Session

VIII ADJOURNMENT

MOTION by Howard, second by Young to adjourn. ***Voted 5 – 0***

8:40 p.m. Meeting Adjourned.

Respectfully submitted,

Meredith Marini,
Executive Assistant

Voted and Approved 5 – 0
July 22, 2014