

Special Town Meeting
October 4, 2021

Moderator Sean J. Kealy called the meeting to order at 7:36 PM at the Performing Arts Center of the Whitman Hanson Regional High School with Robert Hayes and Joseph Campbell appointed and sworn in as tellers. Nora and Maeve Kealy were assigned to be microphone runners to help and assist the Town Meeting attendees to be heard with their questions and discussions on Articles.

Town Counsel was Katherine Feodoroff from Blatman, Bobrowski & Mead.

The Pledge of Allegiance was recited by the Town Meeting and a moment of silence was observed in memory of election worker, Margaret T. Cameron. A quorum was declared present with 132 voters in attendance. The Moderator, Sean Kealy announced that he would be using Town Meeting Time as the guide for the Town Meeting. The Moderator explained that the Department of Elementary and Secondary Education (DESE) has a mask mandate in place until November 1, 2021 and asked attendees to please wear a mask while in the building.

Robert Hayes was recognized and thanked for his years as not only as a member of the Whitman Hanson Regional School Committee but also as the Chairman of the Committee.

The Moderator asked for a motion to request the Town Meeting allow the Moderator to declare 2/3 and 9/10 majority of a voice vote. Motion was made by Sean Kealy and 2nd by Joseph Campbell. **Voted: Aye, voice.**

ARTICLE 1: To see if the Town will vote to transfer from Free Cash a sum of money to pay for unpaid bills from prior fiscal years; or take any other action in relation thereto.

Unpaid Bill No.	Department	Vendor	Amount	Funding Source
1	Technology	GovConnection	\$645.00	
2	Fire	Surgi-Care	\$14.40	
3	Selectmen	New Directions	\$506.25	
	Totals		\$1,165.65	

Proposed by the Board of Selectmen

Explanation: These funds are needed to pay for prior years' bills received after the close of the fiscal year. **Requires a 9/10 majority vote**

Finance Committee recommends.

Motion: Sean Kealy
Second: Robert Hayes

VOTED Aye, voice declared 9/10 by moderator to transfer from Free Cash the sum of \$1,165.65 to pay three unpaid bills from prior fiscal years as printed in the Special Town Meeting Informational Warrant.

ARTICLE 2: To see if the Town will vote to transfer from Free Cash a sum of money to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for various Town Departments; or take any other action in relation thereto.

Supplement FY22 Operating Budgets

Line #	Budget Line Item	FY22 Budget	Amendment	FY22 Revised
1	122- Selectmen/Admin. Salaries	\$200,900.00	\$9,179.00	\$210,079.00
16	155 - Information Technology Salaries	\$106,590.00	(\$17,590.00)	\$89,000.00
52	294 - Tree Warden Salary	\$3,242.00	\$65.00	\$3,307.00
57	334 - So. Shore Regional Vocational Technical High School Expenses	\$1,228,007.00	\$70.00	\$1,228,077.00
71	543 – Veterans Salary	\$23,085.00	\$8,276.00	\$31,361.00
		Total Amendments	\$0.00	Taxation

Proposed by the Board of Selectmen

Explanation: The purpose of this article is to supplement a number of line items in the current fiscal year's budget (FY22) in order to fund a number of additional expenses incurred during this fiscal year.

Finance Committee does not recommend Line 1.

Finance Committee recommends Lines 16, 52, 57 and 71.

Motion: Sean Kealy

Second: Matthew Dyer

A motion was made by Bruce Young and 2nd by Joseph Campbell to have the Town Meeting vote each line of Article 2, **VOTED Aye, voice.** Bruce Young questioned why Line 1 amount of \$9,179.00 was needed. The Town Administrator, Lisa Green addressed the question that it was for a part time position for a recording secretary for both the Selectmen and the Economic Development Committee to get caught up on their minutes. The Finance Committee was asked why they voted against this line and their position was explained by Patrick Powers, in that the Finance Committee believes that money should not be added during the middle of the budget cycle and should wait for the next budget year.

VOTED Aye 41, Nay 63 to not approve Line 1, Voted Aye, voice to approve Line 16 to reduce \$17,590 from raise and appropriate as printed in the Special Town Meeting Informational Warrant that were previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021. Voted Aye, voice to approve Lines 52, 57 and 71, from Free Cash the sum of \$8,411 to supplement appropriations as printed in the Special Town Meeting Warrant that were previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021.

ARTICLE 3: To see if the Town will vote to transfer from Free Cash a sum of money to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for Budget 210 - Police; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The Police Relief Association has ratified the FY22 – FY24 collective bargaining agreement. The purpose of this article is to fund these increases in this fiscal year.

Finance Committee does not recommend.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED Aye, voice to transfer from Free Cash the sum \$57,000 to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for the Police Department Budget.

ARTICLE 4: To see if the Town will vote to transfer from Free Cash a sum of money to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for Budget 220 – Fire/Ambulance; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The Fire Union Local 2713 has ratified the FY22 – FY24 collective bargaining agreement. The purpose of this article is to fund these increases in this fiscal year.

Finance Committee does not recommend.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice to transfer from Free Cash the sum \$61,265 to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for Fire/Ambulance Department Budget.

ARTICLE 5: To see if the Town will vote to transfer from Free Cash a sum of money to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for various Budgets for departments with members of Administrative Professional Local 1700; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The Administrative Professionals Local 1700 has ratified the FY22 – FY24 collective bargaining agreement. The purpose of this article is to fund these increases in this fiscal year.

Finance Committee does not recommend.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice to transfer from Free Cash the sum of \$13,700 to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for various Budgets for departments with members of Administrative Professional Local 1700.

ARTICLE 6: To see if the Town will vote to transfer from Free Cash a sum of money to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for Budget 420 - Highway; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The Highway Department Council 93, Local 1700 has ratified the FY22 – FY24 collective bargaining agreement. The purpose of this article is to fund these increases in this fiscal year.

Finance Committee does not recommend.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED Aye, voice to ratify the Highway Local 1700 collective bargaining agreement requiring no further appropriation for this Fiscal Year.

ARTICLE 7: To see if the Town will vote to transfer from Free Cash a sum of money to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for Budget 241 – Building Inspector; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The purpose of this article is to supplement the current fiscal year's budget (FY22) in order to fund the salary for a full time Building Inspector/Zoning Enforcement Officer during this fiscal year. Currently, that position was budgeted for seventeen (17) hours per week, which is not sufficient to carry out all of the duties of that position, particularly in the area of zoning enforcement.

Finance Committee does not recommend.

Motion: Sean Kealy
Second: Matthew Dyer

Bruce Young questioned why the position needed to be full time and what are the fringe benefits that come with the extra hours? Selectmen, Laura FitzGerald-Kemmett stated that the Economic Development Committee needs zoning enforcement to clean up Main Street, with the 17 hours a week that he has now only gives him enough time to do his regular duties as a Building Inspector. Town Administrator, Lisa Green explained that yes, this would entitle the employee to Health and Retirement Benefits and that the Treasurer/Collector has money put aside for this purpose.

