

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Selectmen Minutes 2-18-14

Town of Hanson - Board of Selectmen
Meeting Minutes – Hanson Town Hall
February 18, 2014

Members Present: Stephen Amico, James Egan, Richard Flynn, Donald Howard and David Soper

Members Absent:

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

I~ 7:33 p.m. Chairman Egan called the meeting to order and announced that Representative Josh Cutler was present to give a brief update.

Representative Cutler wished to voice his support for the Board with respect to the recall and will help the Board in any way he can. He realizes there are serious issues ahead and hopes to work with the Board. He handed out a State budget update and timeline.

The Governor offered a modest increase on Chapter 70 funds. Rep. Cutler feels the House and Senate will come in with higher numbers. He indicated that Ways and Means hearings will be ongoing. He is meeting with them on March 5th.

Revenues – 4.9% predicted revenue growth at the State level. He is cautiously optimistic with revenues.

Rep. Cutler thanked Mr. San Angelo and the Board for sponsoring the small business summit, indicating it is a great opportunity for the community leaders to come together. The event is Tuesday, March 18th at 5:30 p.m. at Town Hall.

Chairman Egan read the announcements & upcoming meeting schedule.

II TOWN ADMINISTRATORS REPORT

Mr. San Angelo informed the Board that he met with Sheriff Joseph McDonald and toured the House of Correction. Mr. San Angelo was very impressed with the facility. He spoke about using the work crew in painting the interior of the Town Hall. The exterior of the building is too large for his crew.

Mr. San Angelo met with the local Town Managers group. They are all concerned about costs for health insurance. They believe the increase will be no more than 3%. The group also discussed Pension, Pay As You Throw and Training for Managers.

Mr. San Angelo met with MIIA to discuss insurance quote. They offer other services which we do not receive from our current carrier. Over 90% of other municipalities use MIIA.

Mr. San Angelo informed the Board that a facilities analysis of all Town Buildings will be conducted through the Accounting office. The analysis will outline the capital needs for various Town buildings.

Mr. San Angelo reported that Hanson Day will be June 8th at Camp Kiwanee. He hosted Recreation Administrative Assistant Nicole Campbell on his CATV show to discuss the event.

Mr. San Angelo had an introductory meeting with a representative of National Grid. They discussed storm responses and tree maintenance and removal which impede the power lines. Mr. San Angelo recommended that residents consider a home energy audit through National Grid.

Mrs. Kemmett indicated that Rep. Cutler had filed a bill regarding National Grid vegetative maintenance.

He attended the School Budget presentation. Hanson will see an estimated \$100,000 reduction due to the student population shift.

Mr. San Angelo reported that a Pay As You Throw Press Conference was held February 11, 2014 which was well attended and a good way to start the program. More information will be available to the residents in the coming weeks.

Mr. San Angelo met with Chairman Egan, John Norton, Craig Finley, Ernie Sandland and Al Hanscom to discuss Capital needs of the school buildings to put together a 5 year capital plan.

Green Hanson will hold a Clean up Green Up on Saturday, April 5th at 8:30 a.m. starting at Town Hall and returning to Town Hall at 11:00 a.m. He is disheartened by the number of people who litter in Town and the Police dept. will be vigilant in watching for such activities. Mr. Soper asked for signage in the areas of dumping. Mr. San Angelo will check with the Police.

Review Strategic Plan Survey Results – Mr. San Angelo was disappointed with the responses received. The number 1 priority was Stability of Taxes. Five respondents felt education as first priority. The second most important priority was economic development with nine people choosing that category. Mr. San Angelo noted that open space and recreational areas were low on the priority list. Redevelopment of the Plymouth County Hospital was also a priority.

Mr. San Angelo thought that beautification was moderately selected. Mr. San Angelo asked the Board about its priorities.

Mr. Amico feels Mr. San Angelo is addressing the Economic Development by putting together the Small Business Summit. Mr. Amico would like to see focus on the Plymouth County Hospital by looking into grants for removal of the building. Mr. San Angelo indicated that he has applied for a technical assistant grant from Old Colony Planning who can do a study on the hospital. Mr. Amico indicated that the building needs to be removed before the Town considers redevelopment of the property. Mr. San Angelo indicated that a business plan is required before the Town can apply for other grants.

