

**TOWN OF HAMILTON
BOARD OF SELECTMEN
NOVEMBER 2, 2015**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, November 2, 2015 with Scott Maddern, Marc Johnson, Shawn Farrell, Jeff Hubbard, Bill Wilson present. Town Manager Michael Lombardo, Finance Director Brian Connelly, FinCom Chair Rick Sprenkle, Town Moderator Jennifer Scuteri also present.

Call to order

Scott Maddern called the meeting to order at 7:00 p.m.

Public Comment

None.

Chairman/Selectmen reports

Marc Johnson described how Nobel laureate Richard Roberts will be presenting a positive message about GMOs on Thursday, November 5 at HW Library. In addition, at the Affordable Housing Trust meeting a developer discussed friendly Chapter 40B for affordable and senior housing. Also, the Town is participating in a home loan modification program (i.e., make home accessible) to allow people to age in place. Leaf pickup is on November 21. He also mentioned the importance of clearing leaves from storm drains.

Jeff Hubbard commented on parade and ceremony scheduled for Veteran's Day, Wednesday, November 11.

Shawn Farrell reported on Planning Board's review of Canterbrook Estate and Sagamore Hill project, completed dug outs at Patton Park, bids are in for pool subcontractors, and fall field maintenance is occurring. Pumpkin fest was held this past weekend, turf group on School Committee and Wenham BOS meeting agendas and Hubbard will be liaison to group, statistics from public forum on updating action plan (passive and active recreation) for Open Space and Recreation Plan being done by Conservation Agent Jim Hankin and a consultant, redoing survey associated with Master Plan, how to winterize rain barrels, new art gallery open in Town, and breakfast from 8 to 9 a.m. before fall Town Meeting.

Bill Wilson provided a HWRSD update: Wenham candidate filled HW School Committee seat, 2015 audit of HWRSD with unmodified recommendation highest rating, OPEB discussion for School personnel, E&D certified with excess to be rolled into year-end plan, enrollment information available, capital improvement expenditures, presentation on how to teach in 21st century, grounds maintenance agreement between HWRSD, Hamilton and Wenham, use of school for election day (gym at Recreation Center will be used for November election), 3-year collective bargaining agreements approved for custodial contract and office personnel (2% merit increase). Also, the FinCom had open questions about warrant articles but will recommend favorable action at STM. In addition, the Town's auditor Odyssey Advisors presented information on OPEB liability and GASB requirements. The FinCom voted on 2% increase as forward guidance for Town and HWRSD operating expenses.

Discussion ensued with FinCom Chair Rick Sprenkle about Other Post-Employment Benefits which is primarily medical insurance, with some dental and life insurance, beyond retirement pension. Actuarial tables are used by the Town's auditing firm, Odyssey Advisors, to determine the Town's OPEB liability. An OPEB trust account can be used with managed equity bond fund investments to reach goal of having the liability be self-funded over time. The Town is currently paying \$170,000 a year for existing retiree OPEB costs and GASB specifies that the Town has to report OPEB liabilities on its balance sheet. To address the liability, Town officials have discussed increasing the funding from \$25,000 a year incrementally in the next few years to \$125,000 to drift toward fully funding OPEB liability.

Also addressed was that the current OPEB liability for HWRSD is thought to be \$9 million, and \$5 million is OPEB liability for the Town. Hamilton is going to work toward self-funding its OPEB liability in the next 20 years. Discussion was on need for HWRSD capital plan, and operating cost guidance of 2% for Town and HWRSD budgets including level services.

Maddern reported on Council on Aging survey that went to 1,100 homes in Town and the biggest feedback from the responders was concern about cost of taxes in Hamilton. He will provide survey results to the Board.

