

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

December 19, 2016

Members Present: Shawn Farrell, Allison Jenkins, Jeff Hubbard, and Scott Maddern.
Town Manager: Russ Stevens (Acting)

This meeting was called to order at 7:02 pm

Announcements

Scott Maddern described the current Board openings: Planning Board Associate Member, Finance and Advisory Commission Member, one CPC member at large member, and one Essex Agricultural and Technical High School member. Mr. Maddern encouraged candidates that had applied for the School Committee Member position to also apply for the Essex Technical High School position.

Public Comment

None

Chairman/Selectmen Reports

Allison Jenkins announced that the DPW had delayed the Electronic Waste Disposal until December 21, 2016 from 8:00 am to noon. Shawn Farrell recalled that the Planning Board had met on December 6, to discuss the application for a special permit for a cell tower (Blue Sky Towers LLC) and finalize the text of the decision. The Planning Board had also discussed the Patton Homestead parking lot to prepare the approval text. Also discussed was the construction at 227 Willow St. The Planning Board had requested that the Building Inspector issue a Cease and Desist order on the property which had been approved for a height of 41', but was constructed to be an actual height of 57'. At the Planning Board's next meeting they would discuss Zoning By-laws and phase II. Doug Trees would also speak about Cottage Zoning.

Shawn Farrell described the CPC meeting when the Committee discussed the eligibility applications for 270 Asbury St. (Habitat for Humanity), which was deemed eligible and the Pingree Park playground, which was deemed eligible, pending approval and dollar amount offered from the Wenham CPC. The eligibility for Hamilton Historic District signs had been approved. Previous signs had been made several years ago and one was currently missing. The Request for Eligibility for the COA had been withdrawn. The CPC had also discussed including a postcard or flyer with the next real estate tax bill describing surcharge abatements.

Shawn Farrell explained that the Conservation Commission had met to talk about approving the 2016-17 HWRSD Audubon Education Proposal. Hamilton's share of the cost was \$3,635.75 while Wenham's portion was about \$1,800. Wenham had not participated in the last six or seven years, so the Conscom would either vote to pay more or the students would pay a fee. Also

discussed at the Commission meeting were the Patton Homestead survey plans, committee for open space planning, the 9.1 acres, and research on Scenic Roads (12 currently). Mr. Farrell stated that he was concerned about completing the Open Space Plan as the lack of a current one would prevent the Town from being eligible to receive Federal and State grants. A consultant was still on retainer to work on and present the plan.

Scott Maddern announced that the COA was working on aging communities programs. With 25% of the Hamilton populations being seniors currently, activities, access, and programming was becoming more important. Mr. Maddern said he had attended the High School History Fair. Presentations included taking a stand regarding social change or discrimination. Mr. Maddern attended the Patton Homestead Board of Directors meeting when the RFP had been discussed. A joint application with the Wenham Museum and the Community House had been encouraged. Independently from being a Selectman, Mr. Maddern had talked to the Essex St. neighbors regarding the sidewalk and may help with a petition to construct the sidewalk in an incremental way. The Affordable Housing Trust had met and heard concerns about using 13 Essex St. as a potential site. Mr. Maddern said he was planning a field trip to the Town of Manchester-by-the-Sea to visit affordable housing that had been constructed with community support.

Acting Town Manager, Russ Stevens discussed the Patton Homestead proposals which were not due back until March 3, 2017. Chief Stevens had spoken with Planning Director, Patrick Reffett to determine that there had not been a lot of interest to date. Mr. Reffett had listed the RFP in the State register, pushed it out to local papers, the Community House, and the Wenham Museum. DPW Director, Tim Olson was informed about the CPA money for fixing the roof and the dormers. The Homestead account would be used in the spring to repair rotting clapboards. The boilers and water heaters had been serviced. The Town hired Town auditors as consultants to look at the water bill issue and had identified the accounts, interest and penalties.

