

Meeting Minutes of Regular Meeting of Hanover Board of Selectmen held at Town Hall on Monday, April 10, 2017 @ 6:00 PM.

Present were Chairman Brian Barthelmes, Vice-Chairman Susan Setterland (arrived at 6:46 p.m.), Selectmen, Robert S. O'Rourke, David R. Delaney and John C. Tuzik. Also present: Town Manager Troy B.G. Clarkson and Executive Assistant Ann Lee.

At 6:00 PM Chairman Barthelmes opened the meeting. Chairman Barthelmes asked for a moment of silence in recognition of the passing of the Town's former Town Clerk Robert Shea. Chairman Barthelmes asked if any member of the audience had any comment or discussion item for the Open Forum portion of the meeting; Ana Rego, Raj Patel, Jim Fitzpatrick and the owner of Home Spirits spoke in opposition of the Article on the 2017 Warrant regarding the addition of two Beer and Wine Licenses within the Town.

The Board met with Jane Beal from the Visiting Nurse Association who presented a check to the Board for the Parks & Recreation Summer Program; the Board voted to accept, with gratitude, a \$4,500 donation from the Visiting Nurse Association for the Parks and Recreation Summer Program in accordance with the Board's policy and MGL Ch. 44 § 53A.

The Board met with John Benevides regarding a Class II Auto License – Change of Ownership application. The Board voted to approve the change of ownership of the Class II Auto License issued to C.J.E. Corp. located at 697 Washington Street, from John L. Benevides to Eleanor A. Benevides as President.

The Board met with Joe Rull, John Galluzzo and Chris Martin members of the Sylvester/Salmond School Redevelopment Committee regarding the Town Meeting Article on the 2017 Warrant. The Committee noted the best re-use of Sylvester School is to make the school available for affordable housing and to retain the historic aspects of the building in the district if school qualifies for historic tax credits. The Committee will be recommending an Article at Town Meeting to replace the current Article that appears in the Warrant noting the Article contains language regarding the Salmond School which is not being considered at this time. The Committee noted there is a two acre lot behind Salmond School that could be sold off for revenue for the Town. The proposed Article reads *"To see if the Town will vote to transfer the sum of \$15,000 from certified free cash to provide funding for a consultant and architect to develop a simple feasibility report for RFP for the Sylvester School regarding federal and state historic tax credits eligibility."* The Board was in agreement to replace the Article. The Board agreed to meet with the Committee after Town Meeting to discuss the future charge of the Committee.

The Board met with Victor Diniak, Director of the Department of Public Works for a Department update. Mr. Diniak provided a PowerPoint presentation for the Board (attached).

The Board met with Steve Carroll from the Fireworks Site Focus Committee regarding obtaining Selectmen approval to retain the services of an environmental attorney for the Fireworks Site; the Committee chose Hinckley, Allen and Snyder, out of the three responses received from the RFP. The fees in the RFP cover through Phase III. Mr. Carroll noted the process is slow moving and DEP test results are not being shared. The TM noted consistent with the Board's policy the use of Counsel would be filtered through the Selectmen's Office. Chairman Barthelmes requested the topic be placed on the Board's next agenda for a vote.

The Board of Selectmen voted and declared they will honor the will of the citizens of Hanover as it relates to the color of Town Hall as expressed in the ballot vote on May 6, 2017.

The Board voted to open the Special and Annual Town Meeting Warrants. The Board discussed the Tax Increment Finance (TIF) Article in the Warrant and voted to schedule a Special Town Meeting in June to have a full opportunity to vet the Articles being removed from the Annual Town Meeting Warrant. The Economic Development Incentive Program Article and the Two Off Premise Liquor Licenses will be considered at a Special Town Meeting in June.

- The Board voted to remove Article 56 Economic Development Incentive Program from the Annual Town Meeting Warrant.
- The Board voted to remove Article 50 Two Off Premise site specific Liquor Licenses from the Annual Town Meeting Warrant.

Chairman Barthelmes noted the School Committee voted to support the establishment a Special Education Reserve Fund; which was proposed to be added to the Warrant at a prior meeting. Chairman Barthelmes made a motion to add an article to establish a Special Education Reserve Account to read *“To see if the Town will accept the provisions of Chapter 40, Section 13E of the Massachusetts General Laws permitting the School District to establish a Special Education Reserve Fund, or take any other action relative thereto.* Vice Chair Setterland second the motion. The Board inquired on a fund previously established which was not funded; the TM noted there was a Special Education Stabilization Fund established but has not been funded; the fund being discussed was created by the Municipal Modernization Act. John Geary, Chairman of the School Committee was present and noted the School Committee is endorsing this to be added to the Warrant. Ted Hickey, Chairman of the Advisory Committee was present and offered commentary on why the Selectmen should support this Article. The Board voted to include the Article in the Warrant.