VOTED Aye, voice to transfer from Free Cash the sum \$37,208.00 to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for Building Inspector Department Budget.

ARTICLE 8: To see if the Town will transfer a sum of money from the Recreation Enterprise Fund Expenses to the Recreation Enterprise Fund Salaries and Indirect Costs for FY22; or take any other action in relation thereto.

Supplement FY22 Recreation Budget

Line #	Budget Line Item	FY22 Budget	Amendment	FY22 Revised
1	Salaries	\$44,840.00	\$13,000.00 \$27,000.00	\$57,840.00 \$71,840.00
2	Expenses	\$69,750.00	(\$13,000.00) (\$19,000.00)	\$56,750.00 \$50,750.00
3	Indirect Costs	\$17,000.00	\$12,000.00	\$29,000.00
		Total Amendments	\$12,000.00 \$20,000.00	Retained Earnings

Proposed by the Recreation Commission

Explanation: This will correct the error that occurred at the May 3, 2021 Annual Town Meeting in the Spring where \$100,000.00 was cut from the Recreation budget #630 salary line item only, as opposed to being cut from the entire fund.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, to amend to FY22 Recreation Enterprise Budget as printed in the chart in Handout and further, vote to transfer the sum of \$39,000 from the Recreation Enterprise Fund Expenses to the Recreation Enterprise Fund Salaries and transfer the sum of \$8,000 from the Recreation Enterprise Fund Retained Earnings to Recreation Enterprise Fund Salaries, and to transfer the sum of \$12,000 from the Recreation Enterprise Fund Retained Earnings to the Recreation Enterprise Fund Indirect Costs for FY22.

ARTICLE 9: To see if the Town will vote to appropriate \$90,000 from the Community Preservation Committee's Open Space and Undesignated Community Fund balances to pay for design fees for an artificial turf field at Hanson Middle School; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: These funds are requested by Parks & Fields to develop design and construction plans for an artificial turf field at Hanson Middle School that can accommodate multiple sports. The requested funds are limited to design and construction plans only, and are not for actual construction of a new field.

Finance Committee does not recommend.

Motion: Sean Kealy

Second: Matthew Dyer

Frank Milisi spoke in favor of this article saying that there is a great need for a new field at the Middle School. The Moderator explained that the Article is not ready for Town Meeting consideration.

VOTED Aye, voice to pass over Article 9.

ARTICLE 10: To see if the Town will vote to appropriate \$65,000 from the Community Preservation Committee's Open Space and Undesignated Community Fund balances to be used to acquire the property at 485 Winter Street, Assessors Map 98, Lot 12, containing 8.97 acres more or less for open space management and related conservation purposes to be placed in the care and custody of the Conservation Commission and to authorize the conveyance or acceptance of a conservation restriction on such property if so required; or take any other action in relation thereto.

Proposed by the Community Preservation Committee
& the Conservation Commission

Explanation: This parcel is a portion of the Little Cedar Swamp, an approximately 100 acre wooded wetland that is one of the headwaters of the Indian Head and North Rivers. It contains a portion of the brook (Barker's Brook) that drains the swamp and feeds Indian Head Brook via a culvert under Winter Street. It has become available for purchase. It would join the 75 acres already owned by the Town, thus strengthening the protection of a major part of the Little Cedar Swamp. The Community Preservation Committee has approved the application for this transfer. The Conservation Commission will pay for the title search and closing costs from the Conservation Fund. Est: \$8,000

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice for the Town to appropriate the sum of \$65,000 from the Community Preservation Committee's Open Space Fund balance to be used to acquire the property at 485 Winter Street, Assessors Map 98, Lot 12, containing 8.97 acres more or less for open space management and related conservation purposes to be placed in the care and custody of the Conservation Commission and to authorize the conveyance or acceptance of a conservation restriction on such property if so required.

ARTICLE 11: To see if the Town will vote to establish a budget line item for Pond Management in the Selectmen's FY22 Operating Budget (Budget 122); or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: Pond management has become increasingly needed because of the invasion of non-native plant species and periodic algae blooms, including toxic cyanobacteria growth. An ongoing commitment is needed to determine and carry out treatment and preventive measures to recover and sustain the health of Hanson's ponds, including our portion for treatment of ponds shared with other towns. This article will establish a budget line item that should be funded on an annual basis.

Finance Committee does not recommend.

Motion: Sean Kealy
Second: Matthew Dyer

Frank Milisi questioned who gets to spend the money? The Conservation Chairman, Phil Clemons explained that is Article just establishes a Budget Line not the funding, however the Board of Selectmen will be the ones to spend the money once it is funded.

VOTED Aye, voice to establish a budget line item for Pond Management in the Selectmen's FY22 Operating Budget.

ARTICLE 12: To see if the Town will vote to transfer from Free Cash a sum of money for Pond Management for the balance of FY22; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: If the preceding article (Article 11) is approved, funding is needed for the balance of this fiscal year (FY22) to plan for and carry out early treatment efforts in 2022 for ponds harmed by invasive plants and algae blooms. Additional funding will be requested at the May 2022 Annual Town Meeting for FY23 (July 2022 – June 2023).

Finance Committee does not recommend.

Motion: Sean Kealy
Second: Matthew Dyer

Motion to amend Article 12 by Frank Milisi, 2nd Joseph Campbell to increase the funding amount by \$10,000 to \$35,000. **VOTED Aye, voice.**

VOTED, Aye, voice to transfer from Free Cash the sum of \$35,000 for Pond Management for the balance of FY22.

ARTICLE 13: To see if the Town will vote to transfer from Free Cash a sum of money to pay for the FY23 - FY25 interim year adjustments of the Town's real estate and personal property values, as required by Mass. General Laws, Chapter 218 of the Acts of 2016; or take any other action in relation thereto.

Proposed by the Board of Assessors

Explanation: Mass. General Laws requires that valuations be re-certified every five (5) years. These funds will cover a three (3) year contract for interim year adjustments from FY23 to FY25. All building schedules, land tables, depreciation schedules, etc. are recalculated according to the current real estate market. New income and expense figures are also adopted based on the current commercial/industrial market.
Est: \$54,000.00

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED, Aye, voice to transfer from Free Cash the sum of \$54,000 to pay for the FY23 - FY25 interim year adjustments of the Town's real estate and personal property values, as required by Mass. General Laws, Chapter 218 of the Acts of 2016.

