

**TOWN OF HAMILTON
BOARD OF SELECTMEN
FEBRUARY 4, 2013**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, February 4, 2013 with David Neill, Marc Johnson, 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 at 7:00 p.m. and acknowledged the passing of long time Hamilton resident Jack Akin.

Public Comment

None.

Town Manager's report

Town Manager Michael Lombardo mentioned that DPW Director John Tomasz was leaving Hamilton to take a similar position in Salem. The public works director's position will be posted tomorrow. Lombardo asked that some Selectmen serve on the interview panel for the hiring of a new public works director.

In addition, he described how the Recycling Committee has drafted cards to attach to resident solid waste bins when blue bags are being used indicating that assistance is available on how to recycle and compost. This would be the property owner's decision as to whether or not to take up the offer. In addition, the Committee is interested in gathering information from a short survey found on the Town's website regarding who does or does not participate in composting program to understand the actual numbers of residents that are composting. This would give the Committee insight into outreach that might be needed.

Chairman/Selectmen reports

Jeff Hubbard noted that the Patton Park Pool Committee is hosting two public forums on February 13 at 5:30 p.m. in the Meeting Room at the library and on February 14 at 1 p.m. in the same location to assess public interest in the Town's

aquatic facility. He said residents who cannot attend these meetings could provide input and feedback via email sent to Hubbard or Recreation Director Sean Timmons or call Selectmen's office at Town Hall. A survey monkey is online for residents to provide input on interest in aquatic facility in Town.

Neill announced what positions are available for residents to take out papers to run for public office.

Public Hearing – Vote on Harris Avenue paper street

Neill declared the public hearing open.

Discussion ensued with Gregory Cole of 21 Harris Avenue and his attorney about his interest in the Town discontinuing the Harris Avenue paper street as a public way. Cole wants to sell his house and his septic system that was approved by the Town is located on the paper street. Other abutters from the neighborhood expressed similar interest in having the Harris Avenue paper street discontinued as a public way.

Lombardo explained that the paper street abuts property owners on Highland Street and Town-owned land where there is access from two other streets. He said the Town had secured interest in the paper street but there is no intention in making this a road and Town Meeting voters had approved discontinuation of the paper street by the Board of Selectmen. There would be no conveyance of property associated with discontinuing the paper street.

Discussion ensued about how the Town has no deed to the paper street property it had only reserved the right to put a road through the area. A vote by the Selectmen to discontinue the Harris Avenue paper street from Gifford Road to terminus would not impact the Town-owned land in the area.

Lombardo noted that any issues for property owners in the area such as surveying of property lines or research at the Registry of Deeds would be the responsibility of the residents. He specified that the paper street was not an easement. The Town would have only invoked the right to build the street if there had been public interest and there wasn't any.

Neill asked if there was anyone interested in speaking to the decision about the paper street and no one replied. He entertained a motion for the Board to determine that the Harris Avenue paper street from Gifford Road to the terminus

is not needed for any public purpose so it would be discontinued as a public way. Jeff Stinson so moved. Jennifer Scuteri seconded the motion. VOTE: Unanimous.

Lombardo mentioned that Harris Avenue paper street was one of many that will be addressed by the Selectmen. He explained that moving forward the Board would discuss any other paper streets to be discontinued during a Selectmen's working session prior to holding public hearings on the matter. Marc Johnson noted how it helps if Board members walk the sites before Selectmen discussion. Neill concurred and said the lots are very small in the Harris Avenue area.

Consent Agenda

Neill read the details about the items in the Consent Agenda.

Accept Donations for Patton Park Playground

- General Donations \$15,150 representing 3 donors
 - William Miller - \$100
 - The Vesper Foundation - \$15,000
 - Jane & Richard Heck - \$50

- Brick Campaign \$100 representing 1 donor
 - Christopher & Kerri Kinch - \$100

Approval of Minutes – January 28, 2013 – Regular Session, January 28, 2013 – Executive Session

Neill entertained a motion to accept the Consent Agenda as read. Hubbard so moved. Scuteri seconded motion. VOTE: Unanimous.

Discussion

Review and update on BOS & All Land Use Boards Meeting re Hamilton Housing Production Plan

Lombardo provided an update on the Town boards meeting held last week on the Hamilton Housing Production Plan that is being updated. He suggested that some data should be used for articles or op-ed pieces or for Q&A on the Town's website. He said the report reveals aspects of the Town that are not readily apparent. Lombardo described the meeting as successful largely due to getting

buy-in and future direction to work across Town boards to facilitate production in Hamilton of multi-family and affordable housing and to encourage economic development in Town.