Town Manager's report

Town Manager Michael Lombardo spoke to leaf pickup on November 21 and December 12. Trade bids are in for pool and question about electrical on one bid which might be rejected. The deadline for the general contractors to submit bids for pool was extended

for one week due to multiple questions from potential bidders. Meeting date when pool bids will be opened will be posted. The RFP for cell towers is in the final stages of redrafting and should go out soon. Draft newsletter should be completed and out by the end of the week. The landfill cap is done with vendor to come back in the spring to do general repairing and seeding. Filings will occur with DEP regarding post closure use permits (i.e., Marsh Rats gun club). A permit will be sought for solar array project at the landfill and owner's agent is drafting RFP. The Town needs solar cap raised and has support from local legislators.

CONSENT AGENDA

- H-W Ed Fund seeks permission to hold the annual holiday tree sale in area between the parking lot at Patton Park and the tennis courts. Sale will run from November 28 through December 13. Trees will be delivered on November 22
- Appoint Joe Hughes to the Hamilton Housing Authority to fill the position vacated by Bob Gray until the next Annual Town Election
- Approve Minutes: October 19, 2015 – Regular Session

Maddern read items and entertained a motion to approve the Consent Agenda. Hubbard so moved. Bill Wilson seconded the motion. VOTE: Unanimous.

AGENDA

- Chapter 91 Senior Tax Exemption Program – Annual review and discussion regarding age and income qualification requirements; vote components for 2017

Annually the BOS decides if it is going to change the age limit from 70 years old which it has been for the five years since inception. The income limit for single resident ranges from \$39,600 to \$54,000 and married is \$59,400 to \$74,250. There has been a decline in the number of applicants and number of qualifying applicants receiving funds. The full \$75,000 budgeted annually is not being used and the annual cap on abatements is \$175,000. The age cap could be reduced to 65 years old to increase number of applicants and a possible increase (i.e., 20%) could occur in income requirements which could bring in 20 to 30 more residents.

Discussion ensued about how similar programs in the state award the benefit to qualified applicants immediately and with Hamilton's program recipients do not get the benefit until 18 months later. So a change could be considered. Board members concurred about proposed changes to age and income requirement, and amendment to

18 month schedule as well as possibly raising annual budget. Also addressed was how the Assessors and Council on Aging publicize the program and work with applicants within the month timeframe and if deadline should be extended. Discussion ensued about how changes to the Special Act (i.e., 18 month schedule) would require a Town Meeting vote (i.e., spring Town Meeting) and input from Legislature.

Maddern entertained a motion to accept the Town manager's recommendations to reduce the age to 65 years and increase the income qualification by 20% to \$47,520 for a single person and \$71,280 for married individuals. Hubbard so moved. Farrell seconded the motion. Discussion was on how a disabled, single adult with no income living with a senior could be considered by the working group as a possible change in the Act. VOTE: Unanimous.

- Confirm Brian Connelly, Finance Director

Discussion ensued about the work Brian Connelly has done as interim Finance Director and Town Manager Michael Lombardo recommended Connelly be appointed at permanent Finance Director. FinCom Chair Rick Sprenkle and the Selectmen concurred on the work being done by Connelly. Wilson moved to confirm Brian Connelly as the permanent Finance Director. Farrell seconded the motion. VOTE: Unanimous.

- Land Acquisition Policy – discuss and adopt

Discussion ensued on the final version of the Land Acquisition Policy relative to how it should include Chapter lands 61, 61A and 61B. Hubbard reiterated his previous comments that this policy has been done from the top down although conversation about the policy has occurred with different members of the municipal community to get feedback. He suggested the BOS should have met with Planning Board and Open Space Sub-Committee so they could develop the policy as a group rather than having one individual driving the process. Hubbard opined that he would not support the policy and having it driven by one person was precedent setting.

Farrell noted the input from Town boards and committees and addressed concern about resident land being on list but suggested public process would deal with land coming up for sale and potential possibilities for projects such as watershed, new school site, playing fields, etc. With the Pirie property there was not enough time and wish list for the property made the project not possible.