ARTICLE 14: To see if the Town will vote to transfer from Article 8 of the October 7, 2019 Special Town Meeting the amount of \$3,263.46 and to transfer from Free Cash or available funds the supplemental sum of \$6,731.54 to hire an outside firm to recodify the General Bylaws; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The General Bylaws have some inaccuracies that need to be corrected. Making the changes to the General Bylaws will be an extensive undertaking, so an outside firm will be consulted for recodification.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice to transfer from Article 8 of the October 7, 2019 Special Town Meeting the sum of \$3,263.46 and to transfer from Free Cash the sum of \$6,731.54 to hire an outside firm to recodify the General and Zoning Bylaws.

ARTICLE 15: To see if the Town will vote to transfer from Free Cash the sum of \$8,000.00 to upgrade the telephone system at the Town Hall; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The software for the existing Avaya IP Office telephone system at Town Hall needs to be upgraded so it can be added to the Avaya IP Office deployment at the Fire Department, Police Department, Library and Council on Aging. The current telephone system at Town Hall is aged and unreliable.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED, Aye, voice to transfer from Free Cash the sum of \$8,000 to upgrade the telephone system at the Town Hall.

ARTICLE 16: To see if the Town will vote to transfer from Free Cash the sum of \$7,200 to purchase a tow-behind leaf vacuum; or take any other action in relation thereto.

Proposed by the Highway Director

Explanation: The Highway Department maintains the drainage system for the Town and grades gravel roadways. There is much leaf litter in the fall which accumulates around the catch basins and drainage swales. This leaf litter accumulates in the drainage system and is expensive material to be removed because it is contaminated with sand and other hazardous materials. The removal of leaf litter before it accumulates will reduce this expense. Also, leaf litter must be blown off before grading roadways or it mixes in with the material when grading. The leaf vacuum will assist in both of these areas.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

John Zucco questioned what make and model the Town was purchasing, the Highway Director, Jamison Shave did not have the name of the make and model with him at Town Meeting.

VOTED, Aye, voice to transfer from Free Cash the sum of \$7,200 to purchase a tow-behind leaf vacuum.

ARTICLE 17: To see if the Town will vote to transfer from Free Cash the sum of \$15,600 to replace the guard rails at the Poor Meadow Brook location on Route 27/Main Street; or take any other action in relation thereto.

Proposed by the Highway Director

Explanation: During a recent inspection of Bridge H07001(49K), which carries Route 27/Main Street over the Poor Meadow Brook, MassDOT observed loose and missing cable guard system at all of the approaches. Also, MassDOT determined that all concrete posts were deficient and leaning in multiple directions. Monies appropriated for Article 9 of the May 3, 2021 Special Town Meeting in the amount of \$16,600 will not cover the cost to install a Mash Compliant System with Attenuator Units. This standard is required by MassDOT for all marked routes meeting highway speed requirements and it will provide the necessary safety features. The total cost of the guard rail system is \$32,200.

Finance Committee recommends.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED, Aye, voice to transfer from Free Cash the sum of \$15,600 to replace the guard rails at the Poor Meadow Brook location on Route 27/Main Street.

ARTICLE 18: To see if the Town will vote to transfer from Free Cash or available funds the sum of \$99,500 for Storm-water Management and MS4 permit related items; or take any other action in relation thereto.

Proposed by the Highway Director

Explanation: This money will be used for engineering, mapping, inspections, testing, screening and surveying to comply with storm-water mandates related the Town's Municipal Separate Storm Sewer System (MS4) permit issued by the U.S. Environmental Protection Agency

Finance Committee recommends.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED, Aye, voice to transfer from Free Cash the sum of \$99,500 for Storm-water Management and Municipal Separate Storm Sewer System permit related items.

ARTICLE 19: To see if the Town will Vote to authorize the Board of Selectmen to petition the General Court, to the end that legislation be adopted precisely as follows. The General Court may make clerical or additional changes of form only to the bill, unless the Town

Administrator approves amendments to the bill before enactment by the General Court. The Town Administrator is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT IN THE TOWN OF HANSON LOCAL LICENSES AND PERMITS; DENIAL, REVOCATION OR SUSPENSION FOR FAILURE TO COMPLY WITH CONDITIONS OF APPROVAL

Section 1. The Town Hanson desires to enhance enforcement in building and permitting compliance.

Section 2. The licensing authority, namely the building official, planning board, or zoning board, may deny, revoke or suspend any license or permit, including renewals and transfers, of any party with respect to any activity, event or other matter which is subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party who has been determined, by a public official or body, to have not completed or complied with conditions of approval for any other projects, provided that written notice is given to the party within 14 days of the decision to deny, revoke or suspend, and the party is given a hearing, to be held not earlier than 14 days after said notice.

Section 3. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purpose of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this Act shall not be reissued or renewed until the license authority receives a certificate issued by the permitting authority that the party complied with such conditions as the date of issuance of said certificate.

Section 4. Any party shall be given an opportunity to enter into an agreement, which agreement may include a bond, escrow or other source of guarantee, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required pursuant to this Act.

Section 5. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his/her immediate family, as defined in MGL c. 268A, § 1, in the business or activity conducted in or on said property.

Section 6. This Act shall not apply to the following licenses and permits: (1) open burning, MGL c. 48, § 13; (2) Bicycle permits, MGL c. 85, § 11A; (3) sales of articles for charitable purposes, MGL c. 101, § 33; (4) children work permits, MGL c. 149, § 69; (5) clubs, associations dispensing food or beverage licenses, MGL c. 140, § 21E; (6) dog licenses, MGL c. 140, § 137; (7) fishing, hunting and trapping licenses, MGL c. 131, § 12 (8) marriage licenses, MGL c. 207, § 28; or (9) theatrical events and public exhibition permits, MGL c. 140, § 181.

Proposed by the Board of Selectmen

Explanation: We have had numerous instances where a contractor will finish building condominium units in a condominium complex or houses in a subdivision but will not finish the stormwater management requirements, curbing and other conditions set forth in their orders of conditions from Planning, Board of Health, Conservation or the Board of Appeals. This leaves the homeowners or Home Owners Association with a choice of paying to complete the work themselves or suing the contractor to get the work completed. Under our current bylaws, a contractor who still has issues that have not been addressed is permitted to apply to build new condominiums and houses without any consideration to whether they have met their order of conditions or whether they have outstanding code violations. This legislation will strengthen the town's ability to address code violations and advocate for the owners of properties impacted by contractors who have not completed all required work.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice to authorize the Board of Selectmen to petition the General Court, to the end that legislation be adopted precisely as printed in the Special Town Meeting Informational Warrant. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Administrator approves amendments to the bill before enactment by the General Court. The Town Administrator is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

ARTICLE 20: To see if the Town will vote to amend Article 2-1 to add a new subsection, Sec. 17, as follows:

Sec. 17

Applicants, other than natural person(s), including but not limited to corporations, partnerships, limited liability corporations, limited liability partnerships, companies doing business as, trusts or non-profit corporations, seeking a permit or approval from any Town board, commission or committee, shall submit sufficient documentation (i.e. articles of organization, trust document) which discloses the identity of all individuals having a financial interest in the project or proposed work.

