

Town of Hanson
542 Liberty Street, Hanson, MA 02341

May 2003 Special Town Meeting

Special Town Meeting
May 5, 2003

Moderator Charles W. Mann called the meeting to order at 7:40 p.m. in the auditorium of the Middle School with James Armstrong, Robert Hayes and Mark Gallivan appointed and sworn in to serve as tellers.

Town Counsel was Richard Bowen of the firm of Kopelman and Paige.

There was a quorum present with 302 voters in attendance.

ARTICLE 1: To see if the Town will vote to transfer from free cash a sum of money to be added to Article 5 of the May 2002 Annual Town Meeting Line 99, Communication Center Dispatchers or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The dispatchers contract was settled in late September 2002. The funds are needed to accommodate retroactive wages and an annual percentage increase of 2%.

Finance Committee recommends.

VOTED Aye unanimous to transfer from Free Cash a sum of \$30,000.00 to be added to Article 5 of the May 2002 Annual Town Meeting Line 99, Communication Center Dispatchers.

ARTICLE 2: To see if the Town will vote to transfer from free cash and/or transfer from the October 1999 Special Town Meeting, Article 6 - Plymouth County Hospital Sitework, and/or transfer from Stabilization Fund the sum of Fifteen Thousand (\$15,000.00) dollars for the purpose of Storm Water Management Planning and mapping or take any other action in relation thereto.

Proposed by the Drainage Committee

Explanation: This article will allow the Town to start the process of mapping the Drainage System for Storm Water Management and will set the foundation to be in compliance with the Federal Storm Water Management Regulations. The Storm Water Management program is federally mandated. Failure to comply could result in fines in excess of \$7,000 per day.

Finance Committee recommends.

VOTED Aye unanimous to transfer from Free Cash the sum of \$15,000.00 dollars for the purpose of Storm Water Management Planning and Mapping.

ARTICLE 3: To see if the Town will vote to transfer from Free Cash and/or transfer from the 2002 Annual Town Meeting, Article 5, Line 3, Interest a sum of money to be added to

Article 5, Line 106 Highway Other Wages, or take any other action in relation thereto.

Proposed by the Highway Surveyor

Explanation: This is to replenish the overtime line for the Highway Department. It was depleted due to the record

snowfall this winter.

Finance Committee recommends.

VOTED Aye unanimous to Pass Over.

ARTICLE 4: To see if the Town will vote to transfer a sum of money from available Free Cash and/or transfer from the 2002 Annual Town Meeting, Article 5, Line 3, Interest and/or transfer from 2002 Annual Town Meeting, Article 5, Line 94, Tuition and Other Transportation, to be added to the 2002 Annual Town Meeting, Article 5, Line 108, Town Gasoline or take any other action in relation thereto.

Proposed by the Highway Surveyor

Explanation: These funds are needed as a result of the increase in gasoline prices. The estimated amount is \$12,000.00, which covers all town owned vehicles.

Finance Committee recommends.

VOTED Aye unanimous to transfer \$12,000.00 from the 2002 Annual Town Meeting, Article 5, Line 3, Interest, to be added to the 2002 Annual Town Meeting, Article 5, Line 108, Town Gasoline.

ARTICLE 5: To see if the Town will vote to transfer the sum of \$2751.45 from the 2002 May Annual Town Meeting Article 5, Line 91, Recreation Wages and the sum of \$1,903.75 from Article 5, Line 3, Interest to be added to the 2002 May Annual Town Meeting, Article 5, Line 30, Clerical Wages or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: These funds are for wages paid to the Administrator to the Recreation Commission as a result of the Joint Labor Relations decision to transfer the position from Wage and Personnel to the Clerical Union.

Finance Committee recommends .

VOTED Aye unanimous to transfer the sum of \$2,751.45 from the 2002 May Annual Town Meeting Article 5, Line 91, Recreation Wages and the sum of \$1,903.75 from Article 5, Line 3, Interest to be added to the 2002 May Annual Town Meeting, Article 5, Line 30, Clerical Wages.

ARTICLE 6: To see if the Town will vote to transfer a sum of money from the 2002 May Annual Town Meeting Article 5, Line 89, Library Other Wages to be added to the 2002 May Annual Town Meeting, Article 5, Line 30, Clerical Wages or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: These funds are for wages paid to the Technical Services Librarian as a result of the Joint Labor Relations decision to transfer the position from Wage and Personnel to the Clerical Union.

