

HAMILTON FINANCE AND ADVISORY COMMITTEE
Minutes of Meeting
July 10, 2019

Members Present: John Pruellage, Christine Schenk-Hargrove, Nick Tensen, and David Wanger (Chair).

Others Present:

This Hamilton Finance and Advisory Committee meeting was called to order at 7:01 pm at the Hamilton Council on Aging Building, Bay Road, Hamilton.

Public Comment

Discussion regarding an election of FinCom officers for FY20

David Wanger agreed to serve as Chairman and Nick Tensen, if nominated and elected, would serve as “hyper-active” Vice Chairman. Mr. Wanger noted that John Pruellage would make a great chairman but he understood the rationale for his reluctance to serve. Mr. Tensen would also make an admirable chairman, according to Mr. Wanger.

Motion made by Nick Tensen to nominate David Wanger as Chair of the FinCom for FY2020.
Seconded by John Pruellage.
Vote: Unanimous in favor.

Motion made by David Wanger to nominate Nick Tensen of the new position of “hyper-active” Vice Chairman.
Seconded by Christine Schenk-Hargrove.
Vote: Unanimous in favor.

Motion by David Wanger to nominate John Pruellage to serve as the secretary of the FinCom for FY 2020.
Nick Tensen seconded.
Vote: Unanimous in favor.

Discussion with Town Manager and/or Finance Director regarding any finance related updates, the FY21 budget calendar, and Special Town meeting in the fall.

Marisa Batista and Joe Domelowicz were not present. While Mr. Domelowicz had indicated he would not attend every meeting, he would be responsive to the Committee’s needs. David Wanger said the current atmosphere between officers and committees was more positive than in the past.

Discussion regarding Town Building Committee updates.

The Selectmen (4-1) adopted Option A (removing the stairs) while the FinCom had recommended Option B (with the elevator outside). John Pruellage noted that Town Meeting could move to shift to Option B on the floor. The Town Hall Building Committee vote was unknown. It was agreed that the survey regarding the choices was limited and imperfect in the manner in which the questions were asked. Special Town Meeting would ask for the funding to have a design package completed for Option A. Discussion would continue at the next meeting.

Discussion regarding the status of the Green Meadows facility and Community Host Agreement.

Joe Domelowicz dropped off a paper copy of the agreement. Christine Schenk-Hargrove would review the document. David Wanger was interested in obligations upon termination. According to Mr. Domelowicz, the Town was in a holding pattern in terms of what the Pattons intended to do. The applicant had asked to have consideration of their proposal postponed until August. It was reported that someone had suggested using the dump land for the same purpose but neighborhood issues might be unavoidable there as well, according to Mr. Wanger. Ms. Schenk-Hargrove noted the proposal would have been good for the Town budget not only for payments

but for property tax as well. Mr. Wanger was worried the Police Chief would be hiring an additional person, salary of which was predicated on the funding of the proposal. Mr. Wanger noted the importance of a level service budget and the enthusiasm for a School Resource Officer funded through the marijuana farm funding. John Pruellage said Article 5, Section 13 should be reviewed.

Discussion of any updates to Town Counsel and other litigation costs review.

While no new information was available, the engagement copy was distributed. The document would not be signed until the FinCom reviewed and made suggestions. The document would be discussed at the next meeting. David Wanger was concerned with the six month review and was unclear how to measure the \$200 an hour against a six month total. Nick Tensen wondered if the term would encompass Town Meeting. Mr. Wanger said that as stewards of the public funds, the FinCom must be studious on how to measure the economics of the retainer. Christine Schenk Hargrove said a retainer was an estimate of the cost of a case to get started with additional bills beyond that but that there would be a discount for the law firm balanced off by the regularity of the work. John Pruellage recalled there was another similar bid.

Collective bargaining was outside the retainer. David Wanger suggested that Joe Domelowicz could accomplish the work as his predecessor had done. John Pruellage thought savings could be experienced over a number of years by being able to ask questions without being charged \$200 an hour. Mr. Wanger asked about the duration of the agreement, which was not specified nor was the process for renewal or termination. Mr. Pruellage responded that if a client was not served properly by a lawyer, they would not be required to continue the relationship but if a client wanted to continue a relationship, the firm would be obligated to continue. Christine Schenk-Hargrove said KP Law would reduce litigation costs by way of handling litigation before a court filing so there might be a multi-year savings that may not be apparent. Mr. Pruellage recalled the addition of seminars provided.

