

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

January 23, 2017

Members Present: Shawn Farrell, Allison Jenkins, Jeff Hubbard, Scott Maddern (Chairman), and Bill Wilson.

Town Manager: Russ Stevens (Acting Town Manager)

This meeting was called to order at 7:04 pm

Announcements

Scott Maddern described the current Board openings: Planning Board two Associate Members, one CPC member at large member, and one Essex Agricultural and Technical High School member.

Public Comment

Ed Howard (Meyer Lane) was a member of the Enough is Enough (EIE) group, which had fizzled off leaving \$3,209 in the bank to spend respectfully where there was a need. Mr. Howard thought the purchase of a portable public address system would be beneficial and EIE would like to write a final check for the speaker system to donate to the Town of Hamilton. The COA would be the keeper of the system. Mary Beth Lawton said she would accept responsibility of the unit. Allison Jenkins suggested putting the topic on a future agenda, noting the generous gift must be accepted appropriately.

Chairman/Selectmen Reports

Allison Jenkins said she attended a conference on the New Records law for towns. Ms. Jenkins recalled that the Board appointed Michael Lombardo as an officer but determined there were other steps to follow to be compliant with the law, which she sent to Town Counsel. The RAO website link for the Town and the Police Department would go to the Town Manager's assistant. Ms. Jenkins noted that if the assistant was absent, there needed to be a backup as an autoreply was insufficient.

Shawn Farrell recalled that the ConsCom met on January 11, 2017 and talked about reviewing the survey plans for Patton Ridge, discussed issues surrounding the 9.1 acres of open space, and looked at the Town Meeting decision regarding if it was perpetually dedicated to open space, which would require no further Conservation Restriction. The Commission looked at Central Avenue and determined next steps to conserve the space, including steps to protect the site from dumping. The Commission would soon walk through Pingree School looking at the area for a turf field to delineate the wetlands. The CPC met on the January 12, 2017 to look at funding applications that night, including 270 Asbury St. (Affordable housing \$60,000 for Habitat for Humanity), Pingree Park playground (\$25,000 of a \$150,000 project), Buker School playground (\$50,000 asked for out of a \$170,000 project but was granted \$20,000 to match Winthrop

playground), Horseshoe pits (tabled), Historic District sign replacement (\$680 but sign was found), and Hamilton Housing (\$89,000 for roof replacement). Other discussion included the Senior center balustrades, Patton Park cannon wagon wheels, and the American Legion grant money to do electrical repair work.

Shawn Farrell also attended the Hamilton Planning Board meeting on January 17, 2017 where discussion ensued regarding the Varsity Wireless pre-application conference for a 109' cell tower behind Town Hall and the 227 Willow St. site visit, which was conducted on January 14, 2017 regarding a Cease and Desist order. The Cease and Desist order vote was 3-3 with a second vote recorded as 3-2-1. A letter was drafted January 20, 2017 to request a Cease and Desist, but the Board would review accommodation on February 7, 2017. Claudia Woods was voted the Chair with Brian Stein as Clerk

Bill Wilson described the formal presentation of the FY18 Budget by the Superintendent, Assistant Superintendent, and Finance Director, which continued current services and a 3.5% increase for Wenham but a .5% decrease for Hamilton. Out of district costs, including transportation, teacher raises, and OPEB trust fund (\$50,000) were in the Budget. The target date to approve their budget was February. Nomination papers were available for four open seats on the School Committee.

According to Bill Wilson, the AHT discussion focused on two properties, Kinsman Lane of which five of the 30 acres were usable for the Trust. The AHT would bring the property, which abutted the DPW and Town cemetery, to the Board of Selectmen. The other property was behind Winthrop School and the Public Safety building. The AHT put that property on hold as it would be costly for the Town. The Open Space Plan stated there was a restriction on the property. The AHT voted to leave the property alone and follow the School's Master Plan. Of the five major traffic concerns in town, the intersection at Bay Rd. and Asbury St. was first. The AHT voted to put in an application to the CPC asking for \$400,000 for future projects. Each project would be \$200,000 to ask for local preference. Combined with the \$223,000 in the bank, the total would create three projects.

Jeff Hubbard presented the Budget Book for FY18, which the FinCom had received. The FinCom was reviewing PILOT opportunities and meeting as liaisons with Department Heads for the FY18 budget.