Finance Committee recommends.

VOTED Aye, voice to transfer the sum of \$3,896.64 from the 2002 May Annual Town Meeting Article 5, Line 89, Library Other Wages to be added to the 2002 May Annual Town Meeting, Article 5, Line 30, Clerical Wages.

ARTICLE 7: To see if the Town will vote to transfer a sum of money from available Free Cash and/or transfer from the October 1999 Special Town Meeting, Article 6 Plymouth County Hospital Sitework, to be added to the 2002 Annual Town Meeting Article 5, Line 14 Legal Expenses or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: These funds are necessary to replenish the Legal Line due to expenses incurred relative to cases involving,

among others, the Board of Health, settlement of the Baran Agreement, and Special Counsel regarding Conservation Land issues. It will also provide funds to cover the remaining two months of fiscal year 2003. Approximate cost \$50,000.00.

Finance Committee recommends.

VOTED Aye unanimous to transfer the sum of \$50,000.00 from the October 1999 Special Town Meeting, Article 6 Plymouth County Hospital Sitework, to be added to the 2002 Annual Town Meeting Article 5, Line 14 Legal Expenses

ARTICLE 8: To see if the Town will vote to transfer a sum of money from free cash and/or the 2002 Annual Town Meeting, Article 5, Line 3, Interest and/or transfer from 2002 Annual Town Meeting, Article 5, Line 94, Tuition and Other Transportation, to be added the May 2002 Annual Town Meeting, Article 5, Line 7, Town Insurance or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: The requested amount will be used to cover professional bonds and adjustments to coverage. The estimated amount for this request is \$2,000.00.

Finance Committee recommends.

VOTED Aye unanimous to transfer the sum of \$2,000.00 from the 2002 Annual Town Meeting, Article 5, Line 3, Interest, to be added the May 2002 Annual Town Meeting, Article 5, Line 7, Town Insurance.

ARTICLE 9: To see if the Town will vote to transfer a sum of money from available Free Cash and/or transfer from the 2002 Annual Town Meeting Article 5, Line 79 Elder Affairs Wages to be added to the 2002 Annual Town Meeting Article 5, Line 31 Selectmen Expenses or take any other action in relation thereto.

Proposed by the Board of Selectmen
And the Council of Elder Affairs

Explanation: This transfer is requested to reimburse the Selectmen for educational reimbursements for the Director of Elder Affairs. Estimated amount: \$528.00.

Finance Committee recommends.

VOTED Aye unanimous to transfer the sum of \$528.00 from the 2002 Annual Town Meeting Article 5, Line 79 Elder Affairs Wages to be added to the 2002 Annual Town Meeting Article 5, Line 31 Selectmen Expenses.

ARTICLE 10: To see if the Town will vote to transfer a sum of money from available Free Cash and/or transfer from the 2002 Annual Town Meeting Article 5, Line 94 Other Tuition and Transportation to be added to the 2002 Annual Town Meeting Article 5, Line 20 Town Building Expenses or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This transfer is requested to replenish the Town Building Expense line, which includes custodial supplies and maintenance repairs for the Town Hall, Senior Center and Library. Estimated amount: \$2,500.00.

Finance Committee recommends.

VOTED Aye unanimous to transfer the sum of \$2,500.00 from available Free Cash to be added to the 2002 Annual Town Meeting, Article 5, Line 20, Town Building Expenses.

ARTICLE 11: To see if the Town will vote to transfer from Free Cash and/or transfer from the 2002 Annual Town Meeting, Article 5, Line 3, Interest a sum of money to be added to Article 5, Line 19 Town Hall Custodian, or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: These funds are necessary to replenish the custodian salary line to coverage overtime expenses. Estimated amount \$500.00

Finance Committee recommends

VOTED Aye unanimous to transfer the sum of \$500.00 from Free Cash to be added to Article 5, Line 19 Town Hall Custodian..

ARTICLE 12: To see if the Town will vote to transfer a sum of money from available Free Cash and/or transfer from the October 1999 Special Town Meeting, Article 6 Plymouth County Hospital Sitework, to be added to the 2002 Annual Town Meeting Article 5, Line 31 Selectmen Expenses or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: These fund are needed to pay for actuary services performed by PriceWaterHouseCoopers to determine whether it was financially feasible for the Town to offer an early retirement incentive to its employees. Estimated cost \$2,000.00

Finance Committee holds.