; or take any other action thereto.

Proposed by the Board of Selectmen

Explanation: This bylaw will help to ensure that all town departments, boards and committees have full transparency when reviewing any matter before them. This will

also assist in bringing to light any potential conflicts of interest that department/boards/committees and applicants may have.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice to amend Article 2-1 of the General Bylaws to add a new subsection, Sec. 17, as printed in the Special Town Meeting Informational Warrant.

ARTICLE 21:

To see if the Town will vote to amend Article 2-1 to add a new subsection, Sec. 18, as follows:

Sec. 18

All members of a board, commission or committee shall comply with General Laws, Chapter 268A, the Commonwealth's ethics laws, including the completion of disclosures as may be applicable. Failure to comply with said law shall be grounds for immediate removal by the appointing authority.

Proposed by the Board of Selectmen

Explanation: This bylaw will help to insure that the Board of Selectmen is made aware of any potential conflicts of interest for all members of any board or committee to which they appoint members. This will insure that all members of Board of Selectmen appointed boards and committees communicate with the Board of Selectmen about any financial interests or other conflicts they may have before they move forward with a project and allow the Board of Selectmen to taken action if needed.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice to amend Article 2-1 of the General Bylaws to add a new subsection, Sec. 18, as printed in the Special Town Meeting Informational Warrant.

ARTICLE 22: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to adopt special legislation, to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Administrator approves amendments to the bill before enactment by the General Court. The Town Administrator is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE TOWN OF HANSON TO REMOVE BOARD, COMMITTEE OR COMMISSION OFFICIALS APPOINTED BY THE BOARD OF SELECTMEN.

Be it enacted, etc.. as follows:

SECTION 1. Any holder of an office on an unpaid board, committee or commission appointed by any Town official with appointing authority in the town of Hanson may be removed therefrom by the qualified voters of said town as herein provided. This Act shall not apply to paid employees of the town of Hanson.

SECTION 2. One hundred and fifty or more qualified voters may file with the town clerk an affidavit containing the name of the officer and the office held whose removal is sought and a statement of the grounds upon which the petition is based. A minimum of twenty-five qualified voters shall be from each precinct. Upon certification by the board of registrars of the required signatures, the town clerk shall thereupon deliver or make available to the designated person or persons seeking the removal, a sufficient number of petition blanks demanding such removal on printed forms of which the town clerk shall keep on hand. The blanks shall be issued by the town clerk with the town clerk's signature and official seal attached thereto; they shall be dated and addressed to the board of selectmen; shall contain the names of all persons to whom they are issued, the name of the person whose removal is sought, the office held by the person named, the grounds for removal as stated in the affidavit and shall demand the nomination of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. The removal petition shall be returned and filed with the town clerk within twenty days following the date of issuance of said petitions. Said removal petitions shall be signed by at least ten per cent of the registered voters from each precinct in said town and to every signature shall be added the place of residence of the signer, giving the street and number. The town clerk shall within two working days of receipt, submit the petition to the registrars of voters who shall forthwith certify thereon the number of signatures which are names of voters of said town. No paper or documents of any kind shall be attached by the petitioners to any petition for removal, nor may any paper or document of any kind be solicited by the petitioners in such a way as to obscure any part of the petition for removal.

SECTION 3. If the petition shall be found and certified by said town clerk to be sufficient, the town clerk shall submit the same with the town clerk's certificate to said selectmen without delay and said appointing authority shall forthwith give written notice to said officer of the receipt of said certificate and shall, if the officer sought to be removed does not resign within five days thereafter, thereupon vote to remove the officer no later than thirty days from town clerk's certification of the sufficient petitions.

SECTION 4. The incumbent shall continue to perform the duties of the office until the vote of removal by the appointing authority.

SECTION 5. Removal pursuant to this Act shall be deemed for cause.

SECTION 6. No person who has been removed from an office in said town or who has resigned from office while removal proceedings were pending against him, shall be appointed to any town office within two years after such removal by petition or resignation.

Proposed by the Board of Selectmen

Explanation: This act of special legislation would allow registered voters to remove board, committee or commission members appointed by the appointing authority for cause following the process specified above.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

Bruce Young wanted to know why this was a two part process in order to remove an appointed official. Discussion on taking out the second part and the need to get 10% of voters from each precinct in Section 2 of the Article.

Motion by Joseph Weeks, 2nd by Joseph Campbell to amend Article 22 by removing from Section 2 the following two sentences: *Said removal petitions shall be signed by at least ten per cent of the registered voters from each precinct in said town and to every signature shall be added the place of residence of the signer, giving the street and number. The town clerk shall within two working days of receipt, submit the petition to the registrars of voters who shall forthwith certify thereon the number of signatures which are names of voters of said town.*
VOTED, Aye voice.

VOTED, Aye voice to authorize the Board of Selectmen to petition the General Court to adopt special legislation, to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Administrator approves amendments to the bill before enactment by the General Court. The Town Administrator is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

As amended Section 2 should read as follows:

SECTION 2. One hundred and fifty or more qualified voters may file with the town clerk an affidavit containing the name of the officer and the office held whose removal is sought and a statement of the grounds upon which the petition is based. A minimum of twenty-five qualified voters shall be from each precinct. Upon certification by the board of registrars of the required signatures, the town clerk shall thereupon deliver or make available to the designated person or persons seeking the removal, a sufficient number of petition blanks demanding such removal on printed forms of which the town clerk shall keep on hand. The blanks shall be issued by the town clerk with the town clerk's signature and official seal attached thereto; they shall be dated and addressed to the board of selectmen; shall contain the names of all persons to whom they are issued, the name of the person whose removal is sought, the office held by the person named, the

grounds for removal as stated in the affidavit and shall demand the nomination of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. The removal petition shall be returned and filed with the town clerk within twenty days following the date of issuance of said petitions. No paper or documents of any kind shall be attached by the petitioners to any petition for removal, nor may any paper or document of any kind be solicited by the petitioners in such a way as to obscure any part of the petition for removal.

ARTICLE 23: To see if the Town will vote to adopt Mass. General Laws, Chapter 64L, Section 2(a) to impose a meals excise tax of .75% to take effect on January 1, 2022; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: Adoption of this statute would impose a 0.75 % local option meals excise tax of the vendor's gross receipts from restaurant meal sales. The additional revenue will be used to fund future municipal and school costs as determined by subsequent Town Meeting votes.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

Motion to pass over Article 23 made by Kathy Marini, 2nd by Joseph O'Sullivan.

