

***Hanson Board of Selectmen
Selectmen's Meeting Room, Hanson Town Hall
Tuesday, September 18, 2018
Regular Meeting 7:00 P.M.***

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

Members Absent:

Others Present: Town Administrator Michael McCue
Executive Assistant Meredith Marini

7:00 p.m. Chairman Mitchell called the meeting to order. He invited the Hanson Boy Scout Troop 68 to lead the Pledge of Allegiance. Chairman Mitchell requested a Moment of Silence for retired Health Agent Vincent Flaherty who served as Health Agent for several years. Mr. Flaherty passed away over the weekend. Clerk Dyer read the announcements and upcoming meetings.

II NEW BUSINESS

Requests

Boy Scout Troop 68 – Request to use Town Hall Green for annual pumpkin sale on Oct. 19 – 21 and Flag Retirement ceremony on Monday, November 5th

Senior Patrol Leader Liam Keane requested the use of Town Hall Green from 4 p.m. to 7:00 p.m. on Friday, October 19th and from 9:00 a.m. to 4:00 p.m. on Saturday and Sunday, October 20th & 21st. Additionally, the Troop requested the use of Town Hall Green on Monday, November 5th 5:00 p.m. to 7:00 p.m. for a Flag Retirement Ceremony.

MOTION by Dyer, second by Hickey to approve the request of Troop 68 to use town Hall Green as requested. ***Voted 5 – 0***

Maria Marasco, Mass. Office of Business Development - Discussion regarding Tax Incentive Financing - Mr. McCue noted the Ms. Marasco is unable to attend this evening. She will be attending the TIF meeting on Wednesday. Mr. McCue reviewed the TIF process. The developer requests a Tax break from the community. The Tax Incentive is based on the new value of the property. The deferment of taxes is based on the new value of the property. The commitments can range from five to twenty years and the deferment can range from 5% to 100%. The property must be within the economic target area. Once the Town Meeting approves the request, the request is forwarded to the State for approval. New jobs must be created and milestones must be achieved. The State will follow up and confirm the milestones have been met. Mr. McCue feels the approval of a TIF would be good for the Town as the community has been seeking increased business in the area.

Vote Resolution to Adopt Economic Opportunity Area designation – Mr. McCue noted that the Board had previously voted the designation. However, prior to submission to the State, the law changed. The Town is required to vote the follow resolution:

The Hanson Board of Selectmen hereby resolves to adopt and submit to the Economic Assistance Coordinating Council for approval an Economic Opportunity area referred to as previously voted by the Board of Selectmen on this September 18, 2018.

SO MOVED by FitzGerald-Kemmett, second by Dyer. **Voted 5 - 0**

Discussion possible vote Street Acceptance Policy – Mr. McCue noted that an individual had inquired about the policy which has been reviewed by Town Counsel. The Board of Selectmen is seeking input from the Planning Board. Town Planner Deb Pettey noted that there is a policy in place and a State Statute which lays out the process. In the past, a few roads have not been approved, which now have issues and the developers are no longer around. Ms. Pettey inquired as to who is going to pay to get these roads accepted as well as a draft the deeds and easements. The new policy sets out a process of having the property owners bring the street acceptance to the Selectmen.

Mrs. Pettey cited concern of charging the residents a fee to accept their street as a public way when the developer had intended the street to be public when it was developed. Mrs. FitzGerald-Kemmett likes having a checklist for the process. The Board needs to determine what is in the best interest of the Town of Hanson.

She feels that some roads have been designed to be private ways. There are also roads which have been constructed with the intent to become a public way.

Highway Surveyor Robert Brown noted there were a few cases when developers have moved away or passed away prior to street acceptance. The State has certain requirements and standards for roads. The Town has an interest in the roads as the residents need emergency services.

Ms. Pettey wants to require the developer to provide the easement before releasing the lots.

Discussion regarding the discretion of the Board. Ms. Pettey is concerned about the appearance of favoritism, if the Town has the authority to be lenient with some of the requirements.

