

TOWN OF HAMILTON  
BOARD OF SELECTMEN  
JUNE 25, 2012

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, June 25, 2012 with David Neill, Jennifer Scuteri, Jeff Stinson and Jeff Hubbard present. Town Manager Michael Lombardo also present.

Call to order

Chair David Neill called the meeting to order.

Approve the amendment proposed by Sen. Tarr to the first two sentences of the special act for the Hamilton Development Corporation

Town Manager Michael Lombardo explained that the clarification for the legislation is that the Board of Selectmen never intended to forego or delegate their decision making responsibility for leases and/or land purchases to the Town manager. Lombardo said he would not be comfortable doing that and it is a broader responsibility bestowed to the Selectmen by Town Meeting.

He noted that the negotiation of a lease or land transfer could be done by the Town manager but this would not be encumbered on the Town manager to approve that independently. Lombardo compared this to labor negotiations where he takes the Board's direction and guidelines and Selectmen ratify the negotiation. David Neill agreed with this concept and noted that Selectmen take the final step for the Town.

Discussion ensued about the bill language and changes to language approved at Town Meeting. Also addressed was that the Board could approve modifications to clarify the language to convey intent. The first, two sentences in the old language would be changed to clarify this for Senate counsel.

Discussion continued about how there is no intention to rename the Hamilton Development Corporation. Neill mentioned that the intent is not to couple Board of Selectmen and Town manager as ultimate authority to purchase and sell Town property but that this is vested within the Board of Selectmen and the Board also retains authority to lease property where Town manager can negotiate the terms of a lease.

Lombardo agreed and said lease information would be provided to the Selectmen for guidance where the Town manager could be asked by the Board for further information to enable the Selectmen to reach agreement. He said this is a working relationship and that he thought approving a lease was not within his authority.

Neill entertained a motion to approve an amendment striking out the first 2 sentences of section 17 of the bill submitted to the General Court for special legislation establishing the Hamilton Development Corporation and inserting in place thereof the following 2 sentences: - "Notwithstanding any general or special law to the contrary, the Town, acting through the Board of Selectmen, may lease, for a term not to exceed 60 years, any improved or unimproved land owned by the Town within the development zone. The terms and conditions of the lease shall be determined by the Board of Selectmen in consultation with the Town manager; provided, however, those terms and conditions shall be for public purposes consistent with this act." Jeff Hubbard so moved. Jeff Stinson seconded motion. VOTE: Unanimous.

Lombardo will notify Tarr of Board vote and the hope is Legislature will take a vote this week.

Executive Session pursuant to M.G.L. c.30A, Section 21(a)(6) – To consider the purchase, exchange, lease or value of real property.

Neill entertained a motion to go into Executive Session at 7:15 p.m. pursuant to M.G.L. c. 30A, Section 21 (a)(6) to consider the purchase, exchange, lease or value of real property, as an open meeting may have a detrimental effect on the Town's negotiating position, not to return to regular session. Stinson recused himself from Executive Session since he has a personal interest in one of the topics to be discussed. Scuteri so moved. Roll call vote: Scuteri, aye, Hubbard, aye, Neill, aye.

Respectfully submitted by Jane Dooley, Minutes Secretary

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

Clerk