

**TOWN OF HAMILTON
BOARD OF SELECTMEN
JUNE 24, 2013**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, June 24, 2013 with Marc Johnson, Jeff Hubbard, David Neill, Jennifer Scuteri, Scott Maddern present. Town Manager Michael Lombardo, Town Counsel Donna Brewer, Finance and Advisory Committee Chair John McWane, and Kristine Cheetham, Planning Coordinator also present.

Call to order

Chair Marc Johnson called the meeting to order at 7:00 p.m.

Public Comment

Bill Dery spoke to his interest in the Town developing 12 houses at Patton property and light industrial use in Chebacco Woods along with soccer fields, commercial zone and maintenance of trails. Marc Johnson asked Dery to sketch his idea and noted that it would take an act of legislature to change use of Chebacco Woods. Discussion also addressed real costs to operate HWRSD.

Rudy, Essex Street, expressed his interest in the Town not being divided on another issue moving forward (i.e., purchase of Pirie property) and mentioned a master plan in another equestrian community that is similar to Hamilton but has a better revenue picture and focus on quality of life. He too was asked to provide more information to the Board of Selectmen about his idea and how it relates to the Town. The resident also noted that more information should be included on Hamilton's website especially about local events.

Town Manager's report

Town Manager Michael Lombardo noted that Ben Patton would be conducting his video workshop with veterans telling their story at the Patton Homestead on July 11 from 10 a.m. until 4 p.m. He noted that information on how to sign up was on the Town's website and that Veterans Agent Terry Hart has been reaching out to vets.

In addition, the Town will be conducting public hearings on the Comcast franchise agreement that renews in one and a half years. Lombardo mentioned

that the process moving forward as determined by the HWCAM Board would involve retaining Attorney Bill August who is a specialist in this field who would assist the Town. Discussion ensued about issues that need to be identified for the Town and addressed in contract negotiation (i.e., low rate for seniors).

Also mentioned was HWRSD's nurse contract is up for renewal and that a panel meeting was held on the matter as well as that the teacher's union contract will be renewed next year. Discussion ensued about need for Hamilton Selectmen and Finance Committee to schedule a joint meeting with Wenham's Selectmen and Finance Committee.

Lombardo also addressed that he is working on lease with Gordon College regarding the Patton Homestead. Also, that he had walked the Patton Homestead property with interim DPW Director Dave Hanlon about river access for canoes and kayaks, and that entrance road could be cut (i.e., mid-summer) and costs would be identified as part of engineering RFP for site. It was noted that parking would be provided near the launch dock and CPA funds could be used. He noted that David Santomenna of ECGA would be contacted about birding site that could be located as part of river walk.

Chairman/Selectmen reports

David Neill mentioned success of last Sunday's concert in the park. Jeff Hubbard noted that downtown walk would occur on Thursday, July 27 at 5 p.m. Scott Maddern mentioned Joint Recreation Board meeting on Wednesday that would involve community input on the pool.

CONSENT AGENDA

Johnson read the items on the consent agenda.

Hamilton Fire Department Engine Company #1 and Hamilton Fire Department
– 26th Annual Firefighter 5 Mile Road Race, August 10, 2013. Race begins at 10 a.m.

One Day Liquor Licenses –

- **Gourmet Delights Catering, Inc.,** for an event at Pingree School on Saturday, July 13, 2013.

- **Myopia Hunt Club** for an event at Gibney Polo Field on Friday, July 12, 2013 (Rain Date August 2, 2013) and an event at Gibney Polo Field on Saturday, August 24, 2013.

Minutes May 16, 2013 – Public Hearing Board of Selectmen and Town Board Representatives; May 20, 2013 – Regular Session and Executive Session; May 23, 2013 – Board of Selectmen and Finance and Advisory Committee

Reappointments to Boards, Offices, and Committees due to expire June 30, 2013. (Partial listing)

Johnson entertained a motion to approve the Consent Agenda without the May 16, 2013 minutes until Board could review including Johnson's changes. Jennifer Scuteri so moved. Hubbard seconded the motion. VOTE: Unanimous.

DISCUSSION AGENDA

Downtown Planning & Barr Grant: Planning Coordinator Kristine Cheetham

Kristine Cheetham described how the recent Special Town Meeting vote on the Pirie property educated residents about housing, economic development, and financing. She said there is interest in developing Hamilton's downtown and the Town has received a \$25,000 Downtown Planning & Barr Grant from the state.

Cheetham noted that in 2011 the Mass. Office of Housing and Economic Development undertook the North Shore Strategic Planning Project to identify areas regionally for open space preservation, housing, economic development and transportation. Hamilton is one of three communities on the North Shore to receive a grant to do a finite study looking at the downtown for zoning recommendations for zoning relief, collectively develop a vision for the downtown and identify infrastructure needs (i.e., wastewater treatment inhibiting development in downtown).

Focus group sessions will occur this summer with a public meeting in September and recommendations for the Town determined by December. She is working with the Hamilton Development Corporation and representatives from Wenham. In addition a meeting would be held with HW merchants in July. Work is also being done with abutters.

Discussion ensued about downtown charrette and necessity for stakeholders to be involved early in the process and how that is likely to happen if there is going to be a change in zoning. Hubbard reiterated the importance of approaching HW merchants and property owners relative to action taken with this grant. He opined that an improved downtown would make Hamilton a more enjoyable place to live and this could impact property values. Hubbard referred to the septic issue that needs to be resolved with Mike's Auto property. Discussion addressed need to improve downtown relative to existing footprint where second stories could be developed in the downtown buildings.