The facilities manager would go a long way to deal with the priority of building and facilities infrastructure.

Mr. Egan suggested that streamlining local government is very important. He suggested re-organizing some committees. He recommended a review of the Collins Center report. Mr. Egan also suggested moving from a by-law committee to a charter form of government. He would like to see all of the Town owned land be labeled appropriately. Mrs. Kemmett explained that CPA property does not require signage, but they do encourage placement of signs in Natural resource areas. The Board suggested placing an article on the warrant for funds for signs. Mrs. Kemmett indicated that CPA considers applications for projects which have to be approved by Town Meeting.

Mr. Egan suggested a solar farm on some town own property. Mrs. Kemmett suggested the Plymouth County Hospital property as a site for a solar farm site. Mr. Egan indicated that East Bridgewater has installed a solar farm, which did not cost the town any money.

Mr. Soper wants to move forward in making the plan work for the town. He feels building and facilities maintenance 1, taxes 1A, economic development are his priorities. He wants to revisit the Collins report and volunteered to work on a subcommittee. Mr. Soper wants regular updates on the Collins report and strategic plan.

Mr. San Angelo would like to see a five year capital plan and fully fund the plan to complete some projects. Mr. San Angelo will keep the Board apprised of the status the various projects. Mr. San Angelo believes that Rene' Read had implement some major components of the Collins Report.

Mr. Egan wants to improve the one stop shopping for the permitting process and the inspection process.

Mr. San Angelo indicated that the Cell Tower is moving forward and will be submitting an application to the ZBA in the next few weeks.

Mr. Amico agreed that there are several outstanding committees which need to be reviewed. Mr. Amico wants to be sure that the firefighters have an opportunity to discuss their concerns with respect to the cell tower. Mr. San Angelo indicated that the Fire

Chief was involved in the meeting with Bay Communications. The Chief expressed the concerns that the firefighters may have regarding adverse affects of the tower's proximity to the fire station. Mr. San Angelo is reviewing all the options. If ZBA does not approve the location, according to Federal Law, the Cell company can put the Tower where ever they choose.

III NEW BUSINESS

Discuss General Counsel Legal Services – Mr. San Angelo provided the Board with his recommendation regarding general legal counsel pointing out that he does not make the recommendation lightly. Mr. San Angelo read his recommendation into the record:

Hanson Board of Selectmen

Recommendation from Hanson Town Administrator regarding Town Counsel

The town of Hanson must have quality legal counsel that has the trust of the Board of Selectmen and the citizens of the Town of Hanson. Kopelman and Paige have served as legal counsel for the Town of Hanson and have served the town well in many legal matters. As a law firm, they have made the claim to be committed to assuring their clients receive the highest level of legal representation. We as their clients should expect no less.

As a town, our Board of Selectmen has relied on them to give us advice in matters pertaining to the laws of the State of Massachusetts and they have assured us that they understand complex matters of the law. It has become clear that Kopelman and Paige has failed to meet their own standards when it came to providing high quality legal representation on a complex matter regarding two Town Meetings involving the potential building of an Elementary School here in Hanson.

The lawyers representing Kopelman and Paige openly admitted at the School Committee meeting on 2/10/14 that they had made a mistake and advised the town to follow the wrong section of state law, specifically Chapter 59, section 21C. It has become clear that the town should have followed Chapter 71 Section 16 D. The State Department of Revenue has confirmed this in a legal opinion and Kopelman and Paige have agreed that this mistake was in fact made.

While we all understand that mistakes can be made, the town hires legal professionals whose responsibility it is to research the laws and make sure that the town meets all of its legal obligations. This mistake has damaged the reputation of the Town of Hanson, the Board of Selectman, and the School Building Committee.

While at this point we cannot determine the impact that this will have on the future outcome of any potential vote on a new elementary school. Everyone does seem to agree that this has damaged our ability to gather community support for the new school and furthermore may result in the Town of Hanson losing an approximately \$29 million dollar grant from the Massachusetts School Building Authority.

The town has also as a result of this incorrect legal advice incurred the cost of an unnecessary second Town Meeting at a cost of \$894.86. This amount has been confirmed by our Town Clerk and should be reimbursed to the taxpayers of Hanson. The attached cost will be sent to the firm and a request for reimbursement will be made.

