

Meeting Minutes of Regular Meeting of Hanover Board of Selectmen held at Town Hall on Tuesday, January 2, 2018 @ 7:00 PM.

Present were Chairman David R. Delaney, Vice-Chair John C. Tuzik, Selectmen: Brian Barthelmes, Jocelyn Keegan and Emmanuel Dockter. Also present: Acting Town Manager (ATM) Anthony Marino and Executive Assistant Ann Lee.

At 7:00 p.m. Chairman Delaney opened the meeting and asked if any member of the audience had any comment or discussion item for the Open Forum portion of the meeting; no response.

At 7:00 p.m. Chairman Delaney read the Public Hearing Notice for Burke's Brewing Co., Inc. dba Burke's Alewerks. Notice is hereby given that the Hanover Board of Selectmen, acting as the Local Licensing Authority, will hold a Public Hearing at the Hanover Town Hall, Selectmen's Hearing Room, 1st Floor, 550 Hanover Street on Tuesday, January 2, 2018 at 7:00 p.m. on the application for a new Section 19C Farmer Series Pouring Permit at 200 Webster Street, Unit 3 filed by Burke's Brewing Co., Inc. dba Burke's Alewerks. The proposed Manager is Brian T. Burke. This property location is shown on Map 5 Lot 38 of the Hanover Assessors Maps and is owned by Mary Trading Post, Inc. The Notice was published in the Patriot Ledger on December 20, 2017. The Board met with Brian Burke who provided the Board an overview of the business noting he plans to produce 500 barrels of beer annually, have a 50 seat tap room, and take away beer; the proposed opening date of February 10th. Vice-Chair Tuzik noted he toured the facility. The Board inquired if food will be served; Mr. Burke noted food will be on site, food can be delivered to patrons, provided by local restaurants, and the food will not be prepared on site. The Board voted to approve a §19 Farmer Series Pouring License to Burke's Brewing Company, Inc. dba Burke's Alewerks at 200 Webster Street, Unit 3, Brian T. Burke, Manager.

At 7:11 p.m. Chairman Delaney read the Public Hearing Notice for the 7-Eleven license violation. This Hearing is being held in accordance with MGL c. 138 §64 to determine whether you have violated certain provisions of MGL or the Alcoholic Beverages Control Commission Regulations, to wit; 204 CMR 2.05(2) permitting an illegality on the licensed premise to wit: MGL c. 138 §34 sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 count). The alleged violation occurred at approximately 21:42 hours on Friday, November 17, 2017 at 7-11 Store, 228 Columbia Road. The Board provided notice to James V. Langton, Manager 7-Eleven of Massachusetts, Inc. on December 6, 2017 and December 19, 2017. Present for the Hearing were Joe Langton, Store Manager 7-Eleven; Raymond Couillard, Region Leader 7-Eleven; Stephen Miller, McDermott, Quilty & Miller LLP; and Detective Stephen Moar, Hanover Police; Chairman Delaney sworn in all who were present to provide testimony. Detective Moar provided the following statement: On Friday, November 17, 2017 while working in plain clothes in an unmarked police cruiser and monitoring the 7-11 Store on 228 Columbia Road for Liquor compliance at approximately 9:30 p.m. I saw a SAAB station wagon enter the parking lot with a male operator and passenger. The passenger exited the car and walked toward the store. The male appeared to be under the age of 21. I saw this male entered the store and walked to the beer coolers he then proceeded to the cash register where he completed a purchase. I saw the male walk out of the store with an 18 pack of Bud light beer. The male scanned the lot as he walked toward the car, he placed the beer in the back seat passenger side and appeared to cover it with something, the car backed out and exited the lot south on Rte. 53. I stopped the car I walked to the driver's door identified myself