The Board reviewed the commentary (attached) for Article 6 in the Special Town Meeting Warrant and voted to approve the commentary as given.

The Board voted to support the commentary (attached) for Article 23 (Rte 53) in the Annual Town Meeting Warrant as given.

The Board voted to support the motion/commentary (attached) for Article 29 (MGL Ch. 261A, Section 21A) in the Annual Town Meeting Warrant as given.

The Board voted to support the motion/commentary (attached) for Article 44 (speed limits) in the Annual Town Meeting Warrant as given.

The Board voted to support the motion/commentary (attached) for Article 61 (POW excise tax) in the Annual Town Meeting Warrant as given.

Chairman Barthelmes discussed with the Board removing the dollar amount and the funding source in Articles 58 and 59 School and Town Sick Leave Buy Back to allow other funding sources. The TM noted the source of funds is the Overlay Reserve; the Selectmen requested the funds be released by the Board of Assessors for a this purpose; this is a procedural concern; the Assessors were asked to release the monies for a specific purpose. Ted Hickey, Chair of the Advisory Committee provided comments on the process and reasons for the process explained by the Chair; asking that residents be able to vote at Town Meeting on this topic. Board members voiced concern with this information just being presented tonight and being asked to vote tonight; concerned with the process. The Board inquired on how the article would read; Mr. Hickey provided *"To see if the Town will vote to transfer a sum of money to the Sick Leave Buyback Reserve Fund, or take any other action relative thereto."* The Board discussed obtaining Town Counsel's opinion. Vice-Chair Setterland made a motion to support the work Advisory Committee and to have Articles 58 and 59 rewritten to read *"Mr. Hickey read the articles"* Article 58 *"To see if the Town will vote to transfer a sum of money to the School Sick Leave Buyback Fund, or take any other action relative thereto."* Article 59 *"To see if the Town will vote to transfer a sum of money to the Town Sick Leave Buyback Fund, or take any other action relative thereto."* Vice-Chair Setterland, yes; Chairman Barthelmes, yes; Selectman Tuzik, abstained; Selectman O'Rourke, nay; Selectman Delaney, nay. Vice-Chair Setterland requested the Articles be moved to the Special Town Meeting in June. Joan Port-Farwell asked the Board to consider that they are trying to get the residents involved with Town Meeting.

Chairman Barthelmes made a motion to modify Article 8 by striking \$200,000 and inserting "a sum of money" Vice-Chair Setterland, yes; Chairman Barthelmes, yes; Selectman Tuzik, abstained; Selectman O'Rourke, nay; Selectman Delaney, abstained. The Chair inquired on the outcome of the vote: the TM noted with a quorum of five voting members; with two abstentions it would require three affirmative votes. Chairman Barthelmes noted Article 8 will remain the same. *Please see Town Counsel's opinion attached (email dated April 12, 2017).*

Chairman Barthelmes made a motion to remove Article 12-Special Education Expenses from the Warrant all were in favor.

The Board voted to close the Special and Annual Town Meeting Warrants.

The Board voted to approve and signed the Special and Annual Town Meeting Warrants.

The Board voted to approve the Hanover Club-Anchor Race for Friday, May 19th from 5:00 p.m. – 8:00 p.m. at Forge Pond Park subject to the Board's policy.

The Board voted to approve the Board of Selectmen's 2015-2016 Annual Town Report.

The Board received a policy on the Rules & Regulations for Holders of Alcoholic Beverage Licenses.

The Board received a request and voted to accept the withdrawal of the Chapter 61A Notice of Intent to Sell for Other Use from Tracie Richardson regarding the property located on Hanover Assessors Map 64/Lot 14.

Anthony Marino, Director of Community Services met with the Board to discuss the Department of Community Services Re-organization. Mr. Marino provided the Board with information on inspections for the Conservation and Planning Offices and explained the history on the combined position. Brian McClone, Chairman of the Conservation Commission, Samantha Woods, Peter Moll, Jane Estabrooks, and Les Molyneaux spoke opposing combining the positions. The TM noted the budget reflects the re-organization and the Community Services budget will require an increase/staffing adjustments.

Town Manager Report:

- The Board received the TM weekly update via the Cloud.
- Build-a-Boards is working with the Town on a location; plans continue to move forward.
- The next meeting is April 24th at 6:00 p.m.

Meeting ended and adjourned at 9:02 PM.