

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Selectmen's Minutes 3-24-15

Town of Hanson - Board of Selectmen
Meeting Minutes – Hanson Town Hall
March 24, 2015

Members Present: Donald Howard, James McGahan Kenny Mitchell, William Scott & Bruce Young

Members Absent:

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

7:00 p.m. Chairman Young called the meeting to order, led the Pledge Allegiance. He read the announcements and congratulated the Whitman Hanson Regional High School Cheerleading Squad for their Regional and State Championships.

II TOWN ADMINISTRATOR'S REPORT

Chairman Young indicated that the Town Administrator is at the Finance Committee Meeting and will give his report later in the evening.

III NEW BUSINESS –

Discussion regarding DESE opinion on proposed 2/3 Town Meeting vote Amendment to W-H Regional School Agreement and next step

Chairman Young indicated that he had met with the Regional School District earlier in the year regarding the requirement for a 2/3's vote for borrowing for schools. He explained that the Board of Selectmen proposed an amendment to require a 2/3's vote for school projects. The original amendment included Whitman and the amendment was defeated by the School Committee by 2 in favor, 6 against. The Selectmen revised the amendment to be applicable only to the Town of Hanson.

Notwithstanding any provision of applicable law, no such debt shall be incurred for capital costs attributed to Elementary Schools located in Hanson unless and until the amount of the proposed debt has been specifically approved by a two-thirds (2/3) majority vote at the next annual or Special Town Meeting of the Town of Hanson.

The Regional School District sent a request to the Dept. of Elementary and Secondary Education for input on February 11, 2015. On March 11, 2015 the Dept. of Elementary and Secondary Education responded by stating that the law does not provide an option for regional school district to adopt a process that is different from the methods set forth in G.L. c.71, s. 16.

Chairman Young noted that Town Counsel disagrees and points out that other regional school districts agreements contain similar provisions.

Dept. of Elementary and Secondary Education noted that the Wachusett agreement was specifically authorized by Chapter 462 of the Acts of 1977. In the absence of special legislation authorizing the Manchester-Essex provision, its enforceability may be questionable.

Hanson asserts that it's proposal seeks a result that is similar to the process set forth in G.

According to Town Counsel, the Board can decide to "take our ball and go home" or the Board can file a Special Act which would give the residents of Hanson an opportunity to vote at Town Meeting and/or at the election. If approved, the act would be forwarded to Representative Cutler for filing with the legislature.

Chairman Young read the proposed special act:

ARTICLE XX. SPECIAL ACT – BORROWING FOR REGIONAL SCHOOL

To see if the Town will vote to authorize the Board of Selectmen to file with the Great and General Court of the Commonwealth of Massachusetts a petition to adopt special legislation in a form suitable to achieve the purpose of authorizing certain borrowing for capital costs for regional schools located in the Town of Hanson, in a form substantially as follows:

AN ACT REGARDING BORROWING FOR CAPITAL COSTS FOR REGIONAL SCHOOLS IN THE TOWN OF HANSON

Be it enacted by the Senate and the House of Representatives in the General Court assembled, and by the authority of the same, as follows:

SECTION 1.

WHEREAS, the Town of Hanson is a member of the Whitman-Hanson Regional School District; and

WHEREAS, the Town of Hanson is bound by both the terms of a certain Regional School Agreement by and between the member Towns, and the procedures regarding borrowing to pay for capital costs, including, without limitation, the procedures of Section 16(d) of Chapter 71 of the General Laws; and

WHEREAS, the Town of Hanson seeks to ensure that borrowing for capital costs for Regional Schools located wholly in the Town of Hanson is approved by the Hanson Town Meeting in a manner that is similar to borrowing for other capital projects within the Town of Hanson.

SECTION 2

NOW THEREFORE, Notwithstanding any provision of applicable law, and without waiver of any of the requirements of Chapter 71 of the General Laws, as the same may apply to the incurring of debt for Regional Schools, no debt shall be incurred for capital costs attributable to regional school buildings located in the Town of Hanson unless and until the amount of the proposed debt has been specifically approved by a two-thirds (2/3) majority vote at an Annual or Special Town Meeting of the Town of Hanson.

SECTION 3

This act shall take effect upon its passage.~

Chairman Young noted that the only cost would be for the drafting of the Act.

