

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

March 20, 2017

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

Town Manager: Michael Lombardo

This meeting was called to order at 7:01 pm

Announcements

Scott Maddern described the current Board openings: Planning Board two Associate Members and one Community Preservation Committee (CPC) member at large member. The Citizen's Fire Academy would begin March 30th from 6:30 to 8:30. Volunteers were needed for the Town Hall Building Committee. Mr. Maddern reminded residents that Annual Town Meeting would take place April 1, 2017 at 9:00 am. and the Annual Town Election would be April 6 from 7:00 am until 8:00 pm at the Recreation Center Gymnasium. Absentee ballots would be available as of March 20, 2017 at the Town Clerk's office.

Public Comment

Selectmen/Town Manager Reports

Shawn Farrell discussed rain barrels.

Bill Wilson recalled that the school committee met and discussed apportionment. The five year capitalization plan would be a topic for Fall Town Meeting. The Affordable Housing Trust (AHT) met and reviewed potential properties, including the landfill area on Chebacco Road. A Letter of Intent would be going out to Dodge Tree to determine if the company could use the landfill site, so housing could be constructed on their property on Willow St. Another property discussed was a land taking on Lakeshore Avenue. Mr. Wilson announced that Peter Britton would leave the AHT to take a position in Ruanda. Harborlight was considering locations, conditions and funds that could be put toward properties to get the numbers of units needed. Hamilton Development Corporation had released a Request for Proposal (RFP) for Willow St., which would be due on May 9, 2017.

Jeff Hubbard reported that the FinCom had met. Veterans' Affairs would be discussing the budget with no large increase on actual expenses incurred by Veterans in town. The Fire Department had their Relief Fund Spaghetti Dinner, which was well attended.

Scott Maddern had discussed the Patton Homestead proposal with Marc Johnson. Mr. Maddern described his discussion with the HWCam Board of Directors, which included increasing demand for public meetings. Staffing was a concern as there was a fixed revenue but there was

discussion to target FY19 with funds from the Town for the program. There was a COA St. Patrick's Day celebration and the Civics Bee featured 36 teams at the high school.

Michael Lombardo noted the title search process on Town owned parcels. The Bridge St. culvert project was described. There was nothing left in the river to impede the flow and the contractors would be removing any leftover items. The new call management system would roll out in the coming weeks and the design implementation on the new website was discussed.

Council on Aging (COA) Annual Update.

Mary Beth Lawton recapped FY16 noting a 72% increase in service over FY15. The COA offered transportation for medical reasons, which were free and for non-medical reasons, which were \$3. There were 1,369 transports in total. The Nutrition Program included 2,445 meals on wheels. There was a 1% decrease over FY15.

Mary Beth Lawton had made contact with every senior in Hamilton to survey them. There was a call to action for seniors 60 to 69 to determine their needs outside of the Senior Center hours. Ms. Lawton also partnered with Accord Food Pantry for fresh vegetables. There would be a Memory Event in October 2017. Scott Maddern talked about the eight pillars of what constituted how to create an age friendly community and referred to Salem for All Ages. A Master Plan was discussed to define the community from school children to seniors. Ms. Lawton wanted to create a volunteer bank with the Rotary and other groups.

Consent Agenda

Approve minutes of February 6, February 10, February 21, and March 6, 2017.

One Day Liquor License requested by Gourmet Delights Catering for an event at 537 Highland Street on March 25, 2017 from 3:30 pm to 4:30 pm.

Motion to approve the Consent Agenda made by Jeff Hubbard.

Shawn Farrell seconded.

Allison Jenkins requested the Board hold the minutes for further review.

Vote: Unanimous in favor, excepting the minutes.

Agenda

Annual Town Meeting Preparation/FinCom and Selectmen Workshop

Shawn Farrell said the workshop produced a good budget this year. Allison Jenkins agreed. Bill Wilson thought Marisa and the FinCom had done a good job and he was impressed on the budget and discussion of free cash. Marisa Batista gave an overview of the 3% budget increases noting that without the schools the increase would be 2%. If capital expenditures were removed, there would be a decrease of .8%. This year capital expenditures, which were part of a five year capital plan, would be \$552,000. It was noted that the breathing apparatus was included, but the

grant had been applied for and the results would be known by Fall Town Meeting. The tanks would expire next year.