Ms. Marini thought that this was not a good time with the pandemic and that it might hurt the restaurants in Town. Daniel Strautman suggested that we here in Hanson do not need more taxes.

VOTED Aye 56, Nay 52 to pass over Article 23.

ARTICLE 24: To see if the Town will rescind its vote on Article 32 of the May 5, 1999 Annual Town Meeting requiring Town Hall to be open five (5) days per week in addition to Tuesday evenings without additional pay or employees; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: Currently the Town Hall is open to the public five (5) days per week, as well as Tuesday evenings. Just a handful of employees work on Fridays until noontime. If the vote is rescinded, this would allow the Town to more fully staff Town Hall on Fridays without violating the Fair Labor Standards Act to pay employees accordingly.

Finance Committee does not recommend.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED Aye, voice to rescind its vote on Article 32 of the May 5, 1999 Annual Town Meeting requiring Town Hall to be open five (5) days per week in addition to Tuesday evenings without additional pay or employees.

ARTICLE 25: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to adopt special legislation to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Administrator approves amendments to the bill before enactment by the General Court. The Town Administrator is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE TOWN OF HANSON TO GRANT SPECIAL ONE-DAY LICENSES TO SELL ALL ALCOHOLIC BEVERAGES TO CERTAIN ORGANIZATIONS IN SAID TOWN.

Be it enacted, etc., as follows:

Section 1. The Town of Hanson desires greater administrative efficiency in the issuance special one-day alcoholic beverage licenses by delegating local licensing authority to its Town Administrator.

Section 2. Notwithstanding the provisions of Chapter 138 of the Mass. General Laws or any other general or special law to the contrary, the local licensing authority for the Town of Hanson for special one-day all alcoholic beverage licenses issued pursuant to Section 14 of Chapter 138 of the Mass. General Laws shall be the Town Administrator. All other licenses issued pursuant to Chapter 138 of the Mass. General Laws shall be issued by the Board of Selectmen, as the local licensing authority.

; or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This article will allow the Town Administrator to approve and execute all one-day alcoholic beverage licenses. It is a ministerial matter since all events for which these licenses are issued are for events at Camp Kiwanee using a bar service. selected by the Recreation Commissioners and Board of Selectmen who is TIP certified, and understands enforces all of the policies and procedures set by the Commission related to the service of alcohol (hours of service, areas in which consumption of alcoholic beverages is permitted, etc.). The Police Chief and Fire Chief receive copies of those licenses in advance of the events being held where alcohol is served.

Finance Committee recommends.

Motion: Sean Kealy
Second: Matt Dyer

VOTED Aye, voice to authorize the Board of Selectmen to petition the General Court to adopt special legislation to the end that legislation be adopted precisely as printed in the Special Town Meeting Informational Warrant. The General Court may make clerical or editorial changes of form only to the bill, unless the Town Administrator approves amendments to the bill before enactment by the General Court. The Town Administrator is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

ARTICLE 26: To see if the Town will vote to add Juneteenth as a paid holiday for Wage & Personnel employees, under Article 2 - 12, Section 12C, Holiday Schedule, of the General Bylaws; or take any other action in relation thereto.

Proposed by the Wage & Personnel Board

Explanation: Juneteenth is a recognized state and federal holiday, observed on June 19th to commemorate the abolishment of slavery in the United States. All state and federal buildings are closed, and many Massachusetts municipalities have adopted Juneteenth as a locally observed holiday.

Finance Committee recommends.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED Aye, voice to amend Article 2 - 12, Section 12C, Holiday Schedule, of the General Bylaws to add Juneteenth as a paid holiday for Wage & Personnel employees.

ARTICLE 27: To see if the Town will vote to amend the Wage and Personnel Bylaws, Article 2 - 12, Classification and Compensation by deleting Sections 11A through 11E in its entirety and inserting the new Sections 11A through 11E as shown below:

SECTION 11 A: PROFESSIONAL POSITIONS

	<u>7/1/21</u>	<u>10/4/21</u>
A. Director of Elder Affairs	35,000 to 65,000	35,000 to 65,000
B. Town Accountant	45,000 to 75,000	45,000 to 75,000
Town Accountant – Part-Time hourly rate	\$24.00 to \$41.00	\$24.00 to \$41.00
C. Inspector of Buildings –Full-time Salary	20,000 to 60,000	<i>\$51,700 to \$72,350</i>

Inspector of Buildings – Part-time hourly rate	\$35.00 to \$45.00	\$35.00 to \$45.00
D. Health Agent	40,000 to 70,000	40,000 to 70,000
E. Conservation Agent	35,000 to 70,000	35,000 to 70,000
Conservation Agent – Part-time hourly rate	28.00 to 45.00	28.00 to 45.00
F. Library Director	45,000 to 70,000	45,000 to 70,000
G. Town Planner	45,000 to 80,000	45,000 to 80,000
H. Town Planner/Conservation Agent	45,000 to 75,000	45,000 to 75,000
I. Informational Technology Director	50,000 to 90,000	60,000 to 90,000
J. Recreation Director **	30,000 to 50,000	30,000 to 50,000

SECTION 11 B: ADMINISTRATIVE AND/OR FULL TIME

	<u>7/1/21</u>	<u>10/4/21</u>
A. Executive Assistant	17.00 to 32.00	17.00 to 32.00
B. Assistant to Police Chief	17.00 to 32.00	17.00 to 32.00
C. Veterans Agent ~ Annual salary	7,000 to 25,000	7,000 to 33,000
D. Reference Librarian	22.00 to 31.00	22.00 to 31.00
E. Youth Services Librarian	22.00 to 31.00	22.00 to 31.00
F. Animal Control Officer ~ Annual Salary	17,000 to 28,000	17,000 to 28,000
G. Van Drivers/Aide*	13.50 to 17.00	13.50 to 17.00
H. Social Day Care Coordinator*	14.00 to 21.00	14.00 to 21.00
I. Camp Kiwanee Caretaker**	13.50 to 20.00	14.00 to 20.00
J. Youth Services Associate	18.00 to 24.00	18.00 to 24.00

SECTION 11 C: PART TIME POSITIONS

	<u>7/1/21</u>	<u>10/4/21</u>
A. Assistant Inspector of Building	22.00 to 30.00	22.00 to 30.00
B. Gas Inspector	22.00 to 30.00	22.00 to 30.00
C. Plumbing Inspector	22.00 to 30.00	22.00 to 30.00
D. Wiring Inspector	22.00 to 30.00	22.00 to 30.00
E. Civil Defense Director ~ Annual Salary	900 to 1,300 yr.	900 to 1,300 yr.
F. Police Matron	13.50 to 22.00	13.50 to 22.00
G. Outreach/Seniors*	13.50 to 22.00	13.50 to 22.00
H. Assistant Coordinator*	13.50 to 17.00	13.50 to 17.00
I. Volunteer Services Intergenerational Coordinator*	13.50 to 19.00	13.50 to 19.00
J. Senior Center Support Staff *	13.50 to 17.00	13.50 to 17.00
K. Back-up Van Driver*	13.50 to 15.00	13.50 to 15.00