Scott Maddern recalled the Elliot St. neighbor meeting and discussion regarding a Nuisance By-law and Chebacco Road residents requesting paving the remaining part of their roadway. Mr. Maddern attended the turf meeting to listen to the \$9M Gale Consultant results. The Joint Recreation Committee would be discussing field use, operating hours, and lights after they heard what the School Committee thought and would see if there could be a working group for the topic. Mr. Maddern referred to the AHT meeting when there was confusion about the Conservation Restriction on the school property, which proved to be inaccurate. Mr. Maddern

wanted to have the Open Space Plan be more current. Shawn Farrell responded that he attended the Open Space Committee meeting and they were working on a letter to Jim Hankin to get the project underway. Mr. Maddern said there had also been outreach to potential volunteers for the Town Hall Committee.

Russ Stevens applauded the Finance Director, Marisa Batista and her assistant Dyan Katz for their work on the Budget Binder for FY18. Chief Stevens recalled the Budget meetings held that day with David Wanger and Ms. Batista. The Town Clerk was updating the census and distributing nomination papers for spring. The Citizens' Fire Academy was upcoming. Chief Stevens also noted the smoke detector replacement program for seniors and the homeland security for breathing apparatus. The Planning Department applied for a Mass Cultural grant. Employment opportunities for the Summer Recreation Program were posted and Sean Timmons was working on the Spring/Summer Brochure. Town Counsel had opined that the scope of project work for the design of the turf field project was within the selection laws. While Jeff Hubbard noted that some of the designs were for buildings, Chief Stevens responded that it was only the siting on a map that was included, which was acceptable.

Tim Olson, DPW Director Update

Tim Olson said he had completed the Budget and would meet with Nick Tensen (FinCom). Mr. Olson was considered to be a good point person for the Town Hall committee. Mr. Olson said they were finishing the Bridge St. project. The April 12, 2017 deadline for the FEMA was acceptable. Myopia had local and state permits to dredge the Miles River in an effort to not draw as much water to irrigate their fields but they were waiting for the Bridge St. culvert to be completed, before they began work as the water was backed up further upstream.

According to Tim Olson, the Hamilton landfill closure was complete but the Cap certification from DEP would be required. The DPW continued to look for snow plow contractors. Union negotiations would occur soon as the contract would expire at the end of July. Mr. Olson said Patrick Reffett had written a Cultural Council Grant for the Patton Homestead. Design selection procedures had not been adopted by the Town, but Mr. Olson would provide them shortly. Recent maintenance in Town buildings included the Public Safety Building, a bathroom at the COA building, and a small renovation to the second story at the Town Hall for new desks and partitions for sound and privacy. Mr. Olson said other DPW work included routine maintenance on snow plow equipment and roadside clearing, routine highway work, mechanical repairs, sign replacement, road patching, and repairs to trucks and police cruisers.

The Phase II Stormwater permit requirement would be effective in July of this year, according to Tim Olson who indicated it was an unfunded mandate permit that included a demanded catch basin cleaning and GIS system. Weston and Sampson were comfortable with the permit as they had dissected the permit for many communities, so the Town may potentially hire them to develop a five year capital plan for the Town. Along with a Notice of Intent, there was paperwork and reporting taken care of in year one. Mapping of the drainage system would be

involved. Mr. Olson would get a summary of what the firm would include and the costs for the operational and capital component.

The Water Department had replaced meters and the Phase III water distribution project would be bidding out soon with construction planned for spring 2017. Any work associated with the system would give discolored water to the residents. Several individual bills had been resolved with notice being sent to residents in a week or two, suggesting they file for an abatement. Mr. Olson put together a package for each resident and created a form for them to file.

Tim Olson said Dave Dolan had done a magnificent job adjusting the system and producing treated water as the treatment well levels dropped. Treatment plans were evaluated by Santec who indicated that some improvements with short term and long term upgrades were needed. The tank was considered to be fairly old, and Mr. Olson would have it inspected in the next couple of weeks. The water system was defined as sources, supply, and storage and all three needed to work. According to Mr. Olson, every town was in the same situation.

Greg Stevens had announced his retirement, which would result in turnover. As there was a need for secondary coverage in the Water Department, an entry level, secondary operator could work under Dave Dolan and his license, which was in the Budget.

Allison Jenkins requested seeing the FEMA 75% grant and Chapter 90 money for the Bridge St. project. Tim Olson responded that the Chapter 90 would be the piece that would change if there were overages due to the contractor being outside the time framework. Mr. Olson said the project was over budget but all bills had not been paid. There was still money on their contract and Mr. Olson was holding it until they finished.