VOTED Aye, voice to transfer the sum of \$2,000.00 from the October 1999 Special Town Meeting, Article 6 Plymouth County Hospital Sitework, to be added to the 2002 Annual Town Meeting Article 5, Line 31 Selectmen Expenses.

ARTICLE 13: To see if the Town will vote to transfer from Free Cash and or transfer from the 2002 May Annual Town Meeting Article 5, Line 3, Interest a sum of money to be added to Article 5, Line 98, Police Expenses or take any other action in relation thereto.

Proposed by the Police Chief

Explanation: This is necessary to complete the fiscal year. Estimated amount \$5,000.00

Finance Committee holds.

VOTED Aye unanimous to transfer the sum of \$1,500.00 from Free Cash to be added to the May 2002 Annual Town Meeting, Article 5, Line 98, Police Expenses.

ARTICLE 14: To see if the Town will vote to transfer a sum of money from the 2002 Annual Town Meeting Article 5, Line 72, Disposal Area Wages, to be added to Article 5, Line 74, Disposal Operations or take any other action in relation thereto.

Proposed by the Board of Health

Explanation: It is necessary to transfer these funds to cover the part time employees' additional hours in the absence of a disposal area attendant. Estimated cost if \$8,600.00.

Finance Committee recommends.

VOTED Aye unanimous to transfer \$8,600.00 from the 2002 Annual Town Meeting Article 5, Line 72, Disposal Wages, to be added to Article 5, Line 74, Disposal Operations.

ARTICLE 15: To see if the town will vote to appropriate a sum from free cash and/or stabilization funds to be added to the May 2002 Annual Town Meeting Article 5 as follows:

Line 102 Support staff full-time

Or take any other action relative thereto

Proposed by the Fire Chief

Explanation: These expenses are the result of the increase in fires and serious calls over the last year. \$24,000.00.

Finance Committee holds.

VOTED Aye, voice to appropriate \$12,000.00 from Free Cash to be added to the May 2002 Annual Town Meeting, Line 102, Support Staff Full-time.

ARTICLE 16: To see if the town will vote to appropriate a sum from free cash and/or stabilization funds to be added to the May 2002 Annual town Meeting article 5 as follows:

Line 103 Support staff part-time

Or take any other action relative thereto

Proposed by the Fire Chief

Explanation: These expenses are the result of the increase in fires and serious calls over the last year, \$2,200.00.

Finance Committee holds.

VOTED Aye unanimous to Pass Over.

ARTICLE 17: To see if the Town will vote to transfer a sum of money from Free Cash and/or Stabilization a sum of money to conduct a classification review of all clerical union and non-union positions or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: Pursuant to contract negotiations with the Clerical Union, the Board submits this article to conduct a classification review of all union and non-union positions.

Finance Committee does not recommend.

Voted Nay, voice to transfer \$25,000.00 from Free Cash to conduct a classification review of all clerical union and non-union positions.

ARTICLE 18: To see if the Town will vote to transfer the sum of \$5,145.25 from the Article 12 of the October 1999, Special Town Meeting, Executive Secretary and Fire Chief Search Committee to be returned to the general treasury or take any other action in relation thereto.

Proposed by the Finance Committee

Explanation: The Finance Committee feels that in troubled financial times it would be better to return this money to the general fund.

Finance Committee recommends.

VOTED Aye unanimous to transfer the sum of \$5,145.25 from the 1999 October Special Town Meeting, Article 12, Executive Secretary and Fire Chief Search Article, to return these funds to the General Treasury.

ARTICLE 19: To see if the Town will vote to amend the Wage and Personnel By-Laws, Article 2-12. Classification and Compensation, Section 12B; Eligibility for Benefits by deleting sub-section b. and inserting a new sub-section b. as follows:

- Employees classified as permanent part-time and working a regular

Schedule of 15 hours or more per week are eligible for fringe benefits provided in this section of the By-Law on a pro-rata basis.

or take any other action in relation thereto.

Proposed by Wage & Personnel

Explanation: This brings the benefits for vacation, sick and personal time for these employees in line with the Clerical contract. This article does not include health benefits

Finance Committee recommends

VOTED Aye 98, Nay 119 (motion defeated) Article 19 as printed in the warrant.

