

TOWN OF HAMILTON
BOARD OF SELECTMEN Retreat
JUNE 14, 2012

The Board of Selectmen met at The Meeting House at 5:00 p.m. on Thursday, June 14, 2012 with David Neill, Marc Johnson, Jeff Stinson, Jennifer Scuteri and Jeff Hubbard present. Town Manager Michael Lombardo also present.

Call to order

Chair David Neill called the meeting to order.

Long term strategic planning and community visioning

Town Manager Michael Lombardo referred to material from the National Civic League on process for long term strategic planning and community visioning. He emphasized the importance for the Town to address process by identifying a timeline when engaging community to create a path for the future. He mentioned that this process provides him with tools to develop surveys, evaluate productivity and establish performance standards to quantify service delivery and determine whether or not Hamilton is reaching its goals.

Lombardo summarized that this type of living document guides thinking and decision making and can be used for evaluation of progress towards achieving a goal and vision. Also, it could be used in concert with the Master Plan relative to specific issues such as open space and housing.

He noted that the NCL document was comprehensive and would take more time than this retreat for Board to review and understand its relevance to Hamilton's strategic planning and community visioning. He suggested if there was Board interest that a facilitated process on these topics could be presented during a Selectmen's work session meeting to foster more comprehensive understanding and knowledge that would result in a related dialog.

In response to Jeff Hubbard, Lombardo said this planning would be different from the Master Plan that complies with state law and focuses on land use, open space, agriculture, housing, community facilities, service and transportation. This process would use a guiding committee and subcommittees that determine how to reach out to the community for the outcome of a different product than the

Master Plan by defining what the community is, and who we are for the next 30 years.

Discussion ensued about how Hamilton's community has changed in the last 15 years and the process would allow the Town to build a consensus view of today's residents and what is the vision for the community and efforts or services that need to be done to accomplish that. Lombardo explained if that is done then subplans such as land use and transportation become more focused and complete to guide discrete thinking.

Hubbard noted that although the Master Plan is eight years old it provides a foundation for vision for implementation that could be built upon. Lombardo responded that every 10 years is the average when Master Plans are revisited and he didn't think the current plan defines what kind of community Hamilton wants to be. In response to Marc Johnson, Lombardo said action plans are derived from the Master Plan. Also, that any scope of work where a facilitator is involved would be focused on these action plans.

Lombardo summarized that the actions plans would define next steps and identify what groups are responsible, who should begin work and who is going to evaluate progress and receive feedback from community to determine if the correct services are being provided to the Town. He noted that this should be a part of how Hamilton does business.

The Board discussed the value of the Master Plan as it is now 10 years old but concerns seem to be largely the same today. As evidence that older studies still have value, Jennifer Scuteri mentioned that the League of Women Voters have done annual studies including one in the late 1990s that said the Town needs more sidewalks and perhaps this should have been addressed at the May ATM.

Discussion ensued about the need for Hamilton to define itself based on the understanding of what is important to different interest groups in Town going forward (i.e., open space and a good school system). Scuteri noted the shift away from the great estates she cited how this is being implemented well in Wenham with the Mullins site transformation that will offset that town's property tax rate.

Johnson noted that the Master Plan mentions the need for development through a great estate bylaw with non-single family uses. Lombardo responded that core zoning has overlay districts that compete making it difficult to rationalize within the broader community.

He suggested after a vision is created then zoning should be evaluated to understand if it works with that goal. Scuteri said that the more pressing issues in Town are related to zoning.

Neill concurred with concept if the Town is considering changing from how it has been in the past, then zoning especially in the commercial district becomes ever more important. He noted that the zoning bylaw was created in 1954 and the Town needs to understand that this may be obsolete. He introduced the idea of community where families would be happy to and able to live in Hamilton for generations rather than living here for awhile and moving on.

Lombardo acknowledged the work accomplished in Town along these lines in the past. He suggested it is time to reidentify and set a new course especially since the community is divided (i.e., thinking about schools).

Johnson said land use boards a few years back were concerned about what happened in north Beverly and wanted to constrain development. However, Planning Board and Zoning Board of Appeals had a mind set change realizing that affordable housing was needed for Hamilton residents, whether they are young families or senior citizens. But the bylaws ended up being divisive, partially due to understanding of the concept by a core group directly involved in the process and lack of understanding by others across the community. He suggested that residents are aware that something has to change in Town to deal with the high tax rate so there is more willingness than when Master Plan was first created.

Discussion ensued about the ever increasing need in Town to keep empty nesters from leaving the community, also that Hamilton needs to be affordable for young families, as well as the lack of housing for elderly residents wanting to downsize.