Tim Olson commended the hard working DPW staff who needed someone to be there with them. The workers know more about being out there but liked to know they had a voice and someone to answer their and the public's questions. Mr. Olson said in Rockport, the DPW workers had iphones, allowing them to text each other. Rockport also had technology for a resident to report a pot hole to the Administrative Assistant who sent an e-mail about the situation, which would go to the worker and the Director, increasing efficiency.

Consent Agenda

Approve January 9, 2017 and January 9, 2017 Executive Session minutes.

Approve YouKanRun2nd Annual Fast Half Marathon on May 13, 2017.

Motion made by Jeff Hubbard to approve the Consent Agenda.

Seconded by Shawn Farrell.

Vote: Unanimous to approve.

Agenda

Annual Town Meeting Warrant. All Town Meeting Scheduled for April 1, 2017. Open Warrant.

Motion to open the Annual Town Warrant made by Bill Wilson.

Seconded by Allison Jenkins.

Vote: Unanimous to approve.

Scott Maddern asked residents to bring any articles to the Board.

Hamilton Wenham Regional School Committee's Scenarios to Change the Apportionment between the Towns Discussion

After receiving materials from the School Committee, Scott Maddern created a spreadsheet of the various scenarios and their impact for the Board's review. The request was to attend a meeting with the School Committee, Wenham BOS, and both FinComs on the following Thursday night. The School Committee needed to make a decision by February 7, 2017. The overall school enrollment had declined 10%, which shifted the burden to Wenham. The three year rolling average determined the ratio of how the cost was shared. Wenham went up 6.5% related to apportionment.

Bill Wilson, who noted the current 66/34 split and suggested looking at the number of houses because each house had the benefit of having the schools. Mr. Wilson wondered why a ten year plan was not considered and that enough work had not been done to be assured that a six year plan was the right number. Mr. Wilson noted there was a huge financial impact. As lease issues were found in the Regional Agreement, Mr. Wilson thought the whole document should be reviewed. The Board agreed that Hamilton contributed a lot of real estate opportunity, causing a tax revenue loss.

Shawn Farrell agreed with Bill Wilson and wanted to review the whole agreement not just the apportionment. Scott Maddern realized that there were no proposed scenarios, given the demographic shift, that didn't show a higher cost to Hamilton. After reviewing other towns, it was announced that almost all the regional school districts had one and three year apportionment. If one of the parties was unhappy, it could put the School Budget at risk. It was questioned what effect having a Town Manager had on the agreement. The regional services, (library, recreation, and schools) were all excellent services. Wenham had left the ECO arrangement leaving Hamilton with a higher cost to bear. The FinCom was looking for more regional opportunities of fire, police, DPW and senior services. It was suggested that while the Board looked at the Regional School Agreement, other opportunities be explored.

Russ Stevens thought a shared fire department and police department were great opportunities to provide better services, citing being able to provide detail officers, public safety programs, fewer offices, and a regionalized dispatch. While Shawn Farrell reiterated the interest in the tax loss of property that could be taxed for commercial use, Allison Jenkins suggested expanding downtown if the Winthrop School didn't exist. Ms. Jenkins said she was not for the proposed change as presented and would like to see the data when Wenham was not willing to change it in years past.

David Wanger noted Russ Stevens' and Marisa Batista's efforts for the Budget. FinCom had a recommendation to address the apportionment interest, according to Mr. Wanger. Mr. Wanger suggested attending the meeting but not engage in substantive discussion because ultimately, there would be negotiations. Mr. Wanger stated questions regarding the membership assessment, budget issues, new issues to the lease, conversion to Town Manager, and legal issues, could all be prepared before the Town would address them to the School. Mr. Wanger recalled that he reached out to the School Committee to be a participant and have meaningful input but the School Committee rebuffed the initiatives. According to Mr. Wanger, residents would understand if the School Committee came to Town Meeting with a change in the tax based assessment of cost sharing. Mr. Wanger added that if Wenham was too busy to discuss shared services, the Hamilton should be too busy to talk about the School Committee's proposal.

Town Hall Building Committee

Scott Maddern asked if the Board could adopt the draft that he distributed that included adding a Selectmen, adding an employee and not assuming the Town Manager would be chair. Allison Jenkins thought it was good but added that most towns had a permanent building committee rather than a committee for an individual building. The membership could be based on industry, such as, an architect, engineer, and finance as Ms. Jenkins thought the committee membership should be based on practical skills. A permanent committee would be useful because there would be a balance between properties such as Ed Howard's suggestion to use the Patton Homestead for some Town Hall offices. Bill Wilson liked the policy and that perhaps it could develop into a long term committee. Scott Maddern recommended keeping it focused, but look for a skill set. Mr. Wilson offered that Tim Olson would be appropriate for an employee and the Town Manager would be on the committee.