L. Animal Inspector	1,000 to 1,600	1,000 to 1,600
M. Election Clerk	13.50 to 16.75	13.50 to 16.75
N. Election Officer	13.50 to 16.75	13.50 to 16.75
O. Election Warden	13.50 to 16.75	13.50 to 16.75
P. Registrar of Voters	13.50 to 17.00	13.50 to 17.00
Q. Assistant Caretaker**	13.50 to 25.00	13.50 to 20.00
R. Sealer of Weights & Measurers ~ Annual Salary	2,500 to 3,500 yr	2,500 to 3,500 yr
S. Milk Inspector	150 to 300 yr.	150 to 300 yr.
T. Assistant Veterans Agent	13.50 to 15.00	13.50 to 15.00
U. Committee Clerical/Administrative Support Staff	13.50 to 15.00	13.50 to 15.00
V. Emergency Clerical Labor	13.50 to 15.00	13.50 to 15.00
W. Transfer Station Attendant	15.00 to 21.00	15.00 to 21.00
X. Camp Kiwanee Event Planner **	13.50 to 17.00	13.50 to 17.00
Y. Facilities Manager	20,000 to 45,000	20,000 to 45,000
Z. Public Buildings Custodian	18.00 to 24.00	18.00 to 24.00
AA. Assistant Health Agent	13.50 to 22.00	13.50 to 22.00
BB. Student Police Officer	20.00 to 35.00	20.00 to 35.00
<i>CC. Informational Technology Director</i>	\$50,000 - \$90,000	\$50,000 - \$90,000
CC. Part-time Police Officers/Special Police Officers	\$25.00 to \$55.00	\$25.00 to \$55.00

SECTION 11 D: SEASONAL POSITIONS **

	<u>7/1/21</u>	<u>10/4/21</u>
A. Beach Director	13.50 to 20.00	13.50 to 25.00
B. Water Safety Instructor	13.50 to 16.00	13.50 to 16.00
C. Lifeguards	13.50 to 16.00	13.50 to 16.00
D. Boat Coordinator	13.50 to 16.00	13.50 to 16.00
E. Boating Instructor	13.50 to 20.00	13.50 to 20.00
F. Concession Worker	13.50 to 16.00	13.50 to 16.00
G. Recreation Assistant	13.50 to 16.00	13.50 to 16.00
H. Security/Gate Attendants	13.50 to 16.00	13.50 to 16.00

*Positions are funded through the Multi-Service Senior Center's revolving account or grants

** Positions are funded through the Recreation Commission's Enterprise Fund.

SECTION 11 E: CALL FIREFIGHTERS/OFFICERS

	<u>7/1/21</u>	<u>10/4/21</u>
Call Firefighters	16.00 to 18.00	16.00 to 18.00
Call Firefighters after Three Years	17.00 to 19.00	17.00 to 19.00
Call Lieutenants	17.00 to 20.00	17.00 to 20.00

\$500.00 stipend will be paid in June of each fiscal year to those call firefighters who successfully complete and maintain the certification of an EMT recognized by the State and approved by the Fire Chief. Paramedics will receive a \$1,000.00 stipend.

; or take any other action in relation thereto.

Proposed by the Wage & Personnel Board

Explanation: The changes to the Compensation Plan are in ***bold italicized*** text. The changes include increasing the minimum range for the Camp Kiwanee Caretaker position from \$13.50 to \$14.00 per hour, adjusting the maximum range for Assistant Caretaker and increasing the maximum range for Beach Director from \$20.00 to \$25.00 per hour. The minimum range for the IT Director has been adjusted to get that salary in line with the market. The increase in the Building Inspector salary reflects a change from part time to full time.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

Motion by Don Ellis, 2nd by Joseph Campbell to amend Article 27 by adding \$10,000 to Section 11 A Item G. Town Planner to make the second column read 45,000 to 90,000. **VOTED Aye, voice.** Mr. Ellis felt that the Town needed to increase the high end of the pay scale in order to attract and keep a good Town Planner.

Motion by Joan Fruzzetti, 2nd by Laura FitzGerald-Kemmett to amend Article 27 by adding 50 cents to the low end of the scale and \$5 to the high end of the scale to Section 11 C Item Q. Assistant Caretaker to make second column read 14.00 to 25.00. **VOTED Aye, voice.**

Motion by Teresa Santalucia, 2nd by Antonio Santalucia to amend Article 27 by adding \$2.00 to the high end of the scale to Section 11 D Item B. Water Safety Instructor, Item C. Lifeguards and Item D. Boat Coordination to make each of the second columns read 13.50 to 18.00. **VOTED Aye, voice.** Ms. Santalucia felt that these positions should be increased because they are required to be certified to be hired.

VOTED Aye, voice to amend the Wage and Personnel Bylaws, Article 2 - 12, Classification and Compensation by deleting Sections 11A through 11E in its entirety and inserting the new Sections 11A through 11E as printed in the Special Town Meeting Informational Warrant along with the amendments made above.

ARTICLE 28: To see if the Town will vote to transfer \$33,295 from Free Cash to supplement appropriations previously voted in Article 5 of the May 3, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for Budget 220 – Fire/Ambulance to fulfill a contractual obligation; or take any other action in relation thereto.

Proposed by the Fire Chief

Explanation: These funds are requested to provide payment for unused sick and vacation time per the collective bargaining agreement for an employee that will be retiring on accidental disability in Fiscal Year 2022.

Finance Committee recommends.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED Aye, voice to transfer from Free Cash the sum of \$33,295 for a collective bargaining agreement obligation.

ARTICLE 29: To see if the Town will vote to transfer from Free Cash the sum of \$36,627.00 to supplement the May 3, 2021 Annual Town Meeting Article 5, Line 40 - Fire & Ambulance Salaries to hire a firefighter/paramedic; or take any other action in relation thereto.

Proposed by the Fire Chief

Explanation: These funds are being requested to hire a firefighter/paramedic while we await the accidental disability retirement of a current member. This request will allow the new hire to begin training and attend the fire academy.

Finance Committee recommends.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED Aye, voice to transfer from Free Cash the sum of \$36,627 to fund the salary of an existing member at the Fire Department.

ARTICLE 30: To see if the Town will vote to insert a new section to the General Bylaws, Article 2 - 1, as shown below, and renumbering Section 1 of Article 2 – 1 to Section 1A.; or take any other action in relation thereto.

