

Town of Hanson
542 Liberty Street, Hanson, MA 02341

Selectmen's Minutes 4-28-15

Town of Hanson - Board of Selectmen
Meeting Minutes – Hanson Town Hall
April 28, 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
Town Counsel Jay Talerman

7:00 p.m. Chairman Young called the meeting to order, led the Pledge Allegiance. He read the announcements and upcoming meeting schedule.

II TOWN ADMINISTRATOR'S REPORT

Mr. San Angelo reported that the Old Colony YMCA will provide babysitting for Town Meeting on Monday, May 4th. Green Hanson will host the Annual Green Up Clean Up on Saturday, May 9th from 8:30 a.m. to 11:00 p.m.

III NEW BUSINESS

Appointment of new police officer – Jared Meegan – Chief Miksch reported that the hiring process started last August resulting in 40 applicants. Officer Meegan started as a part-time officer in Wellfleet in 2009 and became a full-time officer in 2013. He graduated from Police Academy in 2013. He will be able to start in a few weeks. Chief Miksch indicated Officer Meegan passed background check with great reviews. The Wellfleet Chief reports Officer Meegan as dedicated and loyal officer and is sad to see him leave. He possesses the desired skills Chief Miksch is seeking.

MOTION by Mitchell, second by Howard to appoint Jared Meegan effective May 18, 2015.

Mr. Scott noted that as the Board's liaison to the Police Department he has discussed the hiring with Chief Miksch and noted that one other officer was offered the position but declined.

So voted 5 – 0

Vote South Shore Vocational Technical Boiler replacement – Mr. San Angelo read a letter dated February 26, 2014 notifying the district Towns of an upcoming boiler replacement. The District budget will be amended, however the cost for the project will be funded through the Excess and Deficiency Fund which will not impact the Town's assessment. On April 16, 2015 the South Shore School District requested the towns vote to take no action on the matter as there is no increase to the Town's assessment.

MOTION by McGahan, second by Howard to vote to take no action on the boiler replacement at the South Shore Regional High School. **Voted 5 – 0**

~Classroom capacity and utilization study for Hanson owned Schools

(Priority Repair Committee)~ - Chairman Young requested that Board table the matter until the next meeting.

Discuss use of Town Counsel – Chairman Young noted that there is no official policy regarding the use of Town Counsel by departments. Chairman Young read the section of the Town Administrator’s Act.

(f) Work in conjunction with the chair of the board of selectmen and with town counsel regarding any litigation or other legal matters in which the town has an interest; act as liaison between town counsel and the board of selectmen and affected town departments or officials; review and approve new requests, other than board of selectmen requests, for use of town counsel on new matters; and provide the board of selectmen with monthly status reports on legal issues and concerns.

Chairman Young reviewed the request form which is used by Town Departments and Boards. Chairman Young feels that there should be a form for the Board of Selectmen. He drafted a new form for use by the Board of Selectmen members. The form would be signed by the Chairman or the Vice Chairman who would give copies to the Town Administrator and the Executive Assistant. Chairman Young noted that the request form would be used for emergency situations.

Mr. San Angelo indicated that he and the Chairman have had a difference of opinion as to the interruption of the Town Administrator’s act. Mr. San Angelo reiterated the Town Administrator’s act. Mr. San Angelo feels the act requires him to act in conjunction with the Chairman relative to legal matters. He does not feel that the Board members should be contacting Town Counsel individually and does not feel that the Chairman has the power to authorize the use of Town Counsel. Mr. San Angelo noted that he has never denied access to Town Counsel and is concerned that the Board members will circumvent the position of Town Administrator.

Mr. San Angelo noted that the first line in the paragraph “*Work in conjunction with the chair of the board of selectmen and with town counsel regarding any litigation*” addresses how the Board deals with Town Counsel.

Town Counsel Jay Talerman feels the Town Administrator can deny access to Town Counsel by all departments except the Board members.

Attorney Talerman noted that the Town Administrator is the liaison to Town Counsel but there is nothing prohibiting members from contacting Town Counsel. The Chairman usually has contact with Town Counsel. Attorney Talerman is concerned about other members looking for opinion because he doesn’t know whether it has been approved by the entire Board. He doesn’t want to discuss policy matters with individual members without a vote of the Board, but procedural questions and ethics issues he is happy to address.

Attorney Talerman recommends that the Board create a policy. He feels that the Town Administrator should always be in the loop for conversations with Town Counsel. Attorney Talerman will do whatever the Board decides and will always take calls from the Town Administrator and Chairman. He encouraged the Board to work with the Town Administrator.

Mr. San Angelo recommended that the approval be a joint decision with the Town Administrator and the Chairman or Vice Chairman. He feels that he should work as a team with the Board. Chairman Young indicated that he would approve use of Town Counsel 99% of the time and would notify the Town Administrator of his approval.