According to Russ Stevens, the Recreation Director would meet with Gale Associates and Jim Hankin to discuss the turf fields. The DPW Director would plow the same private ways as last year. There would be action to adopt a Private Way By-law, which Town Manager would discuss upon his return. The Bridge St. binder coat had been completed with the final coat scheduled for the spring. Construction work should be done by mid-January except for the final coat and seeding. A Town Hall Committee would be put together for what could be done at Town Hall and what updates needed to be done. The Finance Director and DPW Director had both begun their employment.

Police Chief, Russ Stevens offered a report on the Police Department and noted there were two internships each year, one for high school student and one for a college student, who had lived in town. The Department looked for Criminal Justice majors. The toy drive, the previous Saturday, collected 300 toys, some for local children in need and 250-260 for the Shriners Hospital. The 5th Citizens' Police Academy graduated in November. Chief Stevens was working with Bobby Gates to develop a twitter account and facebook page under the purview

of Officer Andrew O'Neil. MA State Police gave an award to Kent Richards for his investigative work in the child abduction case. Lieutenant Scott Janes was recognized by the Legion for his work.

Chief Stevens announced the Hamilton Police Department was one of 66 that were fully accredited out of 360 in the state. Hamilton officers were mandated to complete 40 hours of training. Chief Stevens said he had addressed the students at Pingree School on the social host law, Alice (alert, lock down, inform, and evacuate) program, which informed students regarding lockdown and evacuation policies. Instead of training students to stay in place, the program taught them to evacuate when appropriate. The program would take three years to educate staff, students, and parents. Chief Stevens spoke with Superintendent Harvey and Jeff Sands to bring the concept to the public schools. Narcam was still being used to alleviate Opioid overdoses in Town. All Town employees were involved in an active shooting program, which was based on the Alice Model.

Fire Chief, Phil Stevens described the 40 gallon, diesel oil, fuel spill on Bay Road with Enpro arriving to clean it up. The Fire Department kept it from going into the catch basins but it did sink into the soil. The process included Dig Safe, Mass Highway, the DEP and the DPW for a trench permit.

Scott Maddern announced the 2015 Water Fluoridation Quality Award from the US Centers for Disease Control and Prevention.

Consent Agenda

The Board of Selectmen discussed the appointment of Michael Lombardo to be the RAO for the Town of Hamilton. The RAO was the public records point person. The provisions included a searchable website for minutes. Russ Stevens said when the Town Manager was out, the Acting Town Manager would become the person and in the event of a complicated issue, Town Counsel would handle the situation.

Minutes December 5, 2016

Motion made by Shawn Farrell to approve the Consent Agenda.

Seconded by Allison Jenkins.

Vote: Unanimous to approve.

Liquor License Renewals

All Alcohol License for 2017.

15 Walnut, Black Cow, Weathervane Tavern, Myopia Hunt Club and the American Legion.

Package Store All Alcohol License for 2017.

Harrigan's of Hamilton and the Community Package Store

Package Store Malt and Wine Liquor Licenses for 2017
Hamilton Convenience Store and Crosby's Marketplace

Entertainment License Renewal for 2017

15 Walnut (live entertainment) and American Legion (jukebox).
Motion made by Jeff Hubbard to approve all license renewals.
Shawn Farrell seconded
Vote: Unanimous to approve all.

Agenda

Spring Town Meeting

The potential date was discussed with April 1, 2017 being the set date.
Motion made by Jeff Hubbard to approve April 1, 2017 as Spring Town Meeting date.
Allison Jenkins seconded.
Vote: Unanimous to approve.

Discuss Date for Budget Work Sessions Late February and March

One or two workshops would be scheduled to discuss the budget with the FinCom, according to Scott Maddern. The Board agreed to reserve two Saturday mornings from 8:00-11:00 am on March 4, and 11, 2017.

FY16 Audit Updates

The Finance Director, Marissa Batista had received a copy of the Draft Management Letter and Financial Statements and noted that she had submitted the last piece of information the day of the meeting. In the next couple of weeks, the Town would have the finals. Ms. Batista said there was nothing new on the Management Letter with the biggest concern being the water bill issue. Allison Jenkins asked how many items were repeats from previous years to which Ms. Batista said she believed they were all repeats with one exception, post-employment benefits, which was an informational comment. Ms Batista would research how many times items had been repeated. The Selectmen and the Finance Department would discuss the audit and Management Letter on January 23, or February 6, 2017.

