

**TOWN OF HAMILTON
BOARD OF SELECTMEN
MARCH 3, 2014**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, March 3, 2014 with David Neill, Marc Johnson, and Jennifer Scuteri present. Town Manager Michael Lombardo and Finance Director Deborah Nippes-Mena also present.

Call to order

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

Public Comment

Ed Howard of 10 Meyer Rd. said that prior to the day of this meeting, the Town Clerk informed him that in order for a citizens' petition to be placed on the Annual Town Meeting warrant, the Town Manager, Counsel, and Board of Selectmen must clear the citizens' petition before the Board closes the warrant. Lombardo said this information is incorrect. Howard said he presented to the Clerk on the day of this meeting a petition with 14 signatures that proposes transferring responsibility and authority for Site Plan Reviews from the Zoning Board of Appeals to the Planning Board. He said the Planning Board has not decided whether to recommend favorable action on this proposed warrant item. Lombardo said the signatures have been validated and the warrant item proposed by citizens' petition appears on the draft warrant presented to the Board for consideration during this meeting.

Town Manager's report

Town Manager Michael Lombardo reported on a meeting with nine other municipalities within the Metropolitan Area Planning Council (MAPC) to begin exploring options for joint purchasing of streetlights, to replace aging equipment with LEDs, which he estimated could save the Town \$40,000 in utility costs. The group will investigate whether Green Communities grant funds could be used for this purpose. The recent first meeting focused on process; Lombardo said when substantive proposals are formulated he would update the Board.

He reported also that he has met with a potential cell tower vendor; he said he would gather options for a Request for Proposal preparatory to a decision on whether to proceed.

Chairman/Selectmen reports

None.

CONSENT AGENDA

Johnson read the items on the Consent Agenda.

Re-appoint Maureen Hickey to the Board of Registrars as a Registrar for a three year term to expire in March 2017.

Sign 2014 Victualler's License for Green Meadows Farm, which was voted and approved at the BOS meeting on December 3, 2013.

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

AGENDA

Review and vote to close Warrant for Annual Town Meeting April 5, 2014

Lombardo reported the FinCom reviewed the warrant but in the absence of final numbers, voted only on a few things; it is to resume review and deliberation at a meeting on March 8. The FinCom voted at this meeting to recommend particular action on one warrant item and removed another proposed article from the warrant (as recorded below); it deferred recommendations about the others.

Article 2-1: Compensation/Classification Table. This standard table lays out proposed compensation per personnel classifications.

Article 2-2: General Town Appropriations. Lombardo said the current estimate is \$26,326,113, but the figure may change.

Article 2-3: Capital Purchases/Leases. This is a placeholder; later in the meeting the Board discussed specific proposed capital expenditures.

Article 2-4: Water Enterprise Budget. The expected request for the operating budget is \$1,053,308.

Article 2-5: Water Enterprise Capital Improvements and Equipment. The Board reviewed these proposed capital expenditures later in the meeting. (See page 6 of these minutes.)

Article 2-6: Waste Reduction Enterprise Budget. Lombardo said details about this annual budget would be presented at the March 10 meeting.

Article 2-7: North Shore Regional Vocational School District Budget. Nippes-Mena reported that 14 students from Hamilton are expected to attend the newly combined North Shore Regional Vocational School, up from 9 this year, and that the assessment to Hamilton is estimated at \$281,591. Both are preliminary figures; the VoTech board does not vote its budget until late March, and in addition, because the new school opens in fall

2014 and changes in programs make it difficult to accurately forecast enrollment and financials, the assessments are to be recalculated in the fall. Neill noted that vocational education is always more expensive than regular education. Scuteri commented that the Board couldn't do anything about the assessment. The assessment structure has a base cost for from 1 to 5 students, and then additional tuition per student for each student above 5. Johnson made a rough calculation that the unit cost is \$20,000 per student based on the current projections of Hamilton's enrollment and assessment.

Article 2-8: Annual Financial Actions. Nippes-Mena said the proposed transfer for the Waste Reduction Enterprise Fund would be lower than in many years because costs are reduced through the organics program, and barrels are paid off. The expected request for transfer of money from the General Fund to the Waste Reduction Enterprise Fund is \$294,270. The expected request for transfer from the Water Enterprise Fund to the General Fund to be used for indirect expenses is \$328,982. Expected requests had not been specified at the time of this meeting for transfers involving the Cemetery Sale of Lots and Graves Fund and the Clark Property Fund.

Article 2-9: Community Preservation Budget. Lombardo said the Community Preservation Committee is still reviewing and voting on potential projects; this Board will review the CP budget when the list is complete.