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Mr. Brown noted that the Town does not get Chapter 90 funds for private ways. Mr. Brown will provide a list of roads which need to be accepted.

Planning Board member Joe Campbell of Woodbine Avenue feels this is one of the biggest policies with holes in it, but this is a Statewide issue. The major issue that the Town is responsible for certain things, such as plowing road. The Town needs to address issues before there is a problem with a road. The Town needs to assess the cost of bringing the roads up to code. He noted that the Town of Needham did a study.

Planning Board member Joe Gamache noted that private road is different than a public way which must be ADA compliant.

Matt Dyer reviewed the general by-laws Article 2 – 17, Section 5e relative to private ways, which states: “No betterment charges shall be assessed”.

After lengthy discussion, the Board noted there needs to be more work and research and tabled action on the matter.

Discussion regarding Rt. 14/Maquan Reconstruction project – Jim Fitzgerald and Benny Hun of Environmental Partners were present to update the Board on the status of the project. The project is at 25% - design phase. They have held public hearings. He provided a Project Purpose which was to improve safety for multi modes of transportation. He cited lack of sidewalks, sightline issues, substandard crossings and crosswalks. During various public meetings, a shared use path has been proposed and encouraged with bike lanes and possible outlook over at Maquan Pond with benches.

Discussion relative to the Intersection at Maquan, Liberty and Indian Head Streets. Mr. Fitzgerald suggested a T-style intersection which included adding a left turn lane onto Maquan Street from Liberty Street. A Round-about has also been proposed. Mr. Fitzgerald noted that land acquisitions will be required. Discussion regarding the topography of the road, the slope and drainage. MassDOT is requiring communities consider roundabouts.

Relative to the T-style intersection, Planning Board member John Kemmett, questioned the flow of traffic on Indian Head Street. Mr. Fitzgerald pointed out that the Stop sign will be removed from Indian Head allowing for through traffic.

Mr. Gamache asked about the green space along the shared path. He would prefer zero maintenance design.

Mr. Fitzgerald requested the Board make a decision on the intersection option this evening in order to keep the project moving to final design.

Mr. Dyer inquired about the cost difference of the plans. Mr. Fitzgerald indicated that round-about is a few dollars more and explained that MassDOT will be funding the project. The land acquisitions would be the Town's responsibility.

MOTION by Hickey, second by FitzGerald Kemmett to accept Option Number 1 T-Style Intersection for Indian Head and Maquan Streets. **Voted 5 – 0** .

The other issue is a “pinch point” in the area of the wetlands at Maquan Pond. Mr. Fitzgerald explained the options which consisted of a boardwalk supported by steel pillars into the ground. There are different material options from pressure treated wood or a composite material, which is more money, but no maintenance. He reviewed the pros and cons of both types of materials. Pressure treated wood lasts a long time, but it depends on the location of the material – 15 to 20 years.

The decision is up to MassDOT review.

The other alternative of a retaining wall which would impact the wetlands and require reconstructing the wetlands elsewhere.

MOTION by FitzGerald-Kemmett, second by Dyer to accept Alternative 1 for a boardwalk using composite material. – Table until further presentation.

Conservation Chairman Phil Clemons supports the boardwalk alternative. Bob Brown likes the boardwalk but is concerned about the maintenance and liability as to slip and falls.

Ms. FitzGerald-Kemmett inquired about a treading.

Mr. Gamache agreed with Mr. Brown as to maintenance. He encouraged the Board members to look at Rt. 36 in Halifax.

Planning Board member Don Ellis supports a wall to reduce the maintenance.

Mr. Dyer asked about who will be responsible for replication of costs.

Discussion moved to flooding along Maquan Street by Pine Grove. One option is to reconstruct the culvert and extend an overflow pipe approximately 440 feet. At the end of the overflow pipe would be the replication area.