Discussion also addressed Selectmen's reticence about approach to strategic long range planning and community visioning since Board thought residents liked Hamilton the way it is but there is an obvious need to find solutions to high property tax. Hubbard mentioned that he thought there was redundancy between Recreation Department offerings and programs available through Community House (i.e., karate classes). Scuteri thought people whose children have gone through the school system are moving to more vibrant communities with opportunities for 50-plus year olds.

Lombardo mentioned that charrette was a good tool but did not provide information on the amount of commercial and residential activity that could happen in the downtown and this discussion has not occurred.

Discussion about potential of Hansbury site and if it would be developed more fully than it is currently. Also, as Johnson noted that changes in zoning in that area of Town would have generational impact rather immediate.

Lombardo described the next step to have a facilitator come in to better articulate and give examples so the Town knows what the process would look like in real life for Hamilton. Scuteri expressed concern about not missing opportunities for the Town to purchase properties that come up for sale. Johnson thought the cost for a facilitator to understand Hamilton could be prohibitive.

Lombardo mentioned that this type of planning was not his forte. Jeff Stinson agreed with the concept to work toward taking action and achieving long term strategy/vision planning results but he didn't want a lot of money spent to do so.

Johnson cited statistics about people historically living in Hamilton for longer periods of time than other Mass. communities or the nation but that has changed. He noted the link between making the community more interesting to residents by offering additional services but this impacts the property tax rate since there is more expense. He mentioned that there would have to be a significant increase in development to reduce costs by as little as 1%.

Hubbard suggested that Hamilton has always been undervalued with property values compared to similar communities and benefits such as an extensive trail system should be publicized.

In response to Neill, Lombardo offered to create a brief description of what could be accomplished in a facilitated session for discussion at a BOS working session or future retreat. Scuteri summarized that there had been very little participation when Town officials had tried to reach the public in the past with same group of people attending Town planning meetings. Lombardo said if there is commitment for this type of plan, funding opportunities would be available, possibly with partners.

Discussion about past efforts and weak outreach to community, as well as lack of individuals or groups deemed responsible for moving planning actions forward and vision for more than a tree service downtown at Hansbury site. Neill

mentioned that Board members have agreed to read planning document supplied to the Selectmen by the Town manager. Lombardo offered to pull description together for Board of nearby communities that have used suggested planning/vision process. Johnson emphasized the need for wide ranging community outreach and community involvement rather than from an ongoing core group of residents to move toward a new planning process.

Planning Board, Zoning Board of Appeals and Conservation Commission interaction with Selectmen and Town manager

Lombardo reported on feedback from land use boards and concern that they believe there should be more involvement with them from Selectmen and Town manager. That the higher level community coordination should come from the Board rather than Town manager.

Scuteri noted that in recent years there was more Selectmen interaction with these boards due to multiple committee effort with Great Estate bylaw, Willow Street overlay district and Meals tax.

In response to Neill, Lombardo mentioned process where Selectmen are designated as liaison to other Town boards and committees but that little interaction, coordination and reporting has been done of late. Neill thought that ZBA could have other Boards weigh in more than has been done in the past. Johnson said Planning Board seeks political support from other Town boards and committees. This is evident with no follow-up discussion on commercial overlay district downtown.

Lombardo suggested Selectmen reach out to other boards to understand if group meetings or just communicating individually more frequently would be helpful. This would give the full Board a better understanding of what actions are needed to support the land use boards. Lombardo described how he is finalizing job description for position upgrade from Planning Coordinator to Planning Director with land use boards.

Selectmen correspondence: community service and constituent based

Discussion ensued about how Selectmen should respond to correspondence and that Board members represent entity rather than themselves individually. Neill suggested that official responses be given to official requests (i.e., resident concerns or inquiries to take action). Lombardo agreed that he could respond to

operational inquiries (i.e., why is siren sounded) and copy the Board but he wanted the Board to respond to complaints from individuals (i.e., Hamilton residents or not and people who identify themselves) since he did not want to respond for Board. Discussion was on whether or not correspondence should be read publicly at Selectmen's meetings if concern is clearly articulated. Neill said that he would be the gatekeeper for Board when responding to resident concerns Town receives in writing and it was reiterated that Lombardo will respond to operational inquiries.

Board rules and procedures

Discussion ensued about need to be consistent with Board policies that have been adopted so they are documented in writing and kept on file for ready access. Lombardo referenced policy management practices from other communities and importance of documenting practices and that they should be followed (i.e., numbers and types of meetings for Selectmen: work sessions, regular meetings and retreats) on a regular basis.