and asked the driver to see his license and registration; I asked him how old he was and he told me that he was 20, he produced his license. I asked the passenger that bought the beer how old he was, he told me he was 20. I asked him for his ID; I asked how old he was and how was he able to buy the beer? He told me he was not ID'd by the clerk. I radioed the information in and asked for another car. Another Officer arrived on scene. I could see the Bud light on the passenger side on the back seat. I asked if he produced a fraudulent ID or if he was not asked for ID; he told me he was not asked for and ID by the clerk. Both men were placed under arrest. Detective Moar asked again if he produced a fraudulent ID or if he was not asked for ID; he responded he had a false PA license which he retrieved from his wallet. Both parties were arrested and transported to HPD for booking. Detective Moar went into the 7-11 Store and spoke with the on duty clerk Brendan Creed and asked if he made the sale of the 18 pack of Bud light; he responded he did. I showed Mr. Creed the PA license and asked if he remembered it; Mr. Creed said he did. Mr. Creed said he looked at the license with a UV light but did not scan it; he thought the license looked good. Stephen Miller, McDermott, Quilty & Miller LLP questioned Det. Moar if the clerk he admitted to making the sale and did he scan the license; you asked him if that was the store policy and that he admitted he just didn't scan it; Det. Moar responded correct. Mr. Miller noted that this incident did occur. Mr. Miller reported the store has taken several steps including training, they are TIPS compliant, this employee has been with the store for over a year, he is a law student, the employee has written a report admitting to making the sale, and he was upset by this and has submitted his resignation. The store has removed the over-ride button now all dates have to be entered to make a purchase. The BARS program is coming into the store; the program will check our employees to ensure they are verifying all ID's. Going forward there will always be a manager or assistant manager on-site. We are taking this very seriously knowing this is our second violation. Raymond Couillard, Region Leader 7-Eleven noted the button to over-ride entering dates has been removed from all the machines in our Hanover stores. Mr. Couillard added the scanner would have caught the out of state ID. The Board stressed the importance of scanning ID's confirming with those present that had the ID been scanned it would have prevented the sale. Mr. Miller noted the data base has recently been updated. Mr. Langton apologized to the Board for the mistake made. At 7:28 p.m. Chairman Delaney closed the Hearing. The Board discussed the period of time to suspend the 7-Eleven license in accordance with the Board's Policy. The Board voted to suspend the 7-Eleven Store Section 15 Wine & Malt Packaged Goods Store license located at 228 Columbia Road in accordance with the Board of Selectmen's Rules & Regulations Policy for Holders of Alcoholic Beverage Licenses for seven (7) days; date to begin on Thursday, January 11, 2018.

The Board voted to ratify the Moderator's appointment of Steven Frank, term through October 1, 2020; Mark Miller, term through October 1, 2019 and Jonathan Bruno, term through October 1, 2018 to the Parks & Recreation Committee.

The Board discussed and voted to approve the revised Sexual Harassment Policy, as presented.

The Board received and discussed the revised Town Wide Update Policy; School Committee Chairman John Geary was present for the discussion and voiced concerns relative to the implementation of the policy. The Board agreed to table the policy until the next meeting.

The Board requested the Warrant Article Policy be added to a future agenda.

The Board discussed the candidates for the Town Manager Act Review Committee; Vice Chairman Tuzik made a motion to appoint Daniel Pallotta to the Committee; the Board continued discussion; Chairman Delaney noted the motion made by Vice-Chair Tuzik and requested all in favor: Vice-Chair Tuzik and Chairman Delaney voted yea; the motion did not carry. Selectman Barthelmes made a motion to appoint Susan Setterland to the Town Manager Act Review Committee; Selectman Dockter second the motion; Selectmen Dockter, Keegan and Barthelmes voted yea; Vice-Chair Tuzik and Chairman Delaney voted nay; the motion carried.

The Board voted to appoint Chairman David Delaney as the MMA Business Meeting voting designee.

The Board voted to appoint Anthony Marino a Member of the Affirmative Action Committee.