Wilson stated that BOS should be first board to analyze properties relative to needs in Hamilton that come available for purchase in Town not just review of a list from Town manager. He spoke to letter from the Open Space Sub-Committee and suggested that ranking of properties could be a financial discussion and not necessarily done publicly since it could potentially cause property value changes for private properties.

Maddern stated that the policy is based on what other towns have done including disclosure of Chapter 61 properties with reduced tax rates which has not caused major disruption. He noted that feedback from nearly all Town boards and committees has been full acceptance of the policy, and that Johnson has been updating the BOS on his vetting the policy with these boards and committees. Maddern mentioned that BOS has a role creating policy for the Town. That the experience with the Pirie property identified need for assessment when properties become available for recreation, open space, possible location for municipal department, water supply wells, so the process is not rushed.

Johnson described how the Land Acquisition policy had been developed with former Selectman David Neill as the result of trying to understand what Town officials could have done better with Pirie property. Town officials had to act on the right of first refusal in 120 days. The idea of a priority list that outlined clear intentions which matched Town needs to properties came from this analysis relative to right of first refusal. The policy would give the Town officials the context to speak to owners of Chapter 61 properties.

Johnson responded to the Open Space Sub-Committee letter on the policy and noted that there could be instances where properties other than Chapter 61 land are under consideration. In addition, the intent of the priority list is to enable the BOS to quickly assess if the Town should consider going through the land acquisition process on a particular property especially within the 120 day window for a right of first refusal on a Chapter 61 property. The prioritization of properties is intended to enable understanding of what needs a property could meet for the Town versus ranking where the property falls on the list; not pit one property against one another.

He also addressed the question of whether or not the list would be made public if it is not the subject of an executive session. Also, the policy does not take away the Conservation Commission's authority to acquire property. In addition, the policy does not undermine Town Meeting's authority to acquire property through a two-thirds vote since the Town manager and BOS do not have authority to acquire property. He noted that the Conservation Commission had wanted issues associated with land acquisition

to be a Town staff function before Town Meeting vote. He mentioned the value of the Open Space Sub-Committee's letter about the policy.

Discussion ensued with Anne Gero, Open Space Sub-Committee member where she suggested the language for ranking be changed to represent characterization for evaluating property. She suggested that the timeframes for evaluating Chapter 61 properties were not appropriate since Town needs to work quickly and the Sub-Committee had recommended guideline on timing identifying need first. Gero questioned effort associated with ranking properties and analyzing characteristics when it is unknown which ones will come before the Town. She said the Sub-Committee had questioned why CRs or trail easements which are regularly done would be included in the policy's extensive process.

Jack Lawrence, 105 Rock Maple, opined about how properties would be ranked when use is unknown for Town until a true financial plan is determined for Hamilton related to obsolete school buildings, need for more playing fields, etc. He said Chapter 61 lands are serving a valuable purpose for the Town in open space and water protection, there is foregone tax for the Town but the capital cost is being borne by the landowner.

Rosemary Kennedy, Rust Street, opined about not much community involvement in development of policy and recommended that an updated community wide questionnaire should be done to understand goals of townspeople before policy is finalized. Gretel Clark opined about missing involvement from multiple town boards in the policy versus just BOS and Town manager which could be done through a committee.

Board members and FinCom Chair Rick Sprenkle weighed in on how some properties will meet more of the priorities (i.e., need for athletic fields, school building improvements, housing) and how scorecard mechanism would be used as part of the policy based on attributes and interests and could prove useful for future Town boards. Also, whether or not another committee should be put in place (i.e., for 3 months to create scorecard system and disband) to identify characteristics of properties based on Town's multiple plans (i.e., three-year forecast) using a transparent structure. In addition, what are the Town's funding sources and that analysis of Hamilton's master plans should be done to understand what land acquisition the Town should actually consider. Also that input will come from HW School Committee as part of its capital plan as well from the joint Recreation Board that will be melded with Town's capital plan. In addition, that public input can be received at public meetings and in a community survey.