Highest growth expenses were insurance and healthcare (8%), according to Scott Maddern. Michael Lombardo responded that the Town had changed healthcare plans this year, moving away from Cadillac plan. Shawn Farrell thought there were reduced energy costs. Jeff Hubbard noted that now that Marisa Batista was on board, there would be historical data to determine where things were growing. Town actual expenses in 2016 were \$8.7M while the budget was \$10.125M. Mr. Maddern referred to the significant changes related to decisions about trash pickup with the new vendor charging higher costs.

Russ Stevens discussed Tasers in the Town budget. The purpose was to protect lives by managing the risk for police officers and managing liability. The use of force included verbal command, open hand techniques, cap stun, pepper spray, baton, and deadly force. Chief Stevens referred to a high school video where the use of a Taser would have bridged the gap to deadly force and described the 20' probe that gave an electrical impulse of 600 volts. Wenham, Topsfield, Ipswich, Essex, and Beverly use it.

Michael Lombardo recalled when someone was unwillingly taken into custody, injuring an officer who required Worker's Compensation. Domestic disputes could be stopped immediately with the Taser. Every officer would need one. The life span would be five years. \$20,000 was the cost for software and training.

Annual Town Meeting Preparation/Warrant Hearing.

Jen Scuteri suggested including Articles 2-2, 2-4, 2-5, 2-9, and 5-2 as consent items. Michael Lombardo added that the senior tax write off had increased because minimum wage had increased. The increase was from \$1,000 to \$1,500.

Motion to recommend favorable action on the consent items made by Bill Wilson.

Seconded by Shawn Farrell.

Vote: Unanimous to approve.

Citizens' Petitions

Marc Johnson was present to discuss Article 5-6 Citizens' Petition and proposal for the Patton Homestead. The purpose was to have the Town make good decisions about the project and types of revenue that the Town would not ordinarily get, which could not get placed into the General Fund.

Michael Lombardo stated that the point of the Article was premature and the Town could potentially develop accounts internally to do the same goal. Mr. Lombardo continued that an Enterprise Fund may not be the right way to go, but the Article would give broad latitude. Donna Brewer opined the discussion was outside the scope of the agenda as the Warrant Article was limited to the Citizens' Petition which was limited to the type of fund. Ms. Brewer

continued that the Board was talking about the Warrant Article, which was meaningless because it was not specific about the fund. The Article was very broadly worded. There would need to be specificity in the Motion and if not, it was not meaningful. Ms. Brewer said without having a specific structure as to what kind of fund there would be, nothing would be gained from approving it. Scott Maddern disagreed and recalled that the Town was more than patient waiting for the RFP to be done and the townspeople wanted to hear.

Marc Johnson asked if there was a flaw in the nature of what they had done, he wanted to make sure they had the ability on Town Meeting floor to correct it. Mr. Johnson said the group had a week to perfect the language. Scott Maddern said he understood the essence as being the transparency of Patton Homestead accounting. Allison Jenkins was hesitant noting that it was not clear on the agenda and that Donna Brewer had said no. Ms. Brewer said the Board should place having a discussion of proposals for the Patton Homestead on the agenda for the next meeting. Deliberation was defined in the open meeting law.

Scott Maddern asked the Board if they wanted to accept the proposal. Bill Wilson responded that seeing the way it was written, he agreed it was out of bounds and suggested continuing the discussion for two weeks. Jeff Hubbard also wanted to wait, based on Donna Brewer's opinion. Marc Johnson referred to the previous agenda which had the proposal listed. The discussion had been continued. Allison Jenkins did not think residents should have to read previous agendas to know what was on the current meeting's agenda.

Donna Brewer said reading the portion of the agenda that related to the fund was appropriate. Ms. Brewer said the Article should be written to provide for a special fund and the motion would say to ask the legislature to change the wording of the Special Act as long as it was consistent with the purpose. Special projects would be done through the General Statute but looking at General Legislative Funds, none would fit with an undefined purpose and revenue stream, according to Ms. Brewer. If the article could be written broadly, a fund could be determined after a revenue stream was determined.

Michael Lombardo stated that instead of an enterprise fund, there was a need for a fund that captured everything, which would be created through a Special Act. Donna Brewer responded that if everything would be in a specific fund, there was a need for a Special Act, but if the goal was to capture it through munis maybe there would not be a need for a Special Act. Ms. Brewer said the wording should be in the motion to go forward and if it was approved at Town Meeting, the Board could decide whether to go through Brad Hill or not.

Motion to recommend favorable action on article 5-6 made by Shawn Farrell.

Bill Wilson seconded.

Vote: Unanimous in favor.

5-4 and 5-3 were no action.