The ATM noted with the resignation of the Town Planner it requires a vote of the Board to authorize the ATM to fill the position. The Board discussed filling the position on a part-time/temporary basis noting the last time the position was vacant compensation was a problem; noting this is a good time to review the salary range with the compensation study. The Board thanked the former Town Planner Peter Matchak for his service to the Town. The Board discussed the role of the Acting Town Manger with regard to hiring. Vice-Chairman Tuzik made a motion to allow Mr. Marino in his role as Acting Town Manager the ability to hire an interim or full-time Planner; Selectman Barthelmes modified the motion "hired by the ATM with approval of the Board of Selectmen"; Selectman Dockter modified the motion to include "temporary hire" in line with the compensation study. So voted. Motion to read *to allow Mr. Marino, in his role as Acting Town Manager, the ability to hire a temporary interim or temporary full-time Planner; hired by the ATM with approval of the Board of Selectmen.*

The ATM reported the Curaleaf revenues (\$115,000) were left in the budget this year as a line item. If taken out it will increase the amount of free cash that will be needed to balance the budget. The Board discussed using the funds possibly for the D.A.R.E. program or Post Employee Benefits due to the contract being a three year contract and not using the funds to fund the budget.

The ATM noted the compensation study requires three bids; we will try to get it out by the end of the week and wrap up the process by January 11th.

The ATM reported the pricing for the Town Finance Audit (7-1-17 thru 11-30-17) range is from \$16,000 through \$22,500. The Finance Director was present for the discussion and noted it is up to the Board on how much time and money the Board wants to invest in the audit. The ATM noted it will require a reserve fund transfer to pay for the audit. The Board inquired if the audit can be done in-house and requested a written timeline of documents received and when they were signed off on rather than incurring the cost. The ATM reported the Becker Arena funds have been returned. The Board agreed to discuss this topic at the next meeting.

Selectman Barthelmes provided an update and hand-out on the Town Manager Search.

- Ready to move forward with the advertisement (attached); if Board agrees with the ad it will be posted by MRI tomorrow. The Board voted to approve the TM recruitment ad as presented.
- The Ideal Candidate Profile; no decision necessary tonight. This document is a result of input from Department Heads, employees, and residents as provided to the MRI consultant.

Any additional input is still welcomed to be submitted. Selectman Keegan requested a project program communication be added at the end of the Challenge Statement; Selectman Keegan offered to draft the statement; the Board agreed.

- Selectman Barthelmes will request an anticipated timeline from MRI.
- The Board requested copies of the Town Manager Interview Panel Applications.

Town Manager Report: Follow up on weekly correspondence

- There is a zoning issue on the corner of Center Street/Cornet Stetson Street we are moving forward with an injunction; use not there pre-dating 1955; a former Building Commissioner states it was grandfathered could have been done in error.
- The Board requested the updated housing stock report from the Planner.
- Merchants Row will need two full liquor licenses; Previties will need one liquor license; the Mall may need more than three.
- The Board requested the date on the next Traffic Study meeting and the Broadway accident data.
- Selectman Barthelmes discussed the substance abuse task force; good things are being done but are not communicated to the community. Norwood has a good program; they received a million dollar grant to be used over ten years; the Board should look into creating something similar. Have this on a future agenda; invite representatives from the School Committee, School Department, Police and Fire Departments and the community. Selectman Dockter supports this and will bring additional information to a future meeting. The Board agreed.
- Selectman Dockter inquired if the Board is interested in forming a study/working group to review the recreational marijuana final regulations which are scheduled to be in final format on March 15th. The group can review the financial/social impact of recreational marijuana on the Town. Based on the Ban the Town voted we cannot have a grow facility in Town.
- Selectman Dockter requested to meet with Art Ceurvels or Bill Hartigan on the website re-design.
- Hanson hired a part-time Veteran's Service Officer who would be interested in working with Hanover. Hanover is currently budgeted for 25 hours; full time is 35 hours.
- The Board requested to meet with the Center/Sylvester Committee for an update.
- The Board requested to get an update on the Teacher union contracts from Selectman Tuzik in executive session at a future meeting.

Meeting ended and adjourned at 9:34 PM.