Article 2-10: Annual Authorization of Revolving Funds. This warrant item provided no specifics at the time of this meeting.

Article 2-11: Hamilton Development Corporation. Lombardo said the FinCom supports this warrant proposal to transfer \$65,000 (the expected request listed at the time of this meeting) to the HDC. Johnson spoke favorably about the HDC committing 5 to 10% of its budget toward short-term improvements to the downtown area; the other Board members present also commented positively. Johnson entertained a motion for Selectmen to recommend favorable action on Article 2-11 at Annual Town Meeting. Scuteri so moved. Neill seconded motion. VOTE: Unanimous.

Article 2-12: Reconstruction of Patton Park Pool. This remains under consideration by the CPC.

Article 2-13: Citizens' Petition: Construction of Path along Essex Street. Lombardo said the FinCom voted to recommend unfavorable action on this proposal to appropriate funds from Certified Free Cash to construct a 2.5-mile-long path along Essex Street, to be completed by mid-2017. Lombardo said Rudy Pizzano, who initiated the petition, has indicated in conversation that he envisions an appropriation request of \$25,000 at this time, but the text of the citizens' petition specifies no sum. Because it was placed on the warrant by citizens' petition the Board cannot amend the text. Lombardo recommended consideration of this proposed project during discussion of a five-year capital plan and noted that an existing list of infrastructure and capital improvement needs and the total cost would reach \$9 million if all moved forward; he said the total project costs of building a path along Essex might top \$800,000. Scuteri acknowledged Pizzano's

extensive work on this public-safety-oriented proposal and suggested a member of the Board speak with him about funding options before voting on what to recommend to Annual Town Meeting. She noted she has abstained in the past from votes regarding this proposed project because the proposed path would pass her house. Neill said he would contact Pizzano.

Article 2-14: Appropriation Transfer Unspent Funds. This warrant item put forth by the Planning Board requests that \$12,000 left over from the master planning process in 2003-2004 be reallocated to give that board access to the funds for costs related to recommending changes to zoning by-laws. Lombardo said to his knowledge no significant efforts are underway to recommend such changes; he suggested that the Board of Selectmen vote to recommend unfavorable action at Annual Town Meeting and let the funds accrue to free cash, which Nippes-Mena said she informed the Planning Board some time ago would be the case. He said if the Planning Board decides in the future to pursue zoning changes, it could request funding at that time.

In discussion that followed several Board members said that zoning issues to which the Planning Board might turn soon are an accessory apartment by-law, cottage by-law, and possible expansion of the Willow Street overlay district beyond Willow Street. Lombardo said he envisions no need to hire consultants to proceed with an accessory apartment by-law or expansion of the overlay district. Neill noted that the Town previously hired a consultant regarding the possible expansion of the overlay district, and received that consultant's recommendations.

Scuteri said that existing by-laws are not-development friendly and do not create the revenue that the Board of Selectmen is responsible for generation, and that she would like to encourage the Planning Board to examine and consider changing by-laws; she suggested tabling this and talking with Planning Board members before voting on whether to support Article 2-14 at Annual Town Meeting. Lombardo said that if a board wants to put something forward it should first determine strategy and cost, and then request funds, rather than asking for funds to be set aside for later use as that board sees fit.

Nippes-Mena said if this proposal were not on the warrant, the funds would flow to free cash.

Neill and Johnson said they would not vote to support this proposed warrant item because it is unclear and incomplete; Neill noted also that it was submitted at the last minute.

The Board asked Lombardo to remove it from the warrant, which Lombardo said did not require an official Board vote.

Article 3-1: Citizens' Petition: Site Plan Review to Planning Board. Lombardo said this petition proposing that Site Plan Review be held under the authority and oversight of the Planning Board, not under the authority of the Zoning Board of Appeals (as is now the case) was submitted by several citizens, and the Planning Board has not formally

considered the proposal. He recommended broad discussion by all land use boards to debate and discuss its pros and cons. Neill noted that the citizens' petition does not indicate why the sponsors think the ZBA is not the right board to continue this. The petition was submitted on the day of this meeting. The Board deferred its decision on whether to recommend favorable or unfavorable action.

Article 4-1: Conforming Amendments of Town By-laws. Lombardo said he would consult Town Counsel for more information about the specifics of this article, which relates to the time of Town Meeting.

Article 5-1: Disposition of Portion of Patton Homestead Property. This article relates bids that are due on March 14; discussion was deferred until after bids are received.

Article 5-2: HWRSD Agreement Amendment. Lombardo said the Town has not received notification of certification of a vote by the School Committee to reduce the size of that Committee. He recommended the Board leave this article on the warrant and expect specific language to be forthcoming.

