

***ATTENTION: THIS MEETING WAS CONDUCTED TELEPHONICALLY IN REAL TIME. AN AUDIO RECORDING OF THE MEETING CAN BE ACCESSED AT WHITMAN-HANSON CABLE ACCESS TV:**

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Hanson Board of Selectmen

Tuesday, September 15, 2020

7:00 p.m.

Virtual Meeting

Members Present: Kenny Mitchell, James Hickey, Matthew Dyer, Laura FitzGerald-Kemmett, Wesley Blauss

Others Present: John Stanbrook, Town Administrator; Greer Getzen, Executive Assistant

I CALL TO ORDER

At 7:00 p.m., Chairman Mitchell called the meeting to order. The Board recited the Pledge of Allegiance.

II PUBLIC ANNOUNCEMENTS & UPCOMING MEETINGS

Chairman Mitchell read the public announcements and upcoming meeting dates.

III NEW BUSINESS

Discussion and Vote to change date of Fall Special Town Meeting pursuant to An Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID-19, Chapter 53 of the Acts of 2020

MOTION by Mr. Dyer, seconded by Mrs. FitzGerald-Kemmett, to change date of the Fall Special Town Meeting pursuant to An Act to Address Challenges faced by Municipalities and State Authorities Resulting from COVID-19, Chapter 53 of the Acts of 2020 from first Monday in October at 7:30 o'clock in the afternoon to October 3, 2020. ***Roll call vote Blauss aye, Hickey aye, FitzGerald-Kemmett aye, Dyer aye and Mitchell aye. Voted 5 – 0***

[The Town Meeting discussions were delayed until the arrival of Town Counsel Kate Feodoroff.]

Town Administrator's Report

Mr. Stanbrook updated the Board on old and new business, as follows:

1. Mr. Stanbrook explained that the Liberty Street and County Road Complete Streets project is underway and that work will be done between the hours of 7 a.m. and 4 p.m. for five to eight weeks. He said that this phase will reconstruct driveways, sidewalks, curbs and underdrains. The next phase in the spring, he said, will be the paving and signal installations, citing that the intent of the project is to improve traffic flow and increase pedestrian safety.

2. Mr. Stanbrook said that County Road paving and striping was completed last week, commending the work of the Highway Department and all others involved.
3. Mr. Stanbrook said that in compliance with the Town Administrator Special Act, he has updated the Board in writing of outstanding legal matters. He continued that the document is delivered in writing because it is not a public document in that it may contain personnel, union bargaining or health-related information.
4. Mr. Stanbrook reported also in compliance with the Town Administrator Special Act that he must report and/or act on complaints filed to the Board of Selectmen or the Town Administrator and report back to the Board regarding resolution. He said that he is presently reviewing a complaint received by Richard Edgehille concerning a Board of Health issue and will update the Board of Selectmen accordingly.
5. Mr. Stanbrook stated that the Town's FY2020 Free Cash was certified yesterday, with the amount for the General Fund \$1,953,618; the Recreation Enterprise Fund \$39,684; and the Solid Waste Enterprise Fund \$66,070. He commended Town Accountant Todd Hassett and the financial team for accomplishing this quickly and in time for town meeting.
6. Mr. Stanbrook said that at the next meeting on September 22, the Board will vote on Special Town Meeting warrant article recommendations; there will be a cannabis manufacturing licensing hearing with Impressed, LLC; and possibly a report by the Police Chief.

[Resumption of Town Meeting discussions after arrival of Ms. Feodoroff.]

Town Counsel Kate Feodoroff explained to the Board that it is written into the Hanson Bylaws that the Town must hold a Special Town Meeting in October, considered an "Annual Town Meeting" because it happens every year, for the purpose of general and zoning bylaw changes that are not financial. She continued to say that the business to consider at the upcoming October Special Town Meeting is actually financial, and therefore, the Board needs to vote to set a Special Town Meeting and vote to not have the "Annual Town Meeting."

Discuss and Vote on a reduction in quorum for a Fall Special Town Meeting pursuant to an Act Relative to Municipal Governance During the COVID-19 Emergency, Chapter 92 of the Acts of 2020, Section 7 & Votes Related to Fall 2020 Special Town Meeting

Board members noted concerns by residents that 50 people would make important decisions for the Town if quorum were reduced. Chairman Mitchell expressed that any number of persons may attend the meeting, and added that most of the articles for this meeting are largely housekeeping and a large attendance is not anticipated.