As Town Administrator I have received calls from each member of the Board of Selectmen asking to place the issue of replacing Town Counsel on our Agenda.

It has become clear that Kopelman and Paige has lost the confidence and support of the Town of Hanson and the Board of Selectmen who relies on their legal advice.

It is my recommendation that we begin the process of transferring all legal work to a new law firm. Upon a vote by the Board of Selectmen to make this transition I will bring forward quality law firms to be considered at the next Board of Selectmen's meeting.

*Ron San Angelo
Hanson Town Administrator*

MOTION by Soper, second by Flynn that the Town of Hanson begin the process of transitioning all general legal work from the Law firm of Kopelman and Paige, P.C. to a new law firm. Town Administrator Ron San Angelo will notify Kopelman and Paige that Hanson will no longer be utilizing their services going forward. The Town Administrator will invite to the next Selectmen's meeting up to five established law firms which have significant municipal experience to present to members of this board as to why they should be selected to serve as Town Counsel for the Town of Hanson, for discussion.

Mr. San Angelo informed the Board that he had spoken with Kopelman and Paige. They offered to bring in more seasoned counsel, they will reimburse the Town for town meeting and they feel badly about the matter. Mr. San Angelo informed Kopelman & Paige that this is not a small mistake and the Board has lost confidence in the firm.

Mr. Soper wanted to increase the number of law firms to more than five. Mr. Soper feels that Kopelman & Paige let the Town down. He requested that citizens take a “deep breath” relative to recalling two Board members. The Board is taking steps by replacing Town Counsel. The Board relies on counsel to provide sound legal advice.

Mrs. Kemmett supports the motion and is very concerned that it has exposed many officials and town employees by providing incorrect advice.

Mr. San Angelo pointed out that the Town’s responsibility is to follow legal advice.

Mr. Amico noted that over the years Kopelman & Paige has done a good job, but this is an egregious mistake and the Board needs to move forward with the change.

MOTION by Amico, second Flynn amend the motion to eliminate the word “five” and changing it to “as many firms as necessary”.
Voted 5 – 0

Voted 5 - 0 as amended

Mr. Amico suggested meeting with the firms on a Saturday. Mr. Soper suggested a week night starting around 5:30 p.m. Lengthy discussion regarding the interview process and date. Mr. San Angelo recommended that Board members submit a name of a firm they would be interested in interviewing. The Board agreed to schedule the interviews on Wednesday March 5, 2014.

A member of the audience pointed out that the original motion indicated the interviews would be at the next Selectmen’s meeting which is March 4th.

MOTION by Amico, second Howard by to reconsider the original motion as amended.
Voted 5 – 0

MOTION by Amico, second by Flynn to set interviews with as many established law firms as needed on a date certain. ***Voted 5 – 0.***

Vote to declare surplus equipment 1994 Intl Truck VIN: 1HTSCACM3RH398400

MOTION by Amico, second by Howard to declare the 1994 International Truck as surplus. ***Voted 5 – 0***

Discuss and possible vote to contract with SpyGlass to conduct telecommunications analysis – Mr. San Angelo explained SpyGlass will review all the telephone, cellphone, pager and internet bills to determine if there is a savings by combining or eliminating lines, bundling packages and reviewing extra fees charged on the bills. He indicated there is no cost to the Town. Spyglass receive payment through savings.

MOTION by Amico, second by Howard recommend the contracting with SpyGlass and authorize the Town Administrator to sign the contract. ***Voted 5 – 0***

IV OLD BUSINESS - None Heard

V ACCEPT MINUTES February 4, 2014

MOTION Amico, second by Howard to accept the minutes of February 4, 2014 ***Voted 5 – 0***

VI COMMITTEE REPORTS

Hanson Elementary School Building Comm. - Mr. Amico indicated that the Committee is waiting to hear from MSBA.

Monponsett Pond – Mr. Howard attended a meeting last Thursday. The committee is trying to get Brockton to stop using

Monponsett Pond. The next meeting is March 13th and the Central Plymouth County Water District will be meeting on February 26th.

VII ADJOURNMENT

MOTION by Amico, second by Soper to adjourn. ***Voted 5 – 0***

9:37 p.m. Meeting adjourned

Respectfully submitted,

Meredith Marini,
Executive Assistant

Approved and Voted 5 – 0

March 18, 2014