Article 6-1: Free Cash Application. The Board did not discuss at this meeting the proposal to reserve, appropriate and authorize the Assessors to use available certified free cash to reduce the tax rate for FY15 (expected request specified in the article is \$900,000).

Johnson entertained a motion for Selectmen to close the warrant. Scuteri so moved. Neill seconded motion. VOTE: Unanimous.

FY 2015 Capital Improvement Plan discussion

Nippes-Mena provided details about some of the proposed capital improvements listed on the 3-page "Capital improvement for Fiscal 2015" document distributed to Selectmen, which is to be an appendix to the warrant. The FinCom had not addressed these capital proposals at the time of this meeting; the Board took no votes on what action to recommend Town Meeting. She and the Board discussed the following:

- Telecommunications, \$70,000: would replace existing phone system; new system would be voice over internet protocol (to join system in place in schools), and would enable Town callers to transfer from voice mail to a live person without redialing; improve voice mail capabilities; transfer calls directly to another staff member's voice mail. Some Centrex lines would remain for redundancy. (FinCom is to discuss on March 8.)
- Fire department utility truck, \$38,000: the floor of the existing 1998 truck, which the Town received from the county, is rotted out. (FinCom is to discuss on March 8.)
- Four highway department trucks, \$155,500; \$114,500; \$42,365; \$31,025: the vehicles proposed for purchase range in size/type (including a sander, dump truck, and maintenance and multi-use vehicles), and would replace existing trucks with model years ranging from 1999 to 2006, and mileage ranging from 62,000 to

160,000. The Capital Improvements spreadsheet lists the proposed models, projected lifetime maintenance costs and repair costs, and trade-in value; Lombardo said because the existing vehicles are front-line hard-working vehicles there is little chance of much return on trade-ins. Discussion touched on financing options. (FinCom is to discuss on March 8.)

- Water department backhoe, \$101,000, and work related to wells and the Essex-Hamilton Connection (total \$190,000): for use related to the distribution system. Nippes-Mena and Lombardo discussed possible funding sources; Lombardo said paying for this equipment out of an existing bond might require deferring some of the bonded work to the next round. (FinCom is to discuss on March 8.)

The cost listed for replacement of the pool and construction of bathhouses is \$2.1 million.

Lombardo said departments propose other projects with estimated total cost of between \$300,000 and \$500,000; those listed on the Capital Improvements spreadsheet are those of highest priority, and other proposals would be revisited in a future year.

Neil noted that in the past the Town had a process for annually replacing vehicles at a certain age, which spread out the cost. Nippes-Mena said over the past seven years this has been deferred because of financial constraints. Lombardo recommended working toward a routine replacement program over the next few years which he said would enable the Town to sell or trade vehicles for a better price which he said would reduce the Town's investment over the long term; Nippes-Mena said it also would reduce maintenance costs.

Johnson recommended discussing financing options with the FinCom, and suggested that with interest rates relatively low it might be advantageous to finance purchases over three years rather than bonding.

Community Innovation Challenge Grant update

Johnson provided information about the process by which consultants analyzed Hamilton and Wenham's and the school district's equipment, bargaining agreements and other factors in the written report exploring options for combining some functions. He noted that neither town is interested in combining water departments so the report does not address that issue. Findings include that the two entities' union contracts are fairly similar, and there is potential for covering people from one town or the other under a single contract; maintenance is not properly staffed and facilities are not being maintained well; and consolidating grounds, street, and cemetery maintenance operations and equipment might create efficiencies but would not necessarily result in cost savings or increases. He said the state agency involved in this analysis favors combining all of the two towns' public works functions into a single department because it might suit regionalization elsewhere, but he said the towns do not necessarily desire it. An option would be to combine functions in phases. The Wenham Board of Selectmen was to discuss the report at its meeting the night after this meeting. Lombardo said he would discuss it with Jeff Sands of HWRSO later in the week and was not ready to advocate

how to proceed and not prepared to advocate for a quasi stand-alone agency to oversee a collective facilities department. He said the collective existing staff is not large enough to launch a joint venture as proposed, and that he anticipated requesting more funding at fall Town Meeting. He described the work order software SchoolDude, which is under consideration for coordinating work among the towns and school district.

Next meeting: March 19

Johnson entertained a motion for the Board of Selectmen to adjourn at 8:47 p.m. Scuteri so moved. Neill seconded the motion. VOTE: Unanimous.

Respectfully submitted by Ann Sierks Smith, substitute minutes secretary

ATTEST:



Clerk