Johnson recommended language be added prior to the policy description that says excludes properties acquired by the Conservation Commission under its statutory authority. Other changes would be priority list include all Chapter 61, 61A, and 61B as well as related M.G.L. requirements, correct typographical errors, and score card evaluation system rather than ranking system could be used for guidance purposes only (striking higher or lower criteria).

Maddern entertained a motion to adopt the Land Acquisition Policy as modified. Johnson so moved. Farrell seconded the motion. VOTE: 4-1 with Hubbard opposed. Board members thanked Town boards for their input into the policy.

- Warrant Hearing – Review Saturday, November 7th Special Town Meeting
Warrant with Town Board and Committee members and Town Moderator

Town Moderator Jennifer Scuteri described details for the Town Meeting that will be held at Winthrop School (i.e., overflow room and descriptive voter card) and that David Carey will be Assistant Moderator. Also, Scuteri wants to be notified ahead of time if there is going to be any amendments to motions or request for super ballot to be used. In addition, brief reports will be given by Rick Sprenkle, Scott Maddern, and possibly Jeff Melick.

Discussion ensued about the articles and what Town officials would make motions: Article 1-1 *Reports*, Scott Maddern; Article 2-1 *Prior Year Bills* (9/10ths vote), Bill Wilson; Article 2-2 *Pool Revolving Fund*, Shawn Farrell; Article 2-3 *Community Preservation Committee Projects*, Jay Butler; Article 2-4 (2/3rds vote) *Conservation Restriction on Sagamore Hill*, Jay Butler.

Discussion was on how there is not a sunset provision for Article 2-4 and if there should be a period of time that the Town gives ECGA to raise the money (calendar year 2016). If the article passes and if a term of years could be put in place to raise money this could help with Greenbelt's funding. Board members concurred about the suggestion to include a sunset provision. This recommendation will be reviewed by Town counsel and ECGA so amendment language can be implemented at Special Town Meeting. It was noted in regard to the Sagamore Hill project, that the CPC will have an annual review of its projects and if CPA funds are not used for a project the funds would be transferred back.

Discussion continued on articles and Town officials making motions: Article 3-1 *Mixed Use Zoning By-law Amendment*, Marc Johnson; Article 4-1 Amendment to Noise By-law, Jeff Hubbard.

Discussion was on pool revolving fund that is set up to capture sale of memberships and a budget will be set up and reviewed for fund. The \$223,000 cap is total amount that can be captured in the fund. If there is annual surplus it can be kept in this fund and money can be accrued up to \$223,000 with intent that Town Meeting will not have to be asked for additional appropriation for pool operating costs. Hubbard spoke to \$250,000 in Recreation Revolving Fund and how private fundraising was done to fix the Town's tennis courts. The revolving fund is designed to use a certain amount of money for programs to go beyond that a Town Meeting vote is required. Lombardo agreed to find out details about these funds and email Hubbard. Maddern acknowledged private donations that have been made for tennis courts and dug outs. A response was given to Susan Lawrence, Rock Maple Avenue that pool construction bids are due a week from Thursday. Jack Lawrence, 105 Rock Maple, asked if appendices could be sent to Hamilton residents along with warrant. Lombardo explained that appendices are typically voluminous which could prove expensive to mail and are available online. He noted that Wenham has the Boy Scouts deliver the appendices to each household.

- Set date of next Selectmen meeting

The next Selectmen's meetings will be at Town Meeting on Saturday, November 7, and on Monday, November 16.

NEW BUSINESS

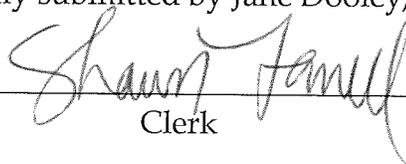
- Consideration of topics for discussion at future Selectmen's meetings

Discussion addressed if daycare could be available for Annual Town Meeting to enable more families to attend.

Maddern entertained a motion to adjourn at 9:30 p.m. Wilson so moved. Hubbard seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:


Clerk