MOTION by Mr. Dyer, seconded by Mrs. FitzGerald-Kemmett, to reduce the quorum for a Fall Special Town Meeting, pursuant to An Act Relative to Municipal Governance During the COVID-19 Emergency, Chapter 92 of the Acts of 2020, Section 7 from not less than 100 registered voters to not less than 50 voters. ***Roll call vote Hickey aye, FitzGerald-Kemmett aye, Dyer aye, Blauss aye and Mitchell aye. Voted 5 – 0***

MOTION by Mr. Dyer, seconded by Mr. Hickey, to schedule a Special Town Meeting on October 3, 2020, per Chapter 3, Section 9. **Roll call vote Hickey aye, FitzGerald-Kemmett aye, Dyer aye, Blauss aye and Mitchell aye. Voted 5 – 0**

MOTION by Mr. Hickey, seconded by Mrs. FitzGerald-Kemmett, to not hold the Fall Town Meeting as required by Town Bylaw. **Roll call vote Hickey aye, FitzGerald-Kemmett aye, Dyer aye, Blauss aye and Mitchell aye. Voted 5 – 0**

Review of Fall 2020 Special Town Meeting articles

Chairman Mitchell explained that they will be voting this evening to place the articles on the warrant and that they will vote to recommend them after the Finance Committee has voted on their recommendations. He said that Mr. Stanbrook will read through the complete list of articles, as below, and afterward the Board will vote to place them on the warrant as a group motion.

Article 1 To see if the Town will vote to transfer a sum of money from available funds to pay for unpaid bills from prior fiscal years or take any other action in relation thereto.

Mr. Stanbrook said that this is the usual unpaid bills article that occurs on most warrants.

Article 2 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to supplement appropriations previously voted in Article 6 at the July 29, 2020 Annual Town Meeting for the fiscal year beginning July 1, 2020 for various town departments or take any other action in relation thereto.

Mr. Stanbrook said that this article will supplement any budgets, if necessary, that were voted at the meeting held in July.

Article 3 To see if the Town will vote to raise and appropriate or transfer from available funds, the following sum of money [as printed in the warrant] to pay for various department capital accounts for the following items [as printed in the warrant], or take any other action in relation thereto.

Mr. Stanbrook said that this is the capital plan article, with the individual amounts printed in the warrant, totaling \$803,050.

Article 4 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to fund capital accounts for the following Whitman Hanson Regional High School items [as printed in the warrant], or take any other action in relation thereto.

Mr. Stanbrook said that the requested items are to fix the fire lane at the high school and replace the phone system, totaling \$86,713. He said that the funds are expected to be taken from old articles that have not been spent from and have been completed.

- Article 5 To see if the Town will vote to transfer the sum of \$30,410 from the Community Preservation Committee's reserve funds to pay for the local share of the state matching trails grant or any other action in relation thereto.

Mr. Stanbrook said that the Town received a Mass Trails Grant and this article represents the local matching share.

- Article 6 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to pay for an Operational and Comparative Audit of the Whitman Hanson Regional School District, or take any other action in relation thereto.

Mr. Stanbrook explained that the audit's \$28,000 cost is based upon one bid response that had been received. He said that the cost would be split with the Town of Whitman.

- Article 7 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to pay for the FY2022 Recertification Year adjustments and the Commercial/Industrial/Personal Property Cyclical Recertification of the Town's Real Estate and Personal Property values as required by Mass. Gen. Laws Chapter 218 of the Acts of 2016, or take any other action in relation thereto.

Mr. Stanbrook stated that this recertification process is required of the Town every five years.

- Article 8 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to pay for engineering costs related to the park to be located at the old Plymouth County Hospital site, or take any other action in relation thereto.

Mr. Stanbrook explained that this article would be for the design and construction plans for infrastructure and roadways for the proposed park at the former Plymouth County Hospital site. As Mr. Stanbrook confirmed that the funding is currently earmarked from Free Cash, Mrs. FitzGerald-Kemmett urged that an application be submitted to the Community Preservation Committee (CPC) for funding as this would be a eligible use of CPC funds.