Discussion continued about latitude for flexibility in Board actions (i.e., meeting schedules) while maintaining consistency in management practices and documentation of Board's actions for future reference. Johnson mentioned the importance of Selectmen being clear about if they are acting individually or as Board members. Hubbard suggested there be an initiation process for new Board members done by existing Selectmen. Lombardo responded that state provides training opportunities. Scuteri agreed to analyze other community examples and offered to draft rules and procedures for Hamilton for Board review.

Hubbard asked that copies of written documents discussed at Selectmen's meetings should be made available to public attending. Discussion ensued on whether or not packets for Board meetings could be ready for Selectmen by Thursday before Monday meetings and interdependence on agenda preparation.

Also, noted was the usefulness of the template on the agenda for motions that assists Selectmen at meetings. Discussion continued about whether or not Board members would want hard copy or electronic versions of documents and how they could be presented to the public.

Discussion ensued about how Board of Selectmen meeting agendas should be set and that Selectmen requested items should be included with Town manager managing final meeting agenda. Board agreed that they would like packet

material received electronically the Friday before the Monday night meeting. Lombardo said agenda has to be set on Thursday night for Monday night and only items to be added by Wednesday morning would be routine approval and liquor licenses. Discussion about Selectmen chair and another Board member meeting with Lombardo on Thursday mornings to finalize Monday night meeting agendas. Lombardo agreed to consult with administrative support staff to understand feasibility of completing agenda and packets within an earlier timeframe than what is customarily done.

Priority of focus for coming year

Discussion ensued about need for a cell tower to be placed in Town to address voids in service. Lombardo noted that discussion was needed on bylaw since it could be overly restrictive preventing placement of cell tower in Hamilton. He suggested two Selectmen work on initiative.

Discussion continued on need for Board to review and revamp Town's bylaws. Neill noted that defining Town's strategic plan would drive any changes in the bylaw. Also, that there are nuisance violations that cannot be enforced.

Discussion on when was the last time that the Board issued a permit for an unregistered vehicle parked in a resident's driveway or on lawn. Neill said the only exemption is holder of class license but police cannot enforce that due to Mass. law. Lombardo said Town can grant relief in this matter but the law is silent or Hamilton could write citations but there is no enforcement.

Also discussed was if Board addressed zoning bylaws that Planning Board owns process and state controls what can be done.

Discussion on list of reappointments that will be made shortly by Selectmen as fiscal year draws to end, and how boards and committees are not filing all meeting minutes by year end perhaps due to no meetings or action occurring and which of these groups should or want to continue or be repurposed.

Neill mentioned that some committees are required by statute, but some were appointed for a specific purpose that no longer exists. Lombardo will provide Board with a comprehensive list that can be reviewed for Selectmen reappointment decision. Neill suggested policy for boards and committees to attend Selectmen's meetings to identify which are active and should be maintained. Johnson offered to do the analysis and provide feedback to Board.

Discussion about need for someone to manage workload for some committees (i.e., Patton property). Lombardo will schedule this discussion for Selectmen.

Lombardo introduced consideration of possibility of elected Town positions being changed to appointed (i.e., administrative positions: Town clerk) to ensure Hamilton gets the right people for positions. Stinson thought there could be value in this but noted that Town clerk was gatekeeper for public records.

Neill noted that elected positions have evolved in Hamilton where treasurer is now an appointed position. Discussion addressed the superior job that current Hamilton town clerk and predecessors have done in the position and that if any change from elected to appointed position would occur this should happen when a transition happens (i.e., retirement).

Neill said the community should be assessed on this proposal since it was strongly opposed when this suggestion was made in the past for the Town clerk's position. Board members emphasized if any change is going to be made with elected versus appointed positions including Board of Assessors it should be done in such a way that would consider existing employees and people in positions. Johnson mentioned that there is a sense of independence with elected positions (i.e., Planning Board). Discussion about Assessors, who report to Department of Revenue, and independence in role.

Discussion about need to publicize Town manager's and Selectmen's consideration of changing Town clerk's position from elected to appointed in light of fact that current Town Clerk Jane Wetson will be retiring in next few years and that her assistant is being trained for position.

Also discussed was need for Town to follow up with tax exempt properties relative to P.I.L.O.T. program contributions (i.e., donations: financial or services). In regard to development investigated for landfill, Lombardo summarized that Town is pushing Department of Environmental Protection to give Hamilton CAAA by November and intent is to finish cap in spring followed by anaerobic digester located at site as a revenue generator for municipality.