Option two would be to reconstruct the culvert and raise the roadway. Consequently the water will be distributed to a larger area.

Mr. Blauss asked if both options could be used. Mr. Fitzgerald indicated he would probably be questioned by the State, but he will offer it.

Mr. Brown was concerned that by raising the roadway would impact area residents. Mr. Fitzgerald indicated it would be a concern.

Mr. Kemmett asked if the overflow pipe is more expensive than raising the road. He asked about the long term maintenance. The overflow pipe would be more expensive.

Mr. Fitzgerald indicated a small retaining wall will be installed.

MOTION by FitzGerald Kemmett, second by Hickey to approve the combination of raising the road and installing an overflow pipe if not acceptable by MassDOT, just the overflow pipe.

Voted 5 – 0

Mr. Clemons supports the overflow pipe and questions the maintenance requirements.

Mr. Blauss agrees with Mr. Brown and Mr. Gamache that the Boardwalks look good at first but do not last and do not look good over the years. He is in favor of retaining wall.

Mr. Dyer asked how long the wall will be. Mr. Fitzgerald indicated the wall would be 250 feet.

Move to the vote relative the to Maquan Street “pinch point” for a Boardwalk with composite materials. Voted 4 – 1 Blauss

Mr. Gamache asked if the Town can address the infrastructure or knows what is there. Jim Fitzgerald indicated that State does not address infrastructure issues. It is the Town's

responsibility to know where their water lines are located. Mr. Fitzgerald can assist the Town with the infrastructure.

Vote & Authorize TA to sign contract with Sullivan & Sullivan Auctioneers

Mr. McCue explained that Sullivan & Sullivan will be conducting the upcoming tax possession auctions.

MOTION by FitzGerald-Kemmett, second Hickey to authorize the Town Administrator to sign the contract. ***Voted 5 – 0***

Vote to set the hours of the Special Town Election on Tuesday, Nov 6th for the purposes of a ballot question from 7:00 a.m. to 8:00 p.m. to coincide with the hours of the State Election

MOTION by FitzGerald-Kemmett, second by Hickey to set the hours of the Special Election from 7:00 a.m. to 8:00 p.m. ***Voted 5 – 0***

Approve and Vote Intermunicipal IT Shared Services Agreement with East Bridgewater

Mr. McCue noted that it is a housekeeping matter. The Board had previously voted the agreement. The only change is the date and verbiage as it related to the previous IT Director candidate.

MOTION by FitzGerald-Kemmett, second by Hickey to enter into an Intermunicipal IT Shared Services Agreement with East Bridgewater. ***Voted 5 – 0***

Consider bid for the sale of 270 High Street & Disclosure approval – Chairman Mitchell indicated that the Town Administrator put the property out of bid. The Town received one bid in the amount of \$185,000.00. He noted the Board's option of accepting the bid or putting it back out. Chairman Mitchell recommended accepting the bid.

MOTION by Hickey, second by Dyer to accept the sole bid of \$186,000. ***Vote Table for other action.***

Assessor Lee Gamache informed the Board that the Harriott house on High Street recently sold for \$180,000. She noted in this case the value is in the land and not in the building.

Mr. McCue noted additional action needs to be addressed before the vote to accept the bid.

Acceptance of Disclosure

MOTION by Dyer, second by Blauss, to exempt Laura Brown from M.G.L. c. 268A, sec.20(d) and the Hanson General Bylaw Article 2-1 Section 8, due to the fact that Ms. Brown has not participated in any work on behalf of the Town relative to this property, its disposition is not within her official duties or responsibilities for the Town, the property was publicly advertised, and that as a "special" employee she has followed the disclosure requirements of the conflict of interest law.

Ms. FitzGerald-Kemmett explained that she did not vote in favor because Attorney Brown, although she did go through the process of clearing her ethics conflict, she was hired by the Town to work on auctions of town property. While the Ethics Commission indicated that if she were designated as a Special Employee, she would be fine to buy on the property, Ms. FitzGerald-Kemmett has a problem with people working for the Town and buying up property.