ARTICLE 20: To see if the Town will vote to amend the Wage and Personnel By-Law, Article 2-12 Classification and Compensation, Section 12 C, Holiday Schedule sub-section e. by adding the following sentence.

Part time employees will receive holiday pay only if scheduled for work on that day of the week and on a pro-rata basis.

or take any other action in relation thereto.

Proposed by Wage & Personnel

Explanation: This is the same language as appears in the clerical union contract.

Finance Committee recommends.

VOTED Aye, voice as printed in the warrant.

ARTICLE 21: To see if the Town will vote to amend the Wage and Personnel By-Law, Article 2-12, Classification and Compensation, Section 15 by adding the title “**Highway Contract**” or take any other action in relation thereto.

Proposed by Wage & Personnel

Explanation: This is a housekeeping issue to properly title the section.

Finance Committee refers to Town Meeting.

VOTED Aye unanimous Article 21 as printed in the warrant.

ARTICLE 22: To see if the Town will vote to amend the Wage and personnel By-Laws, Article 2-12, Classification and Compensation by deleting the following positions:

SECTION 11B: ADMINISTRATIVE AND/OR FULL TIME

E. Technical Service Librarian

G. Administrator to the Recreation Commission

SECTION 11 C: PART TIME POSITIONS

R. Program Director

U. Custodian

and further by deleting Sections 11A through 11E in its entirety and inserting the new Sections 11A through 11E as printed below:

Wage & Personnel 2003 Recommendations

SECTION 11 A: PROFESSIONAL POSITIONS

7/1/02

7/1/03

- | | | |
|-----------------------------|------------------|------------------|
| • Director of Elder Affairs | 32,037 to 44,125 | 32,000 to 48,500 |
| • Town Accountant | 40,000 to 53,511 | 40,000 to 60,000 |
| • Treasurer/Collector | 40,000 to 54,117 | 40,000 to 60,000 |
| • Inspectors of Building | 35,000 to 48,000 | 35,000 to 55,000 |
| • Health Agent | 34,000 to 46,000 | 35,000 to 55,000 |

SECTION 11 B: ADMINSTRATIVE AND/OR FULL TIME

7/1/02

7/1/03

- | | | |
|--------------------------------|--------------------|--------------------|
| • Executive Assistant | 15.00-24.00 | 15.00 to 24.00 |
| • Assistant to Police Chief | 13.00- 17.42 | 15.00 to 22.00 |
| • Veterans Agent | 7,480 to 12,421 yr | 7,480 to 12,421 yr |
| • Reference Librarian | 16.00 to 19.00 | 16.00 to 22.00 |
| • Youth Service Librarian | 16.00 to 19.00 | 16.00 to 22.00 |
| • Animal Control Officer | 12.20 to 13.80 | 12.20 to 14.22 |
| • Van Drivers/Aide | 8.00 to 12.36 | 8.00 to 12.73 |
| • Social Day Care Coordinator* | 14.00 to 16.48 | 14.00 to 16.97 |

SECTION 11 C: PART TIME POSITIONS

7/1/02

7/1/03

- | | | |
|-------------------------------------|-----------------------|----------------|
| • Assistant Inspector of Building | 13.00 to 16.97 | 13.00 to 17.31 |
| • Gas Inspector | 13.00 to 16.97 | 13.00 to 17.31 |
| • Plumbing Inspector | 13.00 to 16.97 | 13.00 to 17.31 |
| • Wiring Inspector | 13.00 to 16.97 | 13.00 to 17.31 |
| • Civil Defense Director | 932 to 1,060 | 932 to 1081 |
| • Police Matron | 8.28 to 9.66 | 8.28 to 9.85 |
| G. Outreach/Seniors* | 11.00 to 16.48 | 11.00 to 16.81 |
| H. Assistant Coordinator* | 8.00 to 12.36 | 8.00 to 12.61 |
| I. Volunteer Services | | |
| Intergenerational Coordinator* | 9.50 to 13.91 | 9.50 to 14.19 |
| J. Community Recreation Coordinator | 8.76 | 8.94 |
| K. Volunteer Driver* | 25.00 per day stipend | 25.00 per day |
| L. Animal Inspector | 1,025 to 1,231 | 1,025 to 1,256 |
| M. Election Clerk | 6.51 to 8.08 | 6.51 to 8.24 |
| • Election Officer | 6.30 to 7.83 | 6.30 to 7.99 |
| • Election Warden | 6.95 to 8.59 | 6.95 to 8.76 |
| • Registrar of Voters | 8.03 to 9.80 | 8.03 to 10.00 |