MOTION by McGahan, second by Scott to include the special act to approve the 2/3's majority vote Regional School borrowing issues on the May 2015 Annual Town Meeting Warrant contingent upon passage at the ballot.

Mr. Howard feels it would be easier for the Town's people pass an article if it only required a majority vote.

Chairman Young noted that two Debt exclusion will be on the warrant. One for the school and one will be for the town library. The library vote will require 2/3's of the voters present. The school projects will only require a majority. Chairman Young explained all actions which require two thirds vote.

Mr. Mitchell feels a majority of the Town Meeting voters should have the ability to send the matter to a ballot questions.

So voted 5 – 0

Possible amendments to Town Policies for Complaints and Misconduct Covering Depts., Dept, Heads & Employees

Chairman Young read the Complaint Policy which was last revised in 2008.

Citizens with inquiries or complaints shall first be directed to contact the appropriate department or committee in writing.

The Committee shall answer the inquiries or complaints in writing within two weeks. If the inquirer isn't satisfied with the response or has further questions, a dialogue at that time with the Town Administrator in accordance with the Town Administrator Special Act:

Section 3 Subsection (w). Receive and act on questions and/or complaints filed with the board of selectmen or the town administrator and report back to the board of selectmen regarding resolution of complaints or questions.

No official or town committee shall challenge another at a public meeting without giving the official or town committee the courtesy or time to gather any necessary materials to answer the challenge.

*Accepted by the Board of Selectmen as a policy August 10, 1993.
Revised and Accepted by the Board of Selectmen on July 22, 2008.*

Chairman Young would like require the complaints be signed by the complainant. Mr. Scott noted that in court you are entitled to address your accuser. Mr. Howard feels that the complaints should be signed. Mr. McGahan feels that anonymous complaints should be accepted.

Mr. Scott feels anonymous complaints should be taken with heed.

By consensus the Board agreed to leave the policy as written.

Misconduct Covering Depts., Dept, Heads & Employees

- *Allegations of misconduct shall be brought to the attention of the Town Administrator, in accordance with the Town Administrator Special Act, first unless the allegations are regarding the Town Administrator. In such event, reports shall be made in accordance with item 2 below.*
- *Allegations of misconduct to be brought by a member of the Board of Selectmen, shall first be discussed with the Chairman or in his/her absence, the Vice Chairman in advance of a Selectmen's meeting.*
- *The Chairman, or in his/her absence the Vice Chairman, may then consult with Town Counsel for the purpose of determining the need for an executive session as specified under the Open Meeting Law.*
- *The Chairman, or in his/her absence the Vice Chairman, shall then contact the Department Head or Employee against whom such allegations shall be made and inform him/her of his/her right to attend such meeting, and give response to the allegations to be made against him/her or his/her Department.*
- *The Chairman shall include within the agenda of the Selectmen's meeting, discussions of said allegations.*

*Voted by the Town of Hanson Board of Selectmen on July 15, 2003.
Amended and approve by the Town of Hanson Board of Selectmen on July 22, 2008*

By consensus of the Board agreed to keep the policy as written.

IV OLD BUSINESS

Vote the National Grid Energy Initiative Agreement for Town Buildings – Mr. San Angelo reported that the Total Cost is \$106,675, incentive is \$23,856; Net cost to the Town is \$82,819. Annual savings is \$19,201. Total monthly finance would is \$3,451 with a monthly savings \$1,600.00

MOTION by Howard, second McGahan to approve the National Grid Energy Incentive Plan and authorize the Town Administrator to sign the agreements. **Voted 5 – 0**

V ONE DAY LIQUOR LICENSES - Camp Kiwanee

Hanson Middle School, Hanson Sat., April 4^h 5:30 p.m. to 8:30 p.m. – Fundraiser

MOTION by Howard, second by Scott to approve the one day liquor license to Hanson Middle School fundraiser. ***Voted 5 - 0***

VI COMMITTEE REPORTS

Monponsett Pond Committee – Mr. Howard indicated he has no report.