Voted 3 – 1 – 1 FitzGerald-Kemmett, Hickey

MOVED to the vote to accept the bid in the amount of \$185,000.

Voted 4 – 1 (FitzGerald-Kemmett)

8:45 p.m. Mr. Hickey stepped out of the meeting.

Review Town Meeting Article Recommendations

Article 1 – Unpaid bills. Mrs. Marini indicated the amount of unpaid bills is \$12,165.00.

MOTION by FitzGerald-Kemmett, second by Dyer to Recommend Article 1. ***Voted 4 – 0***

Article 8 – Zoning Maps – Mrs. Marini indicated the cost of the maps is \$3,500.00.

MOTION by FitzGerald-Kemmett, second by Dyer to Recommend Article 8. ***Voted 4 – 0***

Article 13 – CPC Park Plan at Plymouth County Hospital site. Mrs. Marini informed the Board that Community Preservation voted to support the project.

MOTION by FitzGerald-Kemmett, second by Dyer to Recommend Article 13. ***Voted 4 – 0***

Article 14 – CPC – Housing Tax Credit – Mrs. Marini indicated that Community Preservation voted to table the request.

MOTION by FitzGerald-Kemmett, second by Dyer to Pass Over Article 14. ***Voted 4 – 0***

Article 17 – Cell Tower at Middle School – Mr. McCue recommending holding.

Article 23 – Economic Development –

MOTION by FitzGerald-Kemmett, second by Blauss to Recommend Article 23. ***Voted 4 – 0***

Article 24 – TIF – Mr. McCue recommending holding.

8:55 p.m. Mr. Hickey returned to the Meeting

Appointments/Resignation:

Energy Committee – Kevin Perkins – ZBA Representative – Term to Expire 6/30/19

MOTION by FitzGerald-Kemmett, second Hickey to appoint Kevin Perkins as the ZBA representative to the Energy Committee. ***Vote 5 – 0***

III OLD BUSINESS

Approve and vote Committee Appointment Policy – Mr. McCue noted the revisions which the Board had previously requested.

MOTION by FitzGerald-Kemmett second by Dyer to approve the Committee Appointment Policy as revised. ***Voted 5 – 0***

IV TOWN ADMINISTRATOR'S REPORT

Mr. McCue discussed the concerns of citizens regarding the Columbia Gas situation in Andover. Mr. McCue and Highway Surveyor Bob Brown have contacted the representatives of Columbia Gas who will be making a comment in the next few days.

Mr. McCue and the Town Accountant met with representatives of the school department regarding the upcoming budget season. Discussions will be ongoing.

Maquan Reuse – Mr. McCue spoke with the Director of Elder Affairs regarding an assessment of the needs of the Senior Center. The Director will have a meeting with members of the Council of Aging, Library and Reuse Committee to consider the options of the Maquan School.

Two Town employees, as part of the Plymouth County Tech Rescue Team, have traveled to the North Carolina to assist with rescue as a result of Hurricane Florence.

Mr. McCue reviewed three State budget amendments which affect Hanson which included \$30,000 Economic development. These are discretionary funds to spent as the Town deems appropriate. \$15,000 for Historic Preservation. \$35,000 Technology upgrades. Mr. McCue thanked the Legislative Delegation for their support.

Mr. McCue reported the Dedication of the Charles Mann bridge will take place on Friday, Oct. 12th at 10:00 a.m. A collation will be held at Town Hall at 11:00 a.m. The public is welcome to attend.

Mr. McCue discussed the debris as a result of the fire at JJ's Restaurant. The Building Commissioner has sent a letter to the owner noting that if the debris is not removed, the Board of Selectmen will hold a hearing. After the hearing, if the debris is still noted removed, the Town will remove it and place a lien on the property. Chairman Mitchell in favor of moving forward with the hearing.

Mr. McCue noted that the Fire Department Flooring project has started.