• Assistant Caretaker**	8.00 to 14.00	8.00 to 14.28
• Sealer of Weights & Measurers	2,500.00 yr	2,550.00 yr
• Milk Inspector	140 to 166 yr	140 to 169 yr
• Assistant Veterans Agent	9.61 to 11.89	9.61 to 12.13
U. Finance Comm. Secretary	8.61 to 10.35	8.61 to 10.56
V. Emergency Clerical Labor	8.61 to 10.35	8.61 to 10.56

SECTION 11D: SEASONAL POSITIONS

	<u>7/1/02</u>	<u>7/1/03</u>
A. Beach Director	11.67 hr	11.90 hr
B. Water Safety Instructor	9.56 hr	9.75 hr
C. Lifeguards	8.49 hr	8.66 hr
D. Boat Coordinator	7.71 hr	7.86 hr
E. Boating Instructor	14.00 hr	14.28 hr
F. Concession Worker	Fed. Min	Fed Min
G. Recreation Assistant	Fed Min	Fed Min
H. Security	12.34 hr.	12.59 hr

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

** Positions are funded through the Recreation Commission's revolving account.

SECTION 11E: CALL FIREFIGHTERS/OFFICERS

	<u>7/1/02</u>	<u>7/1/03</u>
First year Call Firefighters	Tours 13.10 hr	13.36 hr.
Drills	11.71 hr.	11.94 hr.
Details	19.66 hr.	20.05 hr.
First year Call EMT	Tours 13.80 hr.	14.08 hr.
Drills	12.39 hr	12.64 hr
Details	19.66 hr	20.05 hr
Second year Call Firefighters	Tours 13.80 hr.	14.08 hr.
Drills	12.39 hr	12.64 hr
Details	19.66 hr	20.05 hr

	<u>7/1/02</u>	<u>7/1/03</u>
Second year Call EMT	Tours 14.48 hr	14.77 hr
Drills	13.10 hr.	13.36 hr.
Details	21.84 hr.	22.28 hr.
Call Lieutenants	Tours 15.19 hr.	15.49 hr.
Drills	13.80 hr.	14.08 hr.
Details	22.76hr.	23.22 hr.
Call Lieutenants EMT	Tours 15.88 hr.	16.20 hr.
Drills	14.48 hr.	14.77 hr.
Details	23.80 hr	24.28 hr.

\$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.

Or take any other action thereto

Explanation: This article is voted yearly to set the ranges for Wage & Personnel employees

Finance Committee recommends.

VOTED Aye unanimous Article 22 as printed in the warrant and further amending it by adding to Section 11B “ADMINISTRATIVE AND/OR FULLTIME”,

	<u>7/1/02</u>	<u>7/1/03</u>	
I. CAMP KIWANEE CARETAKER	500 WEEK	515 WEEK	

ARTICLE 23: To see if the Town will vote to amend the Wage and Personnel By-Law Article 2-12, Classification and Compensation, by adding the following section:

SECTION 16. CLERICAL CONTRACT

All condition of employment, classification, compensation and fringe benefits for the Clerical-Administration staffs at the Town Hall, Fire Dept., Library, Senior Center and The Recreation Department shall be defined in the contract negotiated by AFMSCE, AFL-CIO State Council 93, Local 1700 and the Board of Selectmen.

or take any other action in relation thereto.

Proposed by Wage & Personnel

Explanation: This is an addition to the Wage & Personnel by-law to recognize the Clerical Union as a bargaining unit. All the other Town Unions are specifically recognized under this by-law.

Finance Committee refers to Town Meeting

VOTED Aye unanimous Article 23 as printed in the warrant.