He has a follow up meeting scheduled with the Hamilton Development Corporation and Affordable Housing Trust to try and keep the momentum going on how to resolve Hamilton's housing and development issues. These boards could bring information together for the Land Use boards to develop a plan for the Town that could be brought to the Selectmen.

In response to Neill, Lombardo said a presentation on the housing issue will be given at Annual Town Meeting. Scuteri agreed with the importance of bringing the public along on the concept especially with a presentation at ATM. She mentioned 40 cohort communities similar to the Town and that Hamilton has the lowest number of building permits and has had a drop in population. All of Town boards in attendance at the meeting agreed that Hamilton needs affordable housing and other housing options besides single family homes.

In addition, the Town has focused its economic development efforts on Hamilton's downtown and Scuteri suggested that discussion should also focus on the outskirts of the Town for development. She emphasized the importance of incentive for developers as well as opportunities for local preference homes.

Neill suggested that the Hamilton Development Corporation has the unique position to take the lead on this since it has authority, income and expertise in its members. He agreed with Scuteri that development effort should be directed to more than the downtown. Neill said there is focus on the downtown because the largest cohort in Hamilton is 65 years old and older. These residents are looking for affordable places to live with a preference for the downtown area that is already fully developed. So conversation was on density and how not to ruin quality of downtown neighborhood while promoting a mixture of housing and businesses.

Neill said over the years it has been painful to see the battle in Town between the residents that are in favor of development in Hamilton to make the Town work and the open space people who want to keep the land open. He said this argument would not occur relative to the downtown development. Scuteri said the Town has a developer focused on the outskirts now so Hamilton wants to encourage that development to address some of the Town's housing needs.

Discussion ensued about how the meeting minutes would be put on the website, likewise would be Hamilton's Housing Production Plan once it is no longer in draft form. Hubbard said he was encouraged by the Town officials at the meeting who expressed interest in working together to help expedite the development process similar to what is currently occurring in Newburyport. He thought getting all of the boards in one room was especially effective for communication. Scuteri concurred saying this could address everyone's concerns (i.e., ECTA's interest in an easement).

Discussion addressed how the Town can strengthen the process to broaden permitting approval process. Lombardo reiterated that he would create a roadmap with HDC and Affordable Housing Trust to champion the development effort. Scuteri noted that six large estates are for sale in Town and the role Hamilton officials could take related to those sales. Marc Johnson said the Town will be addressing a first right of refusal for Pirie estate next Monday since the property was under Chapter 61A.

Close Warrant for April 6, 2013 ATM

Neill entertained a motion to close the warrant for April 6, 2013 ATM. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Board of Selectmen code of conduct policy

Discussion ensued on language amendments on Board of Selectmen code of conduct policy. It addresses how the Board would approach other boards in Town and what the Selectmen's role is in the community relative to the Town manager's job. Also mentioned was chain of command, interaction with public and press especially regarding Board's position on issues as well as purpose of policy for future boards and Town managers. Board members agreed to send any edits to Lombardo who would incorporate them into an updated draft master document for Selectmen's review.

Next meeting

The Board's next meeting will be a working session on February 11.

New Business

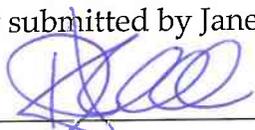
Town officials considered discussion topics for future Selectmen's meetings including Pirie property and right of first refusal, Patton property and RFP for use of house, and P.I.L.O.T. discussion. For the Board's February 25th and future meetings topics will be Hamilton Development Corporation, Town Hall reorganization proposal, nuisance by-law for discussion after ATM, and Town manager evaluation options to adopt for use when these occur twice annually.

Executive Session

Neill entertained a motion at 8:41 p.m. to go into Executive Session not to return to open session pursuant to M.G.L. c.30A, Section 21a(2) for the purpose of negotiating a contract with the Town Manager, as an open meeting may have a detrimental effect on Town's negotiation position. Johnson so moved. Scuteri seconded motion. Roll call vote: Hubbard, yes, Stinson, yes, Neill, yes, Johnson, yes, Scuteri, yes.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____



Clerk