Mr. McGahan asked about the detail of the legal bills and if it lists who they spoke with. Attorney Talerman indicated that the bills list brief descriptions of each item.

Mr. San Angelo would like the form be amended to make the approval for use of Town Counsel be a joint decision.

MOTION by Scott, second by McGahan to accept the form as submitted as a policy

Mr. Mitchell feels that the form should be approved by the Town Administrator and the Chairman. Mr. San Angelo noted the form as proposed, the Town Administrator would have no control over access to Town Counsel.

Resident Richard Hickey doesn’t feel it is necessary to amend the form. The Town Administrator is not an elected official and doesn’t have the authority to make specific decision.

Mr. Mitchell wants to be sure that the Town Administrator is copied on all communications with Town Counsel. Chairman Young assured him the Town Administrator will be notified.

Mark Vess 303 High Street former Selectman, doesn't understand why Board members in the past were not allowed access to Town Counsel. He agrees with the Board.

So voted 4 – 1 (Howard)

IV OLD BUSINESS

Town Meeting preview –

Special Town Meeting

Article 2 Chairman Young questioned the amounts for Snow and Ice deficit. Mr. San Angelo informed the Board the deficit is \$762,000 with outstanding bills of approximately \$20,000.

MOTION by Howard, second by McGahan to recommend Article 2. *Voted 5 – 0.*

Article 5 – Wampanuck Pond –

MOTION by Howard, second by Mitchell to Passover Article 5. *Voted 5 – 0*

Article 7 – Drop Box

MOTION by Mitchell, second by Scott to Passover Article 7. *Voted 5 – 0.*

Article 12 – Interior of Fire Station

MOTION by McGahan, second by Howard to Passover article 12. *Voted 5 – 0*

Article 13 – Stabilization reduced to \$12,000 per Finance Committee. *Voted 5 – 0*

Article 20 – Discussion regarding the amendment to Classification and Compensation should remove the verbiage “classification salary ranges as described in the Wage and Personnel By-law and within”

Annual Town Meeting

Article 5 – Budget - Discussed budget and the salary increases for Department Heads and Wage & Personnel employees. Mr. San Angelo explained that the Board voted a 2.5% increase. He has polled the department heads and three of them wanted to move forward with the 2.5%.

The Selectmen's recommendation will remain at 2.5% increase.

Article 6 – Chairman Young would like to see the previous year's history for the recreation enterprise fund.

Article 7 – Chairman Young again would like to see the previous year's history for the Transfer Station enterprise fund.

Article 9 – Capital Improvement projects. Mr. McGahan indicated that they may move to pass over the Town Hall Parking lot to fund the Maquan School Roof depending on the estimate for the Maquan Roof. There was brief discussion on the status of the Maquan Roof. Mr. Mitchell doesn't want to rush and prefer to wait in order to get good estimates and bids for the project.

Article 18 – Maquan Roof –

MOTION by McGahan, second by Howard to hold Article 18. *Voted 5 – 0*

Article 29 – Petition Article to change Board of Health to a five member Board. Moderator Sean Kealy questioned the language in the warrant article. Town Counsel noted that the motion could be just the first line in the article.

Status Cable contract – Mr. San Angelo reported that the matter is still on hold.

Finalize Budget – Adjustment to salaries – Already discussed.

V ONE DAY LIQUOR LICENSES - Camp Kiwanee

Joan Kruger, Hanson, Sat., May 23rd 4:00 – 8:00 p.m. – Family Party

Katelyn Silva, Bridgewater, Fri, May 29th 6:00 – 11:00 p.m. – Wedding

Christine Peterson, Somerville, Sat., 30th 6:00 – 11:00 p.m. - Wedding

MOTION by Mitchell, second by Howard to approve the Liquor License as presented.

Voted 5 – 0

VI APPROVE MINUTES

March 17, 2015

MOTION by Howard, second by McGahan to approve the minutes of March 17th. ***Voted 5 – 0***

VII COMMITTEE REPORTS

Monponsett Pond Committee – No report

Indian Head & Maquan Priority Repair Comm. – Mr. Young reported they meet on April 15th and reviewed the upcoming articles for the town meeting. Also discussed support for the alarms and Maquan School roof. Chris Howard is working on the class room utilization study for Hanson Schools. A meeting has been set with the superintendent and the chairman. The committee will meet again on Wednesday April 29th.

WHRDS Capital Repairs & Facilities Committee – Next meeting May 13th at the High School.

Lite Control Acquisition Review Comm. – Mr. Scott reported that there was a lengthy discussion regarding options. Mr. Delaney will present a proposal pending the Town Meeting approval. They will be making a presentation at Town Meeting.

VIII EXECUTIVE SESSION

Chairman Young announced there will be no executive session

IX ADJOURMENT

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

9:38 p.m. Meeting adjourned.

Respectfully submitted,

Meredith Marini,
Executive Assistant
Approved and Voted 5 - 0
May 4, 2015