ARTICLE 24: To see if the Town will vote to amend the Hanson General By-laws, Article 3-1 **Regulations of the Board of Health**, by adding a new section 4 as follows:

“Sec. 4. No person, except the Director of the Division of Fisheries and Wildlife or his agent or designee, as authorized pursuant to Chapter 131 of the General Laws, shall feed or bait any mammalian wildlife of the Order Mammalia (including, but not restricted to, coyotes, foxes, deer) at any place within the Town of Hanson. As used in this paragraph, “feeding” and “baiting” shall mean the placing, exposing, depositing, distributing or scattering of food or nutritive substances, in any manner of form, so as to constitute for such mammals a lure, attraction, or enticement to, on or over any such areas where such feed items have been placed, exposed, deposited, distributed or scattered.

Nothing in this bylaw shall be construed to limit the feeding of domesticated waterfowl, as defined by the Division of Fisheries and Wildlife, by one who farms as it is defined in Section 1A of Chapter 128 on property owned or leased by him, or the feeding of waterfowl or other birds by propagators licensed under Section 23 of Chapter 131 of the General Laws when such waterfowl or other birds are confined in such a manner as may be required pursuant to said Section 23 and any rules and regulations issued under authority thereof; or the feeding by any person or his agents, invitees or licensees of waterfowl lawfully kept as a pet by such person; or the feeding by any person of wild birds by use of a “backyard birdfeeder.”

Notwithstanding the above, the Director of the Division of Fisheries and Wildlife or his agent or designee may authorize the emergency feeding of waterfowl and other birds when, in his opinion, such action is necessary to alleviate undue losses and suffering of such birds due to unusual weather conditions and other circumstances. The Director may authorize such action by such means as he deems necessary and expedient, but such means shall include the immediate notification of the Selectmen thereof by first class mail.

Any person who violates any provision of this bylaw shall be subject to a fine of Fifty (\$50.00) Dollars for each offense.

This bylaw may be enforced by Police Officers, Animal Control Officers, Natural Resource Officers, agents of the Board of Health, Environmental Police Officers, and other enforcement officers of the Division of Law Enforcement, and Deputy Environmental

Police officers.”

Or take any other action in relation thereto.

Proposed by the Board of Health and
Board of Selectmen

Finance Committee refers to Town Meeting

VOTED Aye unanimous to amend the Hanson General By-laws, Article 3-1 Regulations of the Board of Health, by adding a new section 4 as follows:

“Sec. 4. No person, except the Director of the Division of Fisheries and Wildlife or his agent or designee, as authorized pursuant to Chapter 131 of the General Laws, shall feed or bait mammalian wildlife of the Order Mammalia (including, but not restricted to, coyotes, foxes, deer) at any place within the Town of Hanson. As used in this paragraph, “feeding” and “baiting” shall mean the placing, exposing, depositing, distributing or scattering of food or nutritive substances, in any manner of form, so as to constitute for such mammals a lure, attraction, or enticement to, on or over any such areas where such feed items have been placed, exposed, deposited, distributed or scattered.

Nothing in this bylaw shall be construed to limit the feeding of domesticated waterfowl, as defined by the Division of Fisheries and Wildlife, by one who farms as it is defined in Section 1A of Chapter 128 on property owned or leased by him, or the feeding of waterfowl or other birds by propagators licensed under Section 23 of Chapter 131 of the General Laws when such waterfowl or other birds are confined in such a manner as may be required pursuant to said Section 23 and any rules and regulations issued under authority thereof; or the feeding by any person or his agents, invitees or licensees of waterfowl lawfully kept as a pet by such person: or the feeding by any person of wild birds by use of a “backyard birdfeeder.”

Notwithstanding the above, the Director of the Division of Fisheries and Wildlife or his agent or designee may authorize the emergency feeding of waterfowl and other birds when, in his opinion, such action is necessary to alleviate undue losses and suffering of such birds due to unusual weather conditions and other circumstances. The Director may authorize such action by such means as he deems necessary and expedient, but such means shall include the immediate notification of the Selectmen thereof by first class mail.

Any person who violates any provision of this bylaw shall be subject to a fine of Fifty (\$50.00) Dollars for each offense.

This bylaw may be enforced by Police Officers, Animal Control Officers, Natural Resource Officers, agents of the Board of Health, Environmental Police Officers, and other enforcement officers of the Division of Law Enforcement, and Deputy Environmental Police officers.”