Section 1B. No person shall be appointed to serve on any Town board, committee or commission unless that person's primary domicile is in the Town of Hanson. Any person serving as a member of a board, committee or commission who, during the term of office for which appointed, ceases to be a resident of the Town, shall be immediately deemed to

have a vacated membership. Exceptions may be considered for a period of no more than 6 months at the sole discretion of the appointing authority, whose decision will be final. Upon passage, all current board and committee shall be required to show proof of residency. Proof of residency shall be determined by town clerk.

Proposed by the Board of Selectmen

Explanation: This article will ensure that all appointed volunteers have their primary residence in Hanson.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice to insert a new section to the General Bylaws, Article 2 - 1, as printed in the Special Town Meeting Informational Warrant, and renumbering Section 1 of Article 2 – 1 to Section 1A.

ARTICLE 31: To see if the Town will vote to transfer \$20,194.72 from the amount appropriated under Article 5, Line 6 of the July 29, 2020 Annual Town Meeting (Water Utility Truck) to purchase a new vacuum trailer for the Water Department; or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

Explanation: The balance of this article will be used to purchase a new vacuum trailer for the Water Department. The current one is over twenty (20) years old and can no longer be serviced. This is a vital piece of equipment which is used to clean out debris from gate boxes.

Finance Committee recommends.

Motion: Sean Kealy

Second: Matthew Dyer

VOTED Aye, voice to transfer \$20,194.72 from the amount appropriated under Article 11, Line 6 of the July 29, 2020 Annual Town Meeting to purchase a new vacuum trailer for the Water Department.

ARTICLE 32: To see if the Town will vote to transfer \$325,464.47 from the amount appropriated under Article 5 of the October 1, 2018 Special Town Meeting (Water Meters) to replace Well #1 at the Crystal Spring Wellsite; or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

Explanation: The deep well at the Crystal Spring Wellfield needs to be decommissioned, capped and replaced with a new well. This well will be located in approximately the same vicinity.

Finance Committee recommends.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED Aye, voice to transfer \$325,464.47 from the amount appropriated under Article 5 of the October 1, 2018 Special Town Meeting to replace Well #1 at the Crystal Spring Wellsite.

ARTICLE 33: To see if the Town will vote to transfer \$500,000 from Water Surplus to be added to funds appropriated under Article 23 of the May 4, 2015 Annual Town Meeting for the continuation of water exploration: or take any other action in relation thereto.
Proposed by the Board of Water Commissioners

Explanation: The Town is currently in the process of exploring a new well site off Old Pine Drive. This money will get us into the next phase of permitting and submittals for further approvals from Mass DEP and preparing a budget for pilot testing as well as the design for a new water treatment plant.

Finance Committee recommends.

Motion: Sean Kealy
Second: Matthew Dyer

VOTED Aye, voice to transfer \$500,000 from Water Surplus to be added to funds appropriated under Article 23 of the May 4, 2015 Annual Town Meeting for the continuation of water exploration.

ARTICLE 34: To see if the Town will Vote for Non-Binding Resolution supporting a vote by the Hanson Board of Selectmen (the appointing authority for the members of the Zoning Board of Appeals), To remove all current members of that Board (including Alternate Members) at their first public meeting, following the close of this Town Meeting, etc.

Citizens' Petition proposed by Kevin Cohen, et al.

Finance Committee refer to Town Meeting

Motion: Kevin Cohen
Second: Unknown

VOTED Aye, voice for Non-Binding Resolution supporting a vote by the Hanson Board of Selectmen (the appointing authority for the members of the Zoning Board of Appeals), To remove all current members of that Board (including Alternate Members) at their first public meeting, following the close of this Town Meeting

ARTICLE 35: To see if the Town will vote to amend the Town of Hanson Zoning Bylaws, expressly contingent on an affirmative vote by the Town residents at the at the annual town election to be decided by the town clerk, by amending Section VI, subsection M, Marijuana Establishments, as to Permit Marijuana Retailers in all districts or take any other action relative thereto, by making the following changes thereto, by deleting the text shown with a ~~strike through~~, and inserting the text shown in *italics*:

M SPECIAL REQUIREMENTS FOR MARIJUANA ESTABLISHMENTS

1. Purposes

- A. To ~~prohibit~~ *permit* Marijuana Retailers in the Town of Hanson in all zoning districts.
- B. To provide for the establishment of Marijuana Establishments, ~~excluding~~ *Including* Marijuana Retailers, in appropriate places and under strict conditions in accordance in accordance with the Regulation and Taxation of Marijuana Act, as amended, and as codified in G.L. c. 94G, §1, *et seq.*, and the Cannabis Control Commission (CCC) Regulations promulgated thereunder, 935 CMR 500.000, as the same may be amended from time-to-time.
- C. To minimize the adverse impacts of Marijuana Establishments on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Establishments.
- D. To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Marijuana Establishments, ~~excluding~~ *including* Marijuana Retailers.

2. Applicability

- A. Marijuana Retailers shall be ~~prohibited~~ *permitted* in all zoning districts in the Town of Hanson.
- B. The commercial cultivation, production, processing, assembly, packaging, *retail* or wholesale sale, trade, *or distribution or dispensing* of Marijuana as regulated pursuant to G.L. c. 94G is ~~prohibited~~ *permitted* unless ~~permitted~~ *prohibited* as a Marijuana Establishment under this Section VI.M.
- C. No Marijuana Establishment shall be established except in compliance with the provisions of this Section VI.M.
- D. Nothing in this Bylaw shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

E. If any provision of this Section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Section are severable.

3. Definitions

Craft Marijuana Cultivator Cooperative - shall mean a marijuana cultivator comprised of residents of the commonwealth organized as a limited liability company or limited liability partnership under the laws of the commonwealth, or an appropriate business structure as determined by the commission, and that is licensed to cultivate, obtain, manufacture, process, package and brand marijuana and marijuana products to deliver marijuana to marijuana establishments but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Cultivator - shall mean an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Establishment - shall mean considered a cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, all as defined the Massachusetts General Laws, Chapter 94G, said Marijuana Establishments shall be deemed independent of any other definition in this by-law and not a subset or subcategory of any other category.

Marijuana Product Manufacturer - shall mean an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Retailer - shall mean an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers, as defined the Massachusetts General Laws, Chapter 94G, further provided that Marijuana Retailers may not be considered Retail Business in any other context.

Marijuana Testing Facility - shall mean an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants, as defined the Massachusetts General Laws, Chapter 94G.

4. Eligible Locations for Marijuana Establishments.

Marijuana Retailers may be allowed by Special Permit from the Town of Hanson Board of Selectmen only in the Marijuana Retail Area Overlay District, which is comprised of the following locations, those areas in the Town of Hanson zoned as the Business District and which also have frontage on Route 27, Franklin Street and Main Street, as depicted on a plan entitled Proposed Marijuana Retail Area Overlay District Plan, Job Number , prepared by Land Planning, Inc. of Hanson, Massachusetts, provided the facility meets the requirements of this Section VI.M. shall be ~~prohibited~~ permitted in the Town of Hanson.