John Pruellage said minor real estate transactions would be included in the retainer but those that required more than three hours would cost by the hour. Comprehensive permits/40B proposals would not be included in the retainer. The threat of litigation would be within the retainer, but a suit filing would trigger the \$200 by hour fee. Christine Schenk-Hargrove said there would be an incentive to the firm to have more litigation because they could charge more but they had promised that there would be less litigation. Ms. Schenk-Hargrove wondered how much had been paid in the previous year and how many separate litigations had been handled. Town Hall appearances were not related to the included services. Nick Tensen wanted to understand what would be included. Ms. Schenk-Hargrove wanted a definition of litigation or adversarial matters.

John Pruellage noted that the firm was billing for actual costs such as photocopying but also landline and cell phone usage, which Mr. Pruellage thought was inappropriate and probably a remnant from the past. It was noted that items not covered under the retainer would be detailed in a bill. Formal proceedings would be outside the retainer but initial threats could be held to under three hours per matter. David Wanger reiterated that adversarial matters prior to becoming proceedings should be part of the retainers. It was agreed that using a three hour limitation for the retainer would be simpler than determining which situations would be included.

David Wanger announced that he hoped to set up a pro-bono mediation service for the Town after he was no longer on the FinCom in an effort to de-incentivize litigation.

In summary, non-retainer subjects would be considered within three hours or less including construction projects, building committee issues, appearances at Town Hall and other issues not covered by retainer. Adversarial matters would be included. Telephone charges would be inquired about. The FinCom would be involved in the six month review. There should be an assessment of the cost value.

Discussion regarding FinCom vacancies and meeting with potential candidates.

David Wanger said he had talked with a woman but the timing was not right for her. Mr. Wanger e-mailed another resident but had no response. Christine Schenk-Hargrove said she would speak with neighbors. John Pruellage would reach out to a friend.

Discussion regarding liaison assignments.

Nick Tensen would have Public Safety, Hamilton Development Corp, Town Hall Building Committee, and Patton Homestead. Christine Schenk-Hargrove would do the school. John Pruellage would assist her. Mr. Pruellage would do Planning and keep DPW. Ms. Schenk-

Hargrove would also do Council on Aging, Housing Authority, Historical Society, Veteran's Services, Hamilton Foundation, Recreation, Library, Board of Health, and Cultural Council. After a fifth member joined, Ms. Schenk-Hargrove would be relieved of some of the liaison assignments. David Wanger would do the Selectmen, general government, Affordable Housing Trust, and Capital Committee. PILOT would be the responsibility of Mr. Pruellage and Mr. Wanger.

Committee Member and Liaison Updates.

Review and approval of available minutes.

Motion made by Christine Schenk-Hargrove to adopt the minutes of June 12, 2019.
Seconded by John Pruellage.
David Wanger had minor changes.
Vote: Unanimous in favor.

Determine/Discuss agenda for next meeting.

It was agreed that future topics should be more selective than ambitious goals. Nick Tensen suggested IT shared services with Danvers. Regional inspection services had been accomplished. The Selectmen would cover solar issues. The PILOT program would focus on Pingree and Gordon Conwell. Permitting fees had been accomplished. Waste cost and disposal needed to stay on the list. Members questioned how many financial policies had been completed. Marisa Batista would be asked. Fire consolidation would be considered for the future. Turf fields, water source diversity, and plant improvement would be discussed. Schools, OPEB, and Longmeadow potential would be discussed. Capital projects would be discussed.

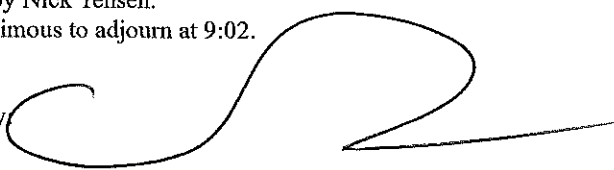
John Pruellage and Christine Schenk-Hargrove would be away for the next meeting date. The next date would be determined.

Other Topics Not Reasonably Anticipated as Determined by the Chair.

Adjournment

John Pruellage made motion to adjourn.
Seconded by Nick Tensen.
Vote: Unanimous to adjourn at 9:02.

Prepared by



#/23/19

Marcie Ricker

Attest

Date