ARTICLE 25: To see if the Town will vote to amend the Town of Hanson General By-laws by adding a new section 16 to Article 2-1 “General Provisions Governing All Departments, Boards, Committees Commissions and Elected Officials” effective July 1, 2003 as follows:

Sec. 16. An “employee”, any person in the service of a governmental unit and who receives compensation for such services, whether such person be employed, appointed or elected by popular vote: provided, the duties of such person require less than 20 hours, regularly, in the service of the governmental unit during the regular work week shall not be eligible for coverage under the provisions of Chapter 32 of the Mass. General Laws.

or take any other action in relation thereto.

Proposed by the Finance Committee

Explanation: This by-law change means that under Chapter 32B Sec. 2, sub-section (D) of the Mass. General Laws, the Town of Hanson will not provide health insurance and/or life insurance coverage to persons employed, elected or appointed who do not work 20 hours or more per week.

Further Explanation: Town Counsel reports that Chapter 32B Sec. 2, sub-section (D) of the Mass. General Laws reserves to the Board of Selectmen the right to offer, or not to offer, health insurance and/or life insurance coverage to persons employed, elected or appointed who do not work 20 hours or more per week. Therefore, this must be considered as a non-binding resolution.

Finance Committee recommends to Pass Over.

VOTED Aye unanimous to Pass Over.

ARTICLE 26: To see if the Town will vote to continue to fund Group Health Insurance for elected Town Officials or take any other action in relation thereto.

Proposed by the Board of Assessors

Further Explanation: Town Counsel reports that without a funding source this article must be considered as a non-binding resolution.

Finance Committee does not recommend.

VOTED Aye unanimous to Pass Over.

ARTICLE 27: To see if the Town will accept Chapter 127, Section 59 of the Acts of 1999, adding General Law Chapter 59, Section 5K beginning Fiscal year 2004 or take any other action in relation thereto.

Proposed by the Board of Assessors

Explanation: This legislation creates a new local acceptance statute that allows the Board of Selectmen, with the approval of Town Meeting to establish a senior citizen property tax work-off program. G.L. Ch. 59 Sec. 5K under the program, participating taxpayers, who must be over 60 years old, volunteer their services to the municipality in exchange for a reduction of their tax bills. Seniors may earn a maximum reduction of \$750.00 per fiscal year, based on a rate per hour of services that cannot exceed the Commonwealth's minimum wage. The total amount shall not exceed \$10,000 to be paid from the overlay account.

Finance Committee recommends.

VOTED Aye, voice Article 27 as printed in the warrant.

ARTICLE 28: To see if the Town will vote to reduce the size of the Conservation Commission by reducing the number of seats from seven to five by abolishing one seat, the term of which expires in June 2003 and by abolishing one seat, the term of which expires in June 2004, or take any other action relative thereto.

Proposed by the Board of Selectmen
And the Conservation Commission

Explanation: The Conservation Commission has had difficulty maintaining a quorum as a seven-member commission. The reduction to five members should alleviate the quorum problem.

Finance Committee refers to Town Meeting.

VOTED Aye voice to reduce the size of the Conservation Commission by reducing the number of seats from seven to five by abolishing one seat, the term of which expires in June 2003, and by abolishing one seat, the term of which expires in June 2004

ARTICLE 29: To see if the Town will vote to accept an easement from C. & R. Doolittle, Inc. of 4 Crooked Meadow Lane, Hingham, MA for a certain parcel of land shown as Lot 3 on a plan of land entitled "Amended Definitive subdivision Plan of Land in the Town of Hanson, Massachusetts Anne Marie Lane" prepared for Northern Mortgage Co., Inc. by Ross Engineering Co., Inc. recorded with the Plymouth Registry of Deeds, Plan Book 45, Plan 787-2001 or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This easement is granted to the Town to provide access from Ann Marie Lane to the Plymouth County

Hospital Property.

Finance Committee refers to Town Meeting.

VOTED Aye, voice to accept an easement from C. & R. Doolittle, Inc. of 4 Crooked Meadow Lane, Hingham, MA for a certain parcel of land shown as Lot 3 on a plan of land entitled "Amended Definitive subdivision Plan of Land in the Town of Hanson, Massachusetts Anne Marie Lane" prepared for Northern Mortgage Co., Inc. by Ross Engineering Co., Inc. recorded with the Plymouth Registry of Deeds, Plan Book 45, Plan 787-2001__

ARTICLE 30: To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept the deed to the Town of a fee simple interest or lesser interest in all or a portion of the parcel of land described below, now or formerly owned by Ellen Stillman, Trustee of Lim Trust, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, for conservation purposes and future access, said parcel of land being described as follows:

Ten Form A lots located on the east side of Elm Street, Hanson, Plymouth County, Massachusetts containing 975,119 sq. ft. of land and further shown on a Plan recorded with the Plymouth Registry of Deeds at Plan Book 33, Plan 482, and described in the deeds recorded at Book 1738, page 50 and Book 3283, Page 664.