The FY17 tax recap had been certified by the Bureau of Accounts for Hamilton. The DOR had recertified the tax recap as well. After the recertification, it was discovered that a vote for \$250,000 (from free cash) was approved to reduce the tax rate for 2017. The vote was overlooked in the tax recap preparation so was therefore, not included. Marissa Batista said she contacted the DOR. In order to have the tax recap recertified, the Board of Selectmen needed to take a vote and the Chair needed to prepare a letter to the Director of Accounts, which would be sent to the DOR. The Town would then resubmit the tax recap with the free cash vote included. Scott Maddern and Allison Jenkins thanked the FinCom for making sure it was accurate.

While Marissa Batista would rather have waited until the rate was approved, she announced that the tax rate recertification originally approved was \$16.98 and the new rate might be \$16.81 if the DOR approved the recertification.

Motion made by Shawn Farrell to have the tax recap recertified.

Jeff Hubbard seconded.

Allison Jenkins asked what agency made the oversight, to which Marissa Batista responded that the Town had hired a consultant to prepare the tax recap. Since the Finance Director position was open, it was not unusual to hire a consultant. Ms. Batista drafted a letter for Scott Maddern to rewrite and sign. She scanned the free cash vote, which could be e-mailed with the signed letter.

Vote: Unanimous to approve.

Sign for Episcopal Church on Town Land

Patrick Reffett had sent an e-mail to the Town Manager and Police Chief, that the Episcopal Church sign was located, since 1961, in front of the COA building and was recently removed presumably via a snow plow. Russ Stevens distributed a copy of the e-mail to Board members. To replace the sign, a land lease would be required because it was on Town property. According to the Zoning By-law, off site signage was not allowed. The Planning Board would need to grant a one year permit each year as well as ZBA sign approval. The Planning Director recommended that the Board of Selectmen not approve the sign due to clutter as there were currently the new COA sign, temporary signs, fencing signs, and town sign replacement currently in the area.

Scott Maddern suggested not to allow the sign, even though it was there historically, because of the extent of the administrative process as well as sign clutter. Mr. Maddern wanted to defer to the Planning Director's recommendation. Russ Stevens wondered how would the Board approve one sign but say no to others. This was an area of high visibility within the Town. Shawn Farrell said he was leaning toward the Town Planner's recommendation. Allison Jenkins noted that in the 60's, 70's and 80's there was a need for more signage but currently, due to electronic mapping, it was easier to find places. Mr. Maddern recommended that the church sign not be approved and the Board of Selectmen take no action.

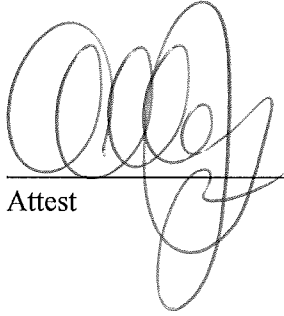
New Business

Topics for Future Selectmen Meetings.

According to Scott Maddern, topics to be included would be the Patton Homestead RFP responses including questions received, private way adoption, the creation of a Town Hall Committee, and discussion about the Town Audit. Shawn Farrell added updates of solar vendor, landfill certification, and the website. Jeff Hubbard suggested water bills as well as a roundtable with the AHT to discuss the four neighborhoods that were riled up. Mr. Hubbard thought there may be a better process so as not to upset so many people. Allison Jenkins wanted to discuss a complaint which should be discussed in executive session. Ms Jenkins added a discussion regarding procurement process policy as well as a policy to make policy. Mr. Hubbard also wanted to talk about the Town Manager review.

Jeff Hubbard made motion to adjourn.
Seconded by Shawn Farrell.
Unanimous to adjourn at 8:02

Prepared by:
Marcie Ricker
Marcie Ricker


Attest

1/9/17
Date