



Thursday, November 10, 2022

***Hanson Select Board***

Select Board's meeting room, Town Hall

Open Session

***Members Present:*** Laura FitzGerald-Kemmett, James Hickey, Joseph Weeks, Edwin Heal, Ann Rein

***Members Absent:***

***Others Present:*** Lisa Green, Town Administrator; Lynn McDowell, Executive Assistant; Jane Friedman, Esquire; William Sims, Esquire; Sean Buckley, Kevin Perkins; William Cushing; Christine Cohen

**I CALL TO ORDER**

Ms. FitzGerald-Kemmett called the meeting to order and led the Pledge of Allegiance.

Ms. FitzGerald-Kemmett stated that the rules of engagement will include:

- All questions and comments will come through the Chair
- As was posted, will only discuss the findings of the investigation
- The Chair will open to public for statements on each side

**II HEARING**

The Select Board posted a hearing for Kevin Perkins to be removed from the Zoning Board of Appeals. Mr. Perkins requested the hearing happen during open session

Mr. Sims, attorney for Mr. Perkins, requested the allegations be read in open session; Ms. FitzGerald-Kemmett read them. He requested un-redacted meeting minutes, as the copies he received were draft. He also filed a complaint with WHCA. He then continued with all allegations of unprofessional conduct were not specific and believed to be no cause. Ms. FitzGerald-Kemmett requested the videos of the previous meetings be played. Mr. Sims stated he didn't see any issue as Mr. Perkins was attending as a public citizen.

Regarding the failure to disclose, posing possible conflict of interest, Mr. Perkins claimed he has repeatedly filed over the years yet only one exists. The State Ethics Board was reviewing for a specific disclosure that could not be located. The Town Clerk in previous meeting stated it was misfiled and publically apologized. The Select Board requested copies that Mr. Perkins stated he filed.

Mr. Perkins read from his statement; he also stated he has no copies of his previously filed disclosures. Ms. Friedman stated if other disclosures were filed they would be noted in Zoning Board of Appeals meeting minutes.

The Select Board asked why Mr. Perkins refused to meet with the investigator. Mr. Sims stated Perkins was asked to participate and he stated no, as he believed it would not be necessary. Mr. Weeks asked what the date of that phone call was; neither Mr. Sims nor Mr. Perkins were able to answer. Perkins continued his statement, stating he chose not to speak as he felt the investigator should get all the information needed from public documents and other conversations.

Regarding public perception, Mr. Cushing stated he chose to not attend meetings if he felt it was a conflict. Ms. Friedman stated that it was when someone did sit on a hearing, thus giving a perception of conflict. The Select Board will be revising its current practice for vetting members of committees and boards, including providing additional education.

Mr. Sims requested an example as the conversation was general, not noting anything specific. Ms. FitzGerald-Kemmett mentioned the electrical permits for 141 Woodbine/Elizabeth Brown Trust/Cushing Trails. Mr. Perkins stated there was no need to disclose. Mr. Perkins also stated he is not an attorney and trying to the best. Mr. Weeks reminded him he is waiting for confirmation of a date for the phone call. He also stated he purposely asks at each appointment does the candidate have any disclosures.

Mr. Hickey asked Mr. Cushing and Mr. Buckley when they received calls from the investigator. Mr. Cushing received one call each in May 2022 and June 2022; Mr. Buckley received an email in December 2021. Mr. Hickey also stated he has known Mr. Perkins for years, but doesn't believe the first two issues are necessary. Ms. Rein shared the disrespectful conduct is her concern. Mr. Heal understands doing the best possible to meet standards, but he is also concerned with both the conduct issues and not speaking with the investigation.

Mr. Sims asked Mr. Weeks and Ms. FitzGerald-Kemmett if they were aware of Mr. Perkins filing complaints against them. Neither were aware as the complaint was forwarded to the prior Chair of the Select Board. Ms. Friedman stated there is no conflict of interest.

**MOTION** by Mr. Weeks, seconded by Mr. Heal, to remove Mr. Perkins from the Zoning Board of Appeals. **Voted 4 – 1**

### **III            HEARING**

The Select Board posted a hearing for Sean Buckley to be removed from the Zoning Board of Appeals. Mr. Buckley requested the hearing happen during open session

Hearing for

Ms. FitzGerald-Kemmett read the disclosures issues. Ms. Green received emails and had conversations with Mr. Buckley. Ms. Green read Mr. Buckley's emails (attached).

Ms. Green noted there was no disclosure issue as the investigation documents for Mr. Buckley, dated July 2, 2021 noted him acknowledging his relationship. Mr. Buckley stated did not vote on any Zoning Board of Appeals decisions relating to Mr. Cushing but would participate in deliberations.

Ms. Cohen questioned whether Mr. Buckley or Mr. Cushing alert the board of their relationship? The Board stated not to anyone's knowledge. Ms. Friedman stated it should be disclosure that they are relatives. Regarding 322 Monponsett Street, Mr. Buckley stated he was not aware of the property ownership, and understands the perception of conflict. He is remains a member of the Zoning Board he will be more diligent on voting related to financial interests. He stated going forward he will file a disclosure if he believes there may be an issue.

**MOTION** by Mr. Weeks, seconded by Mr. Heal to not removed Sean Buckley from the Zoning Board of Appeals. **Voted 5 - 0**

### **IV            ADJOURNMENT**

**MOTION** by Mr. Weeks, seconded by Mr. Heal, to Adjourn, **Voted 5-0**

*Respectfully submitted,  
Lynn McDowell*