- Article 9 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to pay for stump grinding, stump removal and related improvements located at Camp Kiwanee, or take any other action in relation thereto.

Mr. Stanbrook explained this is to remove or grind the tree stumps recently taken down at Camp Kiwanee, to fund loam and re-seeding of the area near the lodge and perform stone backfill as needed where the stumps were removed.

Article 10 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to pay for repairs to the parking lot located at 228 High Street, or take any other action in relation thereto.

Mr. Stanbrook that this is the parking lot located adjacent to the Hanson Food Pantry. He said that he will be working with Interim Highway Director Curt MacLean to determine the appropriate amount of repair work needed at the lot site to assure it is passable, while cognizant that the site may undergo changes in the near future related to the proposed park at the site of the old Plymouth County Hospital.

Article 11 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to pay for five new compactors to be located at the Town of Hanson Transfer Station, or take any other action in relation thereto.

Mr. Stanbrook explained that the Town has been renewing its contract with the current waste hauler every six months. He continued that if the Town decided to contract with another hauler, it would have to rent or purchase new compactors. Mr. Stanbrook stated that renting from a new vendor would be more expensive than purchasing them outright and that purchasing their own would allow them the flexibility to switch vendors. Health Agent Gil Amado said that he will organize a vote of the Board of Health on this matter.

Article 12 To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$10,000 to replenish the Conservation Fund for open space management and related conservation purposes, or take any other action in relation thereto.

Mr. Stanbrook explained that this article places money toward the Conservation Commission's Open Space and Recreation Plan to allow them to fulfill their role of public access and passive recreation opportunities.

Article 13 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be added to the Town's Other Post-Employment Benefits (OPEB) trust fund, or take any other action in relation thereto.

Mr. Stanbrook stated that OPEB funds are non-pension costs the Town is required to pay after an employee retires, such as health insurance.

Article 14 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be added to the Town's Stabilization Fund, or take any other action in relation thereto.

Mr. Stanbrook explained that this "rainy day" fund is of value in the Town's time of financial need and also plays a part in providing a positive bond-rating for the Town of Hanson.

Article 15 To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be added to the Regional Schools Capital Stabilization fund as established by the October 2014 Special Town Meeting, or take any other action in relation thereto.

Article 16 To see if the Town will vote to make the office of Tree Warden an appointed position under the authority of the Board of Selectmen as per the provisions of Mass. Gen. Law Chapter 41 Section 1B, or take any other action in relation thereto.

Mr. Stanbrook explained that Tree Warden is currently an elected position. He said that both the article vote and subsequent ballot vote in the Spring of 2021 will have to pass in order for the change to an appointed position under the control of the Board of Selectmen goes in to effect.

Vote to Place Fall 2020 Special Town Meeting Articles

MOTION by Mr. Hickey, seconded by Mr. Dyer, to place the Fall 2020 Special Town Meeting Articles 1 through 9 and 11 through 16 on the warrant. Mrs. FitzGerald-Kemmett added the caveat that Article 11 go before the Board of Health for their vote. ***Roll call vote Hickey aye, FitzGerald-Kemmett aye, Dyer aye, Blauss aye and Mitchell aye. Voted 5 – 0***

MOTION by Mr. Dyer, seconded by Mr. Hickey, to place the Fall 2020 Special Town Meeting Article 10 on the warrant. ***Roll call vote Hickey aye, FitzGerald-Kemmett abstain, Dyer aye, Blauss aye and Mitchell aye. Voted 4 – 0 – 1***

Execute Fall 2020 Special Town Meeting warrant

Mr. Stanbrook explained that he will print up the warrant and asked Board members to come to Town Hall to sign it.

IV EXECUTIVE SESSION

Chairman Mitchell said that the Board will now enter Executive Session to 1) 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, and 2) conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

MOTION by Mr. Dyer, seconded by Mr. Hickey, to enter Executive Session. ***Roll call vote Hickey aye, FitzGerald-Kemmett aye, Dyer aye, Blauss aye and Mitchell aye. Voted 5 – 0***

Respectfully submitted,

Shirley Schindler
Minutes Clerk