Marijuana Establishments, expressly excluding Marijuana Retailers, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations: Assessors Map 59 Lots 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-10, 17-11, 17-12, 17-13, Assessors Map 52 Lot 17-16, as depicted on a plan entitled Marijuana Distribution Area Overlay District Plan, Job Number P-2967, prepared by Land Planning, Inc. of Hanson, Massachusetts, provided the facility meets the requirements of this Section VI.M.

5. General Requirements and Conditions for all Marijuana Establishments.

A. All Marijuana Establishments shall be contained within a building or structure.

B. No Marijuana Establishment may be located within 1,000 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12.

C. No Marijuana Establishment shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet.

D. A Marijuana Establishment shall not be located in buildings that contain any medical doctors in excess of 20,000 square feet.

E. The hours of operation of Marijuana Establishments shall be set by the Special Permit Granting Authority, but in no event shall said Establishments be open and/or operating between the hours of 8:00 PM and 8:00 AM.

F. No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Marijuana Establishment.

G. No Marijuana Establishment shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

H. Marijuana Establishments shall provide the Hanson Police Department, Building Commissioner and the Special Permit Granting Authority with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment.

6. Special Permit Requirements

A. A Marijuana Establishment shall only be allowed by special permit from the Town of Hanson Board of Selectmen in accordance with G.L. c. 40A, ~~except Marijuana Retailers which are prohibited.~~

B. A special permit for a Marijuana Establishment shall be limited to one or more of the uses that shall be prescribed by the Special Permit Granting Authority as defined in the definitions section above.

C. In addition to the application requirements set forth in Sections VI.M.5 and VI.M.6 of this Bylaw, a special permit application for a Marijuana Establishment shall include the following:

1) the name and address of each owner of the facility;

- 2) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Establishment;
- 3) evidence of the Applicant's tenancy or ownership of the site for the Establishment, such as a deed or lease;
- 4) if the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
- 5) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- 6) Proposed security measures for the Marijuana Establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.

D. Mandatory Findings. The Special Permit Granting Authority shall not issue a special permit for a Marijuana Establishment unless it finds that:

- 1) the Marijuana Establishment is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, § 9.
- 2) the Marijuana Establishment demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
- 3) the applicant has satisfied all of the conditions and requirements of Sections VI.M.5 and VI.M.6 herein;

E. Annual Reporting. Each Marijuana Establishment permitted under this Bylaw shall as a condition of its special permit file an annual report to and appear before the Special Permit Granting Authority and the Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the Marijuana Establishment and/or its owners and demonstrate continued compliance with the conditions of the Special Permit.

F. A special permit granted under this Section shall have a term limited to the duration of the applicant's state approval as a Marijuana Establishment. A special permit may be transferred only with the approval of the Special Permit Granting Authority in the form of an amendment to the special permit with all information required in this Section VI-M.

G. The Board shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Marijuana Establishment in the event the Town must remove the Marijuana Establishment. The value of the bond shall be based upon the ability to completely remove all the items associated with the Marijuana Establishment and properly clean the facility at prevailing wages. The value of the bond shall be developed based upon the applicant providing the Town of Hanson Board of Selectmen with three (3) written bids to meet the noted requirements. An incentive factor of 1.5 shall be applied to all bonds to ensure compliance and adequate funds for the town to remove the Marijuana Establishment at prevailing wages.

7. Abandonment or Discontinuance of Use

A. A Special Permit shall lapse if not exercised within one year of issuance.

B. A Marijuana Establishment shall be required to remove all material, plants equipment and other paraphernalia:

- 1) prior to surrendering its state issued licenses or permits; or
- 2) within six months of ceasing operations; whichever comes first.

This section shall be effective only upon passage by the voters at the Annual Town Election.

Or take any other action in relation thereto.

Citizens' Petition proposed by Frank Milisi, et al.

Requires a 2/3 majority vote

Finance Committee recommends.

Motion: Frank Milisi

Second: Joseph O'Sullivan

VOTED Aye, voice to pass over Article 35.

ARTICLE 36: To see if the Town, expressly contingent on an affirmative vote by the Town residents at the annual town election to be decided by the town clerk, will vote to amend the Town of Hanson General Bylaws by amending Part 3 - Articles Relating to the General Public, by amending section Article 3-24 - Marijuana Retailers, to permit Marijuana Retailers in the Town of Hanson by making the following changes thereto, by deleting the text shown with a ~~strike through~~, and inserting the text shown in *italics*:

ARTICLE 3 -24 – Marijuana Retailers

Section 1.

Consistent with G.L. c. 94G, § 3(a)(2), “marijuana retailers” as defined in G.L. c. 94G, § 1 shall be ~~prohibited~~ *permitted* within the Town of Hanson.

~~Section 2.~~

~~This prohibition shall not apply to a Medical Marijuana Dispensary as defined in Section VI, L. 3. of the Town of Hanson Zoning Bylaws.~~

~~Section 3.~~

~~This By-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to Massachusetts General Laws Chapter 40, section 21, as amended, or by noncriminal disposition pursuant to Massachusetts General Laws Chapter 40, section 21D, as amended, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this By-law shall be \$300.00 for each offense.~~

This section shall be effective only upon passage by the voters at the Town Election on May of 2022

; or take any other action in relation thereto.

Citizens' Petition proposed by Frank Milisi et al.

Finance Committee recommends.

Motion: Frank Milisi

Second: Joseph O'Sullivan

VOTED Aye, voice to pass over Article 36.

ARTICLE 37: To see if the Town, expressly contingent on an affirmative vote by the Town residents at the local Town special meeting, will vote to amend the Town of Hanson General Bylaws by amending Part 2-1 - General Provisions Governing All Municipal Bodies, by adding a new Sec 16 – Committee and board resident eligibility, to prohibit Non-Residents in the Town of Hanson from being appointed to any Committee and/or Board, as follows:

Section 16.

No person shall be appointed or elected to any Town board or committee unless the individual is a registered voter in the Town of Hanson.

Upon passage all current board and committee appointed or elected officials shall be required to show proof of residency and voter registration. Proof of residency can be determined by town clerk.

This section shall be effective only upon passage by the voters at the special town meeting on October 4th 2021.

Citizens' Petition proposed by Frank Milisi, et al.

Finance Committee recommends.

Motion: Frank Milisi

Second: Joseph O'Sullivan

VOTED Aye, voice to pass over Article 37.

Voted Aye, voice to dissolve sine die the meeting at 10:01 PM

A true copy of the vote, Attest:

**Elizabeth Sloan, CMC, CMMC
Town Clerk**