Indian Head & Maquan Priority Repair Comm. – Mr. Young reviewed estimates on roof and windows. A 15 x 30 patch on Maquan roof would not solve the problem. The cost of the repair is estimated between \$238,000 – \$266,000 for Maquan roof. The committee would like Gale Engineering to do an assessment. Mr. McGahan would like to see work on the HVAC and electrical. The committee will be meeting in the next week. They will make recommendations at Town Meeting to support the articles.

WHRDS Capital Repairs & Facilities Committee – Mr. McGahan indicated that he was not at the March 11th. The committee met with the School Committee regarding Gale Engineering. They received estimate of \$24,000 for Indian Head Water Heater and \$266,000 max amount of Maquan School Roof. He is concerned about comments on the Gym and Cafeteria. Two windows will be replaced and 11 will be re-caulked. Mr. McGahan feels fixing the leaks is more of a priority than addressing the HVAC and electrical. Mr. McGahan would like the company that provided estimates for the Hanson Library roof provide figures for the Maquan Roof project. Mr. McGahan feels that \$266,000 is a high number for repair for the Maquan Roof.

Lite Control Acquisition Review Comm. – Mr. Scott has not met since the last meeting. Mr. Brown was scheduled to meet with Mass. Fisheries and Wildlife regarding having salt on the property. He had a construction supervisor inspect the site who will give the committee estimated costs.

Lease Agreement with Cable provider (Status on violation of Good Faith Clause) – Chairman Young indicated that the agenda should have been the Cell Tower Provide. The matter will be tabled until next.

Discussion regarding Employee Evaluation Process and proposed Selectmen's policy for Department Heads and Town Officials

Appointment of Representative to review evaluations with Department Head and Town Administrator

The Board assigned the following representatives to review the evaluations with the Town Administrator and Department heads.

Building Commissioner – Don Howard

Director of Elder Affairs – Jim McGahan

Fire Chief – The Fire Chief's contract is specific relative to the evaluation process. *The Fire Chief and the Town Administrator shall meet annually for the purpose of reviewing the Chief's performance of his duties and responsibilities. Results of said review, including deficiencies in any area(s) of performance and any salary increase, if granted, shall be reduced to writing and provided to the Chief during said review.*

Said performance review shall be conducted utilizing a Performance Review Evaluation Tool as may be adopted and/or revised by the Town Administrator.

Highway Surveyor – Mr. Scott

Selectmen's Executive Assistant – Mr. Mitchell

Treasurer/Tax Collector - Mr. Young

Mr. San Angelo thanked Mr. McGahan for drafting the chart. Mr. San Angelo worked from form. Mr. McGahan noted that this is being discussed to adhere to the Town Administrator Act.

Mr. San Angelo explained the evaluation tool noting that each Selectman will evaluate all five employees and return the evaluations to the Town Administrator by April 7, 2015.

Mr. San Angelo explained that merit based increase process and provided a chart which provided for a 4% increase for individuals who received five outstanding; 3.5% for four outstanding and one satisfactory; 3% for three outstanding and two satisfactory; 2.5% for two outstanding and three satisfactory; 2.25% for one outstanding and four satisfactory; 2% for five satisfactory; 1% for at least three satisfactory. Mr. McGahan asked that the Merit % chart should have a category for less than 3 satisfactory. Mr. McGahan would like to have input from the Department Heads relative to the evaluation process.

Mr. Scott and Mr. Mitchell are not in favor of merit based increases.

Mr. San Angelo included a 2.5% increase for all Wage & Personnel employees.

Mr. Scott feels evaluations should not be tied to merit raises. They should be used to improve the performance of the employee. He feels they are bad things for municipalities and creates competition amongst department heads. It is not the finance committees role to be involved in merit raises.

Mr. McGahan feels that a department head should be rewarded for doing a good job.

Chairman Young explained that supervisors and department heads receive higher pay because they are responsible for their staff.

Mr. Howard noted that the department heads salaries are higher than their staff members.

Mr. McGahan feels the intent of merit raises is to retain good employees. He questioned why a merit raise would cause a competition amongst department heads. Mr. McGahan feels there is no competition.

Chairman Young noted that merit is based on the work that the employee is performing.

Mr. Howard doesn't think the Town is large enough for merit increases.

Mr. San Angelo agreed with Mr. Scott that the Finance Committee should not be involved in raises for Department Heads.

