

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
SEPTEMBER 27, 2010**

The Board of Selectmen met at Hamilton Town Hall at 7:01 p.m. on Monday, September 27, 2010 with William Bowler, Jennifer Scuteri, Dave Carey, Jeff Stinson and Marc Johnson present. Town Manager Michael Lombardo also present.

**Discuss proposal from Earthtone Technologies**

Selectmen will review a letter and proposed lease from Earthtone Technologies about locating cellular telephone towers at 237 Asbury Street (Cutler School) and 325 Bay Road (Winthrop School) sites. Board will speak with Hamilton-Wenham Regional School District since these two properties are owned by the Town but leased to the school district. Jennifer Scuteri recommended this be discussed with the Planning Board since the vendor is also talking with New England Biolabs.

**Discuss Question 3: To reduce the state's sales tax from 6.25% to 3%**

Selectmen discussed possible consequences of state's sales tax being reduced from 6.25% to 3% after ballot vote in November. This would cause a loss of revenue for Hamilton and impact the Town's ability to continue to fund and provide existing services. The rollback in sales tax would not affect the meals tax.

The Board didn't take an official stance weighing in on the ballot question. However, many members expressed concern about pro rata cuts and the potential loss of some local aid (\$64,804), especially Chapter 70 money (\$397,284) for the schools if the sales tax were reduced.

Jeff Stinson was in favor of lowering the sales tax from 6.25% but not as low as 3%, although he thought the Board should not be taking a stance on this issue, that voters should be left to make their own decision.

Also, that the Town hasn't seen any revenue resulting from the 1.25% increase made to the state's previous 5% sales tax. Scuteri thought it would be useful to know how much, if any, sales tax revenue comes back to Hamilton.

Board members thought it was important for the public to make an educated, informed vote on the referendum question with the understanding that reduced funding will impact Town services provided.

**Selectmen Goals/Work Flow**

Scuteri checked in with Board members to make sure the workflow was conducive to them for moving projects forward. Town Manager Michael Lombardo suggested that the Board could hold another retreat to address its goals in November after fall Town Meeting. He will send Board members an email on topic.

**Municipal Affordable Housing Trust**

Discussion was on purpose of Municipal Affordable Housing Trust to create a balanced community and help Hamilton plan, fund and develop affordable housing within the Town's affordable housing plan.

The trust allows a community to buy and sell real estate, borrow and lend money, develop housing properties, manage affordable housing deed restrictions, accept cash and properties as donations and develop special programs for first-time home buyers and for emergency repairs.

There are a lot of distressed homes in Hamilton where some are for sale. Purchasing deed restrictions would be used with residents who are living in a distressed home and can't afford to maintain their home. CPA funds can be used to fund deed restrictions; CPA Coordinator Christine Berry will research details further.

A deed restriction would last for seven years with the hope that funding would be used to fix up a home. The Town would have a lien placed on the house so the money would come back when the real estate is sold.

There is a fall Town Meeting warrant article on the Municipal Affordable Housing Trust. Discussion was on if chief executive officer on trust board would be Town manager and if that person has to be a resident. The trust is not related to Chapter 40B. If Town Meeting votes in favor of the trust, this would cede authority to a group of people to make decisions.

**General Bylaw Changes**

Town Manager Michael Lombardo has been working with Town Counsel Donna Brewer on general bylaws to capture change in Town government structure to Town manager as well as to address language revisions.

Discussion was on existing bylaw wording that says a call firefighter injured while on a call would get benefit that a police officer would receive and that this should link to fire rather than police.

Also discussed was the legal affairs section. Board provides direction to Town manager to manage legal processes but discusses manager's contract independently with Town counsel. The ultimate authority in Town regarding litigation is the Board of Selectmen.

**Sale of Town-owned property – Hatfield Road**

Scuteri entertained a motion to declare Town-owned property on Hatfield Road as surplus. Marc Johnson so moved. William Bowler seconded the motion.  
VOTE: Unanimous.

This vote allows the Town to start sale process for property assessed at \$170,000. Proceeds from sale would go into Hamilton's general fund.

**Open Warrant (Rescind Op Audit article from June 2010; adopt new article**

Department of Elementary and Secondary Education commissioner has agreed to sign amendment to regional agreement related to operational audit. Lombardo recommended going ahead with contract from audit vendor once a FAX copy of signed document from DESE commissioner is received.

**Close Warrant**

Based on previous discussion Board decided not to open and close warrant.

**Accept Minutes: Regular Session: September 13 and September 20**

David Carey entertained a motion to approve the September 13 and September 20, 2010 regular session minutes. Stinson so moved. Bowler seconded the motion.  
VOTE: Unanimous.

**Other business**

Lombardo presented his analysis on proposed regional dispatch center to be located in Middleton. This item will be put on Board's agenda in two weeks for Selectmen to discuss.

Currently the FY'11 budget for the local ECO is \$485,187 with Hamilton's share being \$308,000 and Wenham's share is \$176,754. General fund dollars and state grant for 911 is \$94,496 for Hamilton and \$54,083 for Wenham. Revenue exceeds expenditures because Wenham pays a 10% administration fee.

Wenham has voted to join the regional dispatch center that has yet to be built. Due to this, Hamilton would receive less grant money annually since the ECO at the public safety building would no longer be a regional center.

If Hamilton decided to operate the ECO independently it would have to make up the funds previously paid by Wenham and the state grant for a separate entity is \$25,000. So the Hamilton taxpayers would have to pay another \$100,000 for continued operation of the local ECO.

Lombardo has ideas about how to restructure the organization that could be discussed during the budget process or when the Board thinks it is timely.

The interlocal agreement with Wenham for the shared local ECO with Hamilton is silent on ongoing retirement costs of \$49,000. One-third of this cost would have to be negotiated with Wenham.

If Hamilton Selectmen voted to join the regional dispatch center the \$16.26 per capita annual cost for 8,651 Hamilton residents is \$140,665. It appears that the savings Hamilton would realize if it joined would be \$67,000 rather than \$150,000 previously discussed.

Lombardo said there are unresolved items. For example, all local dispatchers may not be hired by Middleton regional center so there could be unemployment insurance costs for Town. This would mitigate first year savings from membership in the regional center.

Also, public safety personnel have expressed concern about public safety building being closed on weekends with exception of police officers coming and going since a dispatcher would no longer provide window service.

To continue window service, there would be additional personnel costs to pay for weekend and 4 p.m. to midnight weekday coverage and for an employee to distribute burn permits.

Lombardo is going to meet with public safety managers to discuss unresolved items. There is a subcommittee meeting on this topic on Thursday, September 30.

Lombardo's analysis on regional ECO proposal will be put on Town's website.

Scuteri entertained a motion at 8:23 p.m. to adjourn. Bowler so moved. Carey seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: \_\_\_\_\_  
Clerk