Mr. McCue indicated that the Board had planned to hold a public forum regarding the marijuana by-law. Mr. McCue will seek to get programs on Cable TV. The board would like to have a Question & Answer forum before the Town Meeting preview on September 25th.

Mr. McCue reviewed the staffing at the Board of Health for the Health Agent position. The position has been re-advertised. The new engineering firm is assisting where it can. Mrs. FitzGerald-Kemmett asked about a consulting firm. Mr. McCue said the engineer firm will cover.

Mr. McCue encouraged the public to consider the appointment to the Board of Health. They are down a member and it is difficult to operate with only two members.

Mr. McCue also noted Conservation is still seeking a Conservation Agent. There are not a lot of issues right now. The engineering firm can handle such matter. Seeking a part-time agent, but not quite ready to hire a full-time agent.

Ms. FitzGerald-Kemmett inquired about staffing changes at Camp Kiwanee. Mr. McCue anticipates discussions regarding additional staffing after Town Meeting, which will be addressed by Wage & Personnel.

Mr. Dyer asked about the RFP for the legal. Mr. McCue had attempted to put together the matrix together, but was delayed with the time he was out last week. He thought the Board said it would move forward with RFP once the Police Lieutenant's contract is completed.

Mr. McCue thanked Mrs. Marini for her assistance while he was out of the office.

V APPROVE MINUTES

Sept. 11, 2018 Reg.

MOTION by FitzGerald-Kemmett, second by Dyer to approve the minutes of September 11th as printed. ***Voted 5 – 0***

VI ONE DAY LIQUOR LICENSES – Camp Kiwanee

Jake Collins, Abington Fri., Oct. 5th 5:00 – 10:00 p.m. – Wedding
Jessica Davis, Manchester, NH, Sat., Oct. 6th 4:00 – 9:00 p.m. – Wedding
Kristina Sambursky, Pembroke, Fri., Oct. 12th 5:00 – 10:00 p.m. – Wedding
Chelsey Ambrose, Scituate, Sat., Oct. 13th 4:00 – 9:00 p.m. – Wedding
Mark Brulport, Norwell, Fri, Oct. 19th 5:00 – 10:00 p.m. – Wedding
George Panagoolos, Leominster, Sat. Oct. 20th 4:30 – 10:30 p.m. Wedding
Katelyn Fitzpatrick, Middleboro, Sat., Oct. 27th 6:00 – 11:00 p.m. – Family Party

MOTION by FitzGerald-Kemmett, second by Dyer to approve the one day liquor licenses as printed. ***Voted 5 – 0***

VII COMMITTEE REPORTS

200th Anniversary Committee – Ms. FitzGerald-Kemmett indicated the committee is working on pop up store. They will be selling lots of items which will make good Christmas stocking stuffers.

Final Plymouth County Hospital Reuse Comm. – Mr. Dyer reported that the Whitman-Hanson Golf Club helped clean up brush at the site. He thanked them for their efforts.

Maquan School Reuse Committee – Ms. FitzGerald-Kemmett – Meeting every week. A survey will be sent out to see how residents would like to use the Maquan. It will be at Town Meeting, website, cable and through students.

Highway Building Committee – Nothing to report

VIII EXECUTIVE SESSION – Chairman Mitchell announced the Board would be going into Executive Session 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 if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares. Police Lieutenant, IT Director and Administrative Professionals.

SO MOVED by Matt, second by Hickey, *Roll Call Blauss aye, FitzGerald-Kemmett aye, Mitchell aye, Hickey aye, Dyer aye. Voted 5 – 0*

9:15 p.m. Brief recess

10:29 p.m. Return to open session

MOTION by Blauss, second by FitzGerald-Kemmett to adjourn. *Vote 5 – 0*

10:29 p.m. Adjourned.

Respectfully submitted,

Meredith Marini,
Executive Assistant
Approved and Voted 5 – 0 as amended
September 25, 2018