MOTION by McGahan, second by Young to approve a merit based increase. **Voted 2 – 3** (Howard, Scott, Mitchell)

MOTION by Mitchell, second by Scott to have a flat increase. **Voted 3 – 2 (Young, McGahan)**

Discussed the Veteran's agent's salary which has been increased to bring it a more accurate salary range. This will not be a merit increase.

Mr. Young inquired of Mr. San Angelo how the last Board conducted his annual evaluation. ~Mr. San Angelo, explained how each member prepared their own evaluation of him using the evaluation tool, and then two members collected those and then summarized those evaluations into a final evaluation of his performance. ~Mr. San Angelo agreed that the current board could begin that process anytime.

MOTION by Scott, second by McGahan to start the evaluation of the Town Administrator.
Voted 5 – 0

Mr. Young assigned Mr. Scott to work with him to summarize the evaluation tools from each member to finalize the process.~

Status on Cable Contract – Mr. San Angelo reported that he met with Comcast and the Town's Attorney along with Whitman Hanson IT representative. They believe they have an agreement. Whitman Hanson Public Access had made a last minute proposal. He hopes to have the final contract for the next Selectmen's meeting.

Mr. Howard would like to see a package for the elderly for \$50.00 per month. He feels it should be across the country. Mr. San Angelo explained that by law the rates are not part of the licensing agreement. Mr. San Angelo suggested that the Board draft a letter to Comcast requesting a discount plan.

VII TOWN ADMINISTRATOR'S REPORT – Mr. San Angelo reported that on Thursday, March 26th the Town of Hanson will receive an award from South Shore Recycling Cooperative.

Auditor's Report – The Fiscal year 2014 report has been completed. The Auditor did not have any comments, which is exceptional. He credited the Town Accountant, Treasurer/Collector and Assessor for their work and commended them for their efforts. He was very impressed. Mr. San Angelo would continue the services of Mr. Hassett as the Interim Town Accountant. Chairman Young noted that the Board didn't want to get rid of Mr. Hassett, but that the Board wanted to meet the requirements of the by-law for a full time accountant.

Mr. San Angelo explained that he had wanted a full-time accountant to handle some special projects. However, Mr. Hassett has been meeting the financial needs of the Town. The Finance Committee would be willing to add funds to the line if necessary for provide additional hours. Chairman Young pointed out that the Town Accountant doesn't have to handle school accounting.

Mr. San Angelo indicated that the Board needs to consider the Town Accountant position. Chairman Young requested that the matter be placed on the next agenda.

Mr. San Angelo provided the Board a letter regarding his employment requirement for renewal of his contract. He reviewed the highlights over the last year and one half, including collection of back taxes; Plymouth County Hospital study; Hanson Day, implementation of Pay as You Throw; new contracts for waste disposal, two audits with no recommendations, painting of the interior and exterior of Town Hall, both contracts came in under budget. Energy Savings for lighting at town meeting, new windows at Library/Senior Center. Open Government through creating a cable access show and his Facebook page. Police assessment center for the sergeant's promotion process. Veterans Agent improved customer service he is now in the office ten hours per week. Hiring of new Town Counsel. Brockton Area Transit relationship with assistance for the senior van. Hanson Business summit and economic development.

He pointed out his commitment to the community noting that Hanson is his home. He has a child in the school system. He is an assistant football coach. He attends various events around the town for various committees and civic organizations. He is proud of the people he works with.

He noted that he needs to provide for the security of his family. He will look at long term options for his family if the Board chooses not to renew his contract. He would like to know early so that he can makes plans for the future.

Mr. San Angelo feels he has done a good job.

VII EXECUTIVE SESSION

Chairman Young announced the Board would be going into Executive Session to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The Board will return to open session only to adjourn.

SO MOVED by Howard, second by McGahan to go into Executive Session ***Roll Call Howard aye; McGahan aye; Young aye; Scott aye; Mitchell aye Voted 5 – 0***

9:33 p.m. Brief Recess

9:59 p.m. Returned to open session.

MOTION by Howard, second by McGahan to adjourn. ***Voted 5 - 0***

10:00 meeting adjourned.

Respectfully submitted

Meredith Marini,

Executive Assistant
Approved and Voted 5 – 0 as amended
September 15, 2015