And, further to see if the Town will vote to authorize the Board of Selectmen to take all related actions necessary or appropriate to carry out this acquisition, and to authorize the Board of Selectmen to submit, on behalf of the Town, any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts or the United States under the Self-Help Act (Chapter 132A, § 11) and/or any other state or federal programs including those in aid of conservation land acquisition and to receive and accept such grants or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, or act or transact anything in relation thereto.

Proposed by the Open Space Committee

Explanation: This action, as currently negotiated, will allow the town to receive a fifty (50') foot wide easement for conservation and future access purposes at no cost to the Town. An agreement has been negotiated with the prospective buyer to have the Town release its right of First Refusal on this Chapter 61A registered land in return for the gift of the easement. Additionally the Board of Assessors has determined that \$64,311.36 in rollback taxes will be paid to the Town when the property is transferred.

Finance Committee recommends.

VOTED Aye, voice to authorize the Board of Selectmen to acquire by gift and to accept a grant of conservation easement to the Town of a portion of the parcel of land described below, now or formerly owned by Ellen Stillman, Trustee of Lim Trust, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, for conservation purposes and future access, said parcel of land being described as follows:

An Easement Area over Lots 1-10 and 1-9, containing 17,108 square feet and 8,589 square feet respectively, and further shown on a Plan entitled "Easement Plan", Prepared by McKenzie Engineering Group, Inc., Scale: 1" = 30'; Date: March 14, 2003.

And, further to see if the Town will vote to authorize the Board of Selectmen to take all related actions necessary or appropriate to carry out this acquisition, and to authorize the Board of Selectmen to submit, on behalf of the Town, any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts or the United States under the Self-Help Act (Chapter 132A, § 11) and/or any other state or federal programs including those in aid of conservation land acquisition and to receive and accept such grants or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, or act or transact anything in relation thereto.

ARTICLE 31: To see if the Town will vote to approve the Tax Increment Financing Plan and Agreement for a housing facility for Baran Partners and/or its designee Arbor House Associates Limited Partnership, at a site in the former County Hospital property located on a plan entitled "Plan of Land Showing Proposed Economic Opportunity Area (EOA) Overlay District located on High Street & Pierce Avenue Hanson, Massachusetts prepared for Vanasse Hangen Brustlin, Inc. 101 Walnut St. Watertown, Mass. September 12, 2001 Scale 1" = 200', as part of Exceptional Opportunity for increased economic development. The Agreement shall

be considered in return for location of a business and employment in the Town and a subsequent increase in the assessed value of the property based on improvements to said property by said business. The Agreement will provide for an exemption of property taxes or a percentage thereof based on said growth increment in assessed valuation of the property according to the requirements of M.G.L. Chapter 23A, Section 3E; Chapter 40, Section 59, and Chapter 59, Section 5, Clause 51, or take any further action relative thereto

Proposed by the Board of Assessors

Explanation: This article authorizes a Tax Increment Financing (TIF) plan between the Board of Assessors and the Board of Selectmen to enter into an agreement with a potential developer on the site of the old hospital only, and that the agreement requires the developer to pay an increasing tax payment over a period of twenty years until the developer is paying 100% of the taxes due. The justification for granting such a tax increment-financing plan is to gain for the Town of Hanson a twenty-year commitment to employment opportunities, and a forty-year commitment to affordable Assisted Living housing for the elderly. The October Special Town Meeting of 2001 voted its approval of a proposed model in Article 40. This Tax Increment Financing (TIF) plan is a major component, along with Federal and State investments in providing affordable assisted living care and housing for the elderly. A copy of the Agreement is on file with the Town Clerk.

Finance Committee holds.

VOTED Aye, voice Article 31 as printed in the Warrant.

VOTED Aye to dissolve the meeting at 9:10 p.m.

A true copy, Attest:

Sandra E. Harris, CMC, CMMC
Town Clerk