Also mentioned was grant request for Mass. Clean Energy and RFP as well as possibility of seed money for project manager position. Lombardo said once electricity could be made available at landfill site due to development efforts then Manchester would participate but details about electricity distribution need to be determined. There are zoning issues that have to be resolved as well as

where feed stock would be stored (vendor would determine). Discussion about cell 2 and gun range being treated differently from other cells at landfill. Lombardo suggested that it may be time for landfill committee to cease and have Town manager work directly with Selectmen on development of landfill.

Also mentioned was need to establish The Meeting House building as a permanent senior center since other options have been analyzed. Another topic raised by Hubbard was to have two plans for economic development downtown. Lombardo said the Planning Director role would shepherd that development.

Hubbard suggested a website link should be developed for people to find out activities that are available in Hamilton under an "Events Hamilton" heading. Discussion ensued about feasibility of regional Chamber of Commerce and consideration of administrative staff expense in light of active merchants association in Hamilton and Wenham. Also mentioned was that Town could adopt an occupancy tax relative to Patton property.

Discussion was on improving pool and clubhouse facilities, possibly with STM warrant article, and that there could be an opportunity with local resort management businesses.

Discussion about whether or not Town, in light of economic environment, could drive effort to keep cost for Town services and HWRSD the same for three years out. As well as if there are areas in Town and with HWRSD services where costs could be cut. Also addressed was whether or not there could be agreement on position with school budget by January. Hubbard suggested Town employee positions be reduced through attrition and said he thought positions where landscaping, snowplowing and paving are done could be outsourced.

Discussion ensued on if Town would remain competitive in providing these services with health insurance and pension costs. Also addressed was steps and pension benefits as well as Town's obligation to create a Tier 2 with new rules where vacation time could only go as high as three versus five weeks.

Discussion was on analyzing consultant's report on what reorganization could occur at Town Hall as well as morale problems in the building and in Fire Department. Lombardo said he would schedule an Executive Session with Board to update Selectmen on full time firefighter union contract negotiation situation.

Other topics discussed included challenge for BOS if Hamilton tried to campaign for a reduced school budget, confidence in new school superintendent, action that has to be taken bringing another community to ECO (i.e., Ipswich: although sharing operating costs needs to be discussed) and that Board will see survivor agreement from Wenham on current ECO arrangement for next fiscal year at upcoming Selectmen's meeting.

Neill read a list of action items to be addressed: including study on Essex Street sidewalk, revisit and evaluate joint recreation program, replacement of water lines in areas of Town, and recommendations from Lombardo on Town Hall reorganization for discussion.

Town Counsel services

Lombardo described how he had met with Board members to understand comments to bring in new Town Counsel services. He noted that based on feedback he is not inclined to bring in new Town Counsel services due to effective turnaround time and minimal cost incurred annually for these services provided by Donna Brewer.

He would like to reappoint since this is his appointment due to the Special Act of the Legislature. Discussion on how this was rewritten in the bylaws to be in conformance with the Special Act.

Hubbard mentioned history of what happened in Hamilton that included Brewer and suggested RFP should be done to compare costs from existing Town Counsel with other attorneys providing the same service. Lombardo noted that surrounding communities typically pay \$60,000 to \$90,000 a year for Town Counsel services when Hamilton pays \$42,000 a year.

He added that the insurance company's settlement of the Michael Marchand lawsuit does not reflect on the Town or Town Counsel. He reiterated the value of one-day turnaround on legal advice and Brewer's understanding of her role as Town Counsel that he has experienced in two years working with her.

Stinson thought Brewer's longevity as Town Counsel was beneficial for Town but was in favor of RFP for Town Counsel services. Lombardo said the Town is receiving outstanding service at reduced cost so he didn't think an RFP process was necessary. Stinson and Neill suggested the RFP would provide a comparison for Brewer and her Town Counsel services. Johnson asked Lombardo to

summarize what services Brewer is writing off that she is providing for Town. Scuteri stated that Brewer does a great job and is responsive but there is a perception in community that she is associated with what happened in past. But Town is not going to find anyone to do the same job for the same expense.

Lombardo explained that what happened in the past would not happen again with Brewer while he is operating as Town manager. Stinson reiterated that the management in place at the time the Marchand lawsuit occurred was flawed. Lombardo agreed to summarize Brewer's services relative to charges. Neill mentioned that Town has to move forward with new police department and Brewer. Johnson expressed his support for Brewer based on past experience.

Neill entertained a motion to adjourn at 8:02 p.m. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____
Clerk