Ed Howard distributed his letter regarding the involvement of the Patton Homestead and Town Hall. Allison Jenkins suggested having members with a wide skill set and not limiting the pool by stating they also needed to be members of another committee.

Shawn Farrell made motion to accept the charge as written and the membership would be a seven member volunteer board in addition to the Town Manager, and an employee.

Bill Wilson seconded.

Shawn Farrell requested striking required membership and adding a liaison because if there was none, there would be no reporting, to which Scott Maddern and Bill Wilson agreed.

The Committee would be comprised of seven volunteer members and a liaison from Fincom, Board of Selectmen, COA, Historic District Commission, and the CPC as well as the Town Manager or his designee and an employee.

Vote: Unanimous to approve.

Policy for policy adoption

Allison Jenkins recalled that the School Committee had a policy on policies, but the Town didn't have a formal place to list or look for a record. Once adopted, policies were hard to find. The

ownership of the policies should be that of an employee rather than a Board member. The Board should review the policy every three or five years. The Free Cash Policy was adopted but could not be located. Ms. Jenkins said the Board needed more policies and it was their job to make them.

New Business

Motion to go into Executive Session made by Bill Wilson

Seconded by Allison Jenkins

Roll call vote: Allison Jenkin yay, Shawn Farrell yay, Scott Maddern yay, Bill Wilson yay and Jeff Hubbard yay.

Adjournment to Executive Session at 9:42 pm.

Re-open regular session at 10:15.

Discussion ensued regarding interim coverage of the Town Manager who would be out under the Family Medical Leave Act for six to eight weeks or possibly less. Scott Maddern stated he had started the search by notifying MMA and contacting the State representatives. Another alternative would be to have the Acting Town Manager, Russ Stevens, who had previously covered the position during vacation and sick times, continue the position over a period of time. Russ Stevens said he felt comfortable when he covered Town operations while the Town Manager was on vacation and in November. Chief Stevens stated he was comfortable dealing with Department Heads, knew what projects were active, and had covered the DPW Director's absence for months. Chief Stevens had also been working with FinCom going over budgets. While he promised that if he were to become overwhelmed, he would notify the Board immediately, he did request to have a consultant to work on Town Meeting.

In response to Scott Maddern's question as to his responsibilities of the Police Department, Russ Stevens responded that he arrived eight years ago while the Department was under pressure from issues and he was most proud that it was one of the few accredited Police Departments with professional trained employees. His responsibility had been to develop his lieutenant, Scott Janes, who, according to Chief Stevens, had the ability to run the department. Mr. Maddern said he would recommend Chief Stevens as the Acting Town Manager and Chief Stevens responded that he would recommend Scott Janes as Acting Police Chief. Mr. Maddern thought tapping into the FinCom's budget was a reasonable request to pay for difference in salary.

New Business

Topics to be discussed at a future meeting would include the gift of the speaker system for the COA, Kinsman Lane as an AHT basket property, request for a Nuisance By-law, guidance to the housing trust in consideration that \$250,000 provided two affordable units and could the funds be better spent for more affordable housing, adopt Selectmen procedures, audit FY16 , FY17 review, and meeting with the Finance Director. Other topics included having Tim Olson return to discuss water abatement and policy, the Town website, roles and responsibilities, water billing

in two weeks, discussion on files within the Town hall, and listing of current policies that the Town was aware of. Meeting postings were discussed and how it might appear on the calendar in the future.

Shawn Farrell wanted to discuss the municipal energy aggregation program because bidding would be soon. Bill Wilson suggested the Audit for FY16, Budget FY17 with actuals. The Housing Trust should meet with the Board of Selectmen and Andrew DeFranza. Jeff Hubbard thought it was healthy to have a conversation with the AHT about the bucket process as it seemed inadvertently to upset the residents. There should be a discussion regarding the cell tower monopole behind Town Hall and offering an employee survey.

Motion to adjourn made by Jeff Hubbard.

Allison Jenkins seconded.

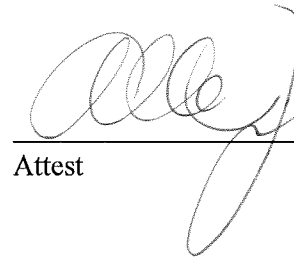
Vote: Unanimous 10:32.

Prepared by:

Marcie Ricker



Attest



Date