Cheetham explained that an approved economic development plan has to be approved by either the Planning Board or Board of Selectmen for use by the HDC. She noted that the purpose of the grant is to help address issues with downtown wastewater treatment and parking to aid the Town's ability to grow since it has been working on developing the downtown for 35 years. She added that housing generates livelihood and it spurs development and the train station is conducive to downtown development.

Also discussed was the Zoning Board of Appeals participation in this development process especially if there are zoning changes proposed that require a two-thirds vote at Town Meeting. Cheetham noted that the HDC or Planning Board might sponsor a zoning article to allow for more density downtown as well as identify needed investment in wastewater treatment downtown.

Discussion ensued about concern for some residents about adding residential in an already small commercial area in Town. Cheetham explained that a consultant would be used to identify a vision of the downtown with second story construction that would blend with the character of the community.

Special Town Meeting debriefing

Johnson summarized that there was a complex issue addressed at the recent STM and this is going to be one of many of these issues that need to be dealt with by Hamilton less divisively moving forward and that debate is essential which was not done at the recent STM. He suggested how the Town can proactively work better to positively implement necessary change in Hamilton.

Scuteri mentioned League of Women Voters concern about the lack of debate and 25-minute allotted time to present complex information to the Town Meeting

voters at the STM. She noted that historically when other issues were discussed by Hamilton at Town Meetings more time was given for presentation and debate (i.e., great estate by-law, Pay As You Throw).

Discussion ensued about when the Town investigates acquiring property especially related to Chapter 61A there is likely to be a short timeframe to make a decision (i.e., 120 days). David Neill suggested that the Town has to decide whether or not Hamilton wants to pursue the Chapter 61A properties. Johnson gave the example of Ipswich having a land acquisition policy specific to Chapter 61A which enables that community and landowners to discuss potential municipal acquisition on a regular basis and how such a plan could work for Hamilton to focus on Town needs.

Discussion addressed the importance of not having divisiveness when the Town's makes decisions on these complex issues. Scuteri said the purpose of Town Meeting is to provide a forum to inform the voters with accurate information about these complex decisions. Johnson noted that information should be given from both sides of a decision early on in the process so voters would have that knowledge when casting a vote.

Hubbard suggested a committee charge would have been useful for the Pirie property working group similar to the Patton Park pool committee and he said the public hearing before Town Meeting was the opportunity to educate public and get community input. Johnson mentioned that 150 people came to the public hearing and 980 came to the STM. Scuteri noted that a large number of public hearing attendees were abutters.

Discussion ensued with Jack Hauck, 18 Knowlton Street, about STM attendance and how 782 people voted since some people left before voting. Also, noted was that some non-voters had received permission to attend from Town Moderator Bruce Ramsey (i.e., Mrs. Pirie's attorney). Johnson agreed to provide Hauck with the final numbers of STM attendees and voters.

Discussion ensued with Bob Gray, Bay Road, who expressed his concern about process and presentations and opined that the public was well educated relative to the STM vote and that 90% had made up their mind about the vote before STM. Also addressed was that 680 people who voted at STM had not voted at the last four Town Meetings. Johnson mentioned that 45 minutes is needed to communicate complex details on a topic effectively. Scuteri related feedback that

she had received from voters that the information presented at STM was confusing.

Discussion ensued with Bill Dery, Chebacco Road, who opined that feedback he had received was that the Town does not want to go into business and put resident money at risk. Also addressed was inconsistent amount of time that speakers were given at STM by Town moderator relative to process and that this could be discussed with Bruce Ramsey.

Consideration of closing Town Hall on Friday, July 5, 2013

Lombardo described how the majority of staff at Town Hall wanted to take Friday, July 5 off as a vacation day and it can be difficult with a lean staff to have a remaining skeleton crew be available to the public. He had received a request from staff to close Town Hall to the public that day but to keep it open for employees not taking a vacation day to do back office work.

He noted that the municipal staff gets 11 holidays and the request if approved would not grant an additional holiday. The request would not affect the public safety personnel but would affect the DPW and Recreation Department employees. He added that the Personnel policies would be addressed in the next few months.

Scuteri and Hubbard expressed their concern and opposition to skeleton crew not being available to the public at Town Hall on July 5. Lombardo explained if the Town Hall was going to be open to the public then he would have to decide which employees could take a vacation day and the number of employees interested in taking a vacation day leaves not enough people to provide coverage to be open to the public.

Johnson, Maddern and Neill were supportive of allowing Lombardo to proceed with having Town Hall closed to the public but open for employees who would be working on July 5.

In response to Neill who expressed concern about this issue moving forward where holidays fall close to the weekend and extended time off for employees, Lombardo reiterated that discussion on Personnel policies would address this issue for the long term. Johnson clarified that the Board had given Lombardo direction to proceed as he described to comply with the employee request.

Next BOS meeting – Thursday, July 11, 2013

The Board will participate in a downtown walk on Thursday, July 11, 2013 at 5 p.m. followed by a Board of Selectmen's work session at Town Hall at 7 p.m.

ACTION AGENDA

Consideration of extension of **an inter-municipal agreement for dispatch services with Wenham**. Permission for the Town Manager to negotiate and sign an agreement lasting for at least 30 days.

Discussion ensued about how the Board did not need more information on this topic.

Johnson entertained a motion to go into Executive Session at 8:38 p.m. to consult with Town Counsel regarding legal challenge to Beauport ambulance contract, pursuant to G.L. c. 30A, sec. 21(a)(3), (7) – not to return to regular session. Hubbard so moved. Scuteri seconded the motion. Roll call vote: Scuteri, yes, Neill, yes, Johnson, yes, Hubbard, yes, Maddern, yes.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:



Clerk

