



## OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

### Your Contact Information:

First Name: Catherine Last Name: Harder-Bernier

Address: Town Clerk's Office, 550 Hanover Street

City: Hanover State: MA Zip Code: 02339

Phone Number: 7818265000 Ext. 1079

Email: catherine.harderbernier@hanover-ma.gov

Organization or Media Affiliation (if any): Town Clerk

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

### Public Body that is the subject of this complaint:

☒ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/town, county or region, if applicable): Board of Selectmen, Town of Hanover

Specific person(s), if any, you allege committed the violation: Chairman David Delaney and members Rhonda Nyman, John Tuzic, Town Manager Joseph Colangelo, and Executive Assistant Janet Tierney

Date of alleged violation: 4/5/2021

## Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

On Monday, April 5, 2021, the Board of Selectmen discussed adding an article to the warrant regarding changing the elected Town Clerk to an appointed Town Clerk during their regular open meeting session. The Town Meeting warrant was opened and the article was added to the warrant at that meeting.

This article was not specifically listed on the Selectmen's agenda. The townspeople were not duly warned that this topic would be discussed. The Town Clerk was not given the professional courtesy that this topic was to be discussed. This issue has been discussed multiple times at Town Meeting and other meetings over the years and has been highly controversial.

According to the Attorney General's Open Meeting Law guide, "the list of topics must be sufficiently specific to reasonably inform the public of issues to be discussed at the meeting." Further, "although a public body may consider a topic that was not listed in the meeting notice if it was not anticipated, the Attorney General strongly encourages public bodies to postpone discussion and action on topics that are controversial or may be of particular interest to the public if the topic was not listed in the meeting notice."

Some in town believe this open meeting law violation was intentional and part of an on-going hostile environment in Hanover town government. While I will not weigh in on that perspective here, I will state that the lack of professional courtesy and transparency in our government over even just this one issue is not acceptable. We should treat our neighbors and public servants with more respect than this.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

The Board of Selectmen immediately needs to specifically list which warrant articles are going to be discussed at each of their spring meetings prior to Town Meeting going forward.

The Board of Selectmen needs to recommend that the elected vs. appointed article be passed over at the Annual Town Meeting due to this procedural flaw and lack of due process and transparency at their April 5, 2021 meeting.

## Review, sign, and submit your complaint

### I. Disclosure of Your Complaint.

**Public Record.** Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

**Publication to Website.** As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

### II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

### III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

For Use By Public Body  
Date Received by Public Body:

For Use By AGO  
Date Received by AGO:



[POSTED April 2, 2021]

**Remote Meeting Access**

- Webinar address: <https://hanover-ma.gov.zoom.us/j/81751055758>
- Telephone: Dial one of the following phone numbers: 929-205-6099; 312-626-6799; 301-715- 8592; 346-248-7799; 669-900-6833; 253-215-8782
- If you are a dial-in participant and would like to ask a question, please press \*9 to enter the question queue.
- If you are a dial-in participant and would like to mute/unmute, please press \*6 to toggle.
- Webinar ID: 817 5105 5758

**Call meeting to order**

1. Call to order at 7:00pm in Board of Selectmen meeting room at Hanover Town Hall [facilitated in –person in the Board of Selectmen Meeting Room and participation via zoom meeting – instructions above]
2. Public Comments

**Minutes**

3. Consider Approving the March 15, 2021 Meeting Minutes

**Presentations**

4. Presentation from Dr. Julie Goodman on the Department of Public Health report on cancer rates

**Appointments**

5. Consider Appointing Chelsea Stevens as the Mayflower Municipal Health Group Primary Designee
6. Consider Appointing Melsi Xhengo as a Member of the Board of Assessors
7. Consider Appointing Tammy Tedeschi to the Board of Library Trustees

**(Salmond &) Sylvester**

8. Discuss current uses of the Sylvester School building including a request from the Food Pantry for use of a portion of the available space
9. Approve Request for Proposal (RFP) for Sylvester Reuse

**Donation**

10. Pursuant to Board of Selectmen Policy 7-7 (Sponsorship and Donations) consider accepting a donation of a shed to Parks and Recreation to be located at Forge Pond Park with a value greater than \$5,000

**Annual and Special Town Meeting**

11. Consider Approving the Notice for the Election of Officers as provided by the Town Clerk
12. Consider (Re)Opening the Annual Town Meeting Warrant
13. Consider Any Applicable Actions Relative to the Town Meeting Warrant

---

*Meetings are broadcasted live and recorded for airing on future dates on Comcast channel 8 and Verizon channel 36.*

*The topics listed above represent what the Chairman reasonably anticipates will be discussed at the time this notice was posted.*

14. Consider Closing the Annual Town Meeting Warrant
15. Consider (Re)Opening the Special Town Meeting Warrant
16. Consider any applicable actions relative to the Special Town Meeting Warrant
17. Consider Closing the Special Town Meeting Warrant

**Transfer Station**

18. Consider the Creation of the Transfer Station Committee

**Other**

19. Town Manager Report
20. Board of Selectmen Forum
21. Consider Approving the Board of Selectmen Annual Town Report for the Year Ending June 30, 2020
22. Consider Setting Future Board of Selectmen Meetings Through Town Meeting
23. Adjourn