

Meeting Minutes of Regular Meeting of Hanover Board of Selectmen held at Town Hall on Tuesday, September 3, 2019 @ 7:00 PM.

Present were Chairman John C. Tuzik, Vice-Chair, Emmanuel Dockter, Selectmen: David Delaney, Jocelyn Keegan and John Barry. Also present: Town Manager (TM) Joe Colangelo and Executive Assistant Ann Lee.

At 7:00 p.m. Chairman Tuzik 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. Chairman Tuzik noted the Board is thankful to have Vice-Chairman Dockter back and on the mend.

Meeting Minutes:

The Board voted to approve the Meeting Minutes and the Executive Session Minutes from the July 15, 2019 meeting.

Chairman Tuzik noted the agenda will be taken out of order.

License and Permits

The Board met with Brian Burke regarding the extension of hours on the liquor license for Burkes Alewerks. Mr. Burke noted he has been in business for 1 ½ years and would like to have some flexibility to open at other times. The Board inquired if food will be available; Mr. Burke noted he does not prepare food but does have a food permit which allows food to be delivered on site; he has done a trial period with a prepared pretzel which did well and is looking into working with a vendor to serve prepared chicken wings. The Board inquired on the method Mr. Burke will use to advertise the extended hours; Mr. Buke will use social media. The Board noted the current hours of business are the hours that were originally requested when the brewery first opened. The TM noted this application has been vetted by the Licensing Coordinator and Town Counsel and can be approved as requested. The Board voted to approve the change of hours as described on the application ([attached](#)) and signed the ABCC Licensing Authority Certification form.

Appointments

The Board met with Leslie Molyneaux regarding and appointment to the Fireworks Site Focus Committee. The Board noted the charge of the Committee needs to be reviewed in order to provide clear guidance to the Committee. The Board will review the charge of the Committee at a future meeting. The Board voted to appoint Leslie Molyneaux to the Fireworks Site Focus Committee.

Presentation

The Board met with Gabrielle Mahoney (BoH Chair), Kathleen Mahoney (Tobacco Coordinator) & Cheryl Sbarra, J.D., (Senior Staff, Attorney Massachusetts Association of Health Boards) who provided and reviewed a PowerPoint presentation with the Board on Tobacco Initiatives ([attached](#)). The Board of Health is currently considering amending the current tobacco sales regulation to restrict flavored tobacco to adult only retail sales in accordance with MGL Ch. 111 §31. Notice will be provided to every retailer informing them of the Public Hearing. Ms. Mahoney, Chairman of the Board of Health reported the Board's stance is to remove all of the flavors; further noting there is a potential to have legal action.

Ms. Sbarra provided the Board with the Superior Court decision on Cumberland Farms, Inc. vs. Board of Health of the Town of Barnstable & others ([attached](#)) noting they were denied; so there is the possibility of the municipality being sued. The TM noted there is a Cumberland Farms going through the Planning Board process now. The Board inquired if there are “adult only retail stores” in Town; Kathleen Mahoney, Tobacco Coordinator noted there is one and another one is in the application process. The Board inquired on how long is the litigation expected to last; Ms. Sbarra noted there has been a Bill filed to prohibit the sales of these products which would allow cities and towns to begin to enforce this law. The TM noted with the concerns of litigation we could look into a bylaw that the Town adopts. The Board directed the TM to look into if the Town was sued would we be covered by insurance.

License and Permits

The Board agreed to hold the Liquor License - Siam Cuisine Request for New License (BOS Policy 9-9) topic until the next meeting.

The Board received a Public Gathering - Block Party request at Forest Street on September 14, 2019 from 3-10pm (Town Bylaws §6-4(1)); the TM reported all Department Heads have reviewed the request and there are no issues. The Board voted to approve the Forest Street Block Party on September 14, 2019 from 3-10pm.

Traffic Safety

The Board received an update from the TM on the recommendation for the permanent installation of two flashing radar speed signs on Whiting Street near the High School and Middle School Intersections by the Traffic Safety Committee (BOS Policy 10-8). The TM reported per the Policy the request goes thru a public vetting process; the Traffic Safety Committee has approved the request; the requestor has a spot in mind where the signs could be placed; in order to be placed the area would have to be approved by a licensed professional engineer. Resident Mark Caldwell, an abutter to the site, was present for the discussion and agrees with the site for placing the signs; Mr. Caldwell further noted the speed limit of 20 m.p.h. in the area is unrealistic. The Board voted to approve the permanent installation of two flashing radar screen signs on Whiting Street near the Middle/High Schools intersections as recommended by the Traffic Safety Committee subject to licensed professional engineers plotting out the location of the signs and with notification to abutters.

Land Donation/Acquisition

The TM reported the CDMI Director has reported there is a public benefit from the offer from Kathleen Murray to donate the land in question ([attached](#)). The Finance Director reported there may be a moral hazard with this relevant to taxes. The Board agreed to hold the vote on this topic to ensure it is done procedurally correct and get confirmation that abutters have been notified that the land is available.

Policies

The TM noted the Policies listed below are not in final format for the Board’s vote. The TM reported MIIA agrees that the Town can give donations to organizations requesting use of Town facilities and the donation could be used to purchase the insurance required to use the

facilities; the TM will obtain confirmation from Town Counsel prior to the Board voting on the Sponsorship & Donation Policy.

- Amend BOS Policy 5-17 "Internet Access & Use"
- Amend BOS Policy 5-18 "Electronic Mail"
- Amend BOS Policy 7-7 "Sponsorship & Donation"
- Amend BOS Policy 9-8 "Town Hall Use"

Appointments

The TM reported he met with Mahendra Patel regarding an appointment to the Conservation Commission as Associate Member (Town Bylaws §4-12) and Mr. Patel is interested in serving. The Board voted to ratify the Town Manager's appointment of Mahendra Patel to the Conservation Commission as an Associate Member.

Updates:

Liaison Reports

- Selectman Keegan reported the Affordable Housing Trust is meeting next week with PREP and she and Selectman Barry will attend.
- Selectman Keegan thanked the TM and Victor Diniak, DPW Director for their work on the water sanitation with the new system and for putting information together on the new system.
- Selectman Keegan thanked the TM for the updated information on the Fireworks Site.

Town Manager Report:

- The TM reported there will be a Public Meeting on the Fireworks Site at the High School on September 24th at 7:00 p.m.; Department of Environmental Protection, Tetra Tech, Department of Public Health will attend.
- The Netflix filming has been completed; the Town received approximately \$20,000 in expenses for Police, Fire, etc. The Town also received \$40,000 in compensation.
- The work on the Myettes intersection will be starting soon.
- The TM thanked the DPW for their work with getting the schools ready for opening day.
- Capital requests are due from Department Heads on Friday. The dam removal request will be part of budget discussions.

Selectmen Forum:

- The Board commented on how well done the convocation was done at the High School.

Meeting ended and adjourned at 8:46 p.m.