2-1. Prior year bills for DPW supplies would require a 4/5th vote.

Jeff Hubbard made motion to approve 2-1.

Bill Wilson seconded.

Vote: Unanimous to approve.

2-3. The school would do a presentation regardless if there was not a hold.

Appendix received via e-mail. Totals would be \$29,270.970.

Motion made by Jeff Hubbard to approve 2-3.

Bill Wilson seconded.

Vote: Unanimous to approve.

2-6. Tom Catalano would make the motion for the CPC Article. Tom Catalano read the nine projects (Pingree Park (\$25,000), Buker School playground (\$25,000), debt service for Donovan field (\$43,600), placeholder for Sagamore Hill debt service (\$135,000), historic preservation set aside (\$46,973), AHT (\$400,000), preservation fund, (\$46,000), community fund balance for Lamson Crossing roofs (\$42,000), Habitat for Humanity (\$60,000) and administrative costs (\$23,486).

Peter Britton spoke regarding the AHT request for \$400,000 stating the State would look favorably at a \$200,000 donation per project for local preference. The money could also provide a subsidy for a more expensive property downtown.

Motion made for favor action on 2-6 by Jeff Hubbard.

Shawn Farrell seconded.

Jeff Hubbard noted that the AHT already had \$200,000 and if anything became available, Special Town Meeting could fund it. \$600,000 would allow for three developments at one time. Mr. Hubbard also noted that the Chairman, Peter Britton had resigned and that he had received e-mails offering concerns about other Trust members. Mr. Hubbard did not think there was a lot of support for more money. Bill Wilson responded that the AHT wanted to be nimble. Tom Catalano added that abutters were content that the Board of Selectmen had control over the disposition of funds.

Vote: Majority (4-1) in favor of 2-6 with Jeff Hubbard voting nay.

2-7. Revolving Funds.

Motion made by Shawn to approve 2-7.

Bill Wilson seconded.

Vote: Unanimous in favor.

2-8. Development corporation annual allocation of meals tax to the Hamilton Development Corporation.

Motion made by Bill Wilson to approve 2-8.

Allison Jenkins seconded.

Vote: Unanimous in favor.

2-10. Bond premium.

Shawn Farrell made motion to add 2-10 to the consent agenda.

Bill Wilson seconded.

Vote: Unanimous in favor.

3-1. Marijuana moratorium. It was noted that West Bridgewater was the model. It was approved a month ago as a Zoning By-law amendment.

Motion made by Shawn Farrell to take favorable action on 3-1.

Seconded by Bill Wilson.

Vote: Unanimous in favor.

4-1. Municipal Modernization Act allowed for no longer identifying each fund and who was responsible for it if it went back to the General Fund. It would be authorized annually. If another revolving fund were added, it would need to be added to the By-law.

Motion to recommend favorable action on 4-1 made by Bill Wilson.

Shawn Farrell seconded.

Vote: Unanimous to approve.

4-2. Outside consultants By-law would try to give towns more flexibility with what they could do. More boards could ask an applicant to pay the fees for outside consultants. The Municipal Modernization Act would allow any board or committee that granted licenses to charge applicants fees for outside consultants.

Motion made by Shawn Farrell to approve 4-2.

Jeff Hubbard seconded.

Vote: Unanimous in favor.

5-0. Waste Reduction Enterprise Fund dissolution.

Motion made by Jeff Hubbard to approve 5-0.

Seconded by Shawn Farrell.

Vote: Unanimous in favor.

5-9. Free cash

Shawn Farrell made motion to approve 5-9.

Bill Wilson seconded.

Vote: Unanimous in favor.

5-5. David Wanger would make comments about concerns. Mr. Wanger announced that the FinCom's votes were consistent with the Board of Selectmen. The Operating budget and school allocations were lower, but capital expenditures bloated the budget by \$500,000. Mr. Wanger added that the Patton Homestead discussion was parallel to the Selectmen with no dollar fund noted but believed the FinCom would recommend the Article currently.

Motion made to close the Warrant Hearing by Shawn Farrell.

Jeff Hubbard seconded.

Vote: Unanimous in favor.

Approve and sign bond anticipation notes for Sagamore Hill.

Motion to approve the sale of the \$1,250,000, 1.25% general obligation bond anticipation notes (the notes), of the Town, dated March 24, 2017 and payable June 30, 2017 to Eastern Bank at par and accrued interest if any, plus a premium of \$0.00 and I further move that in connection with the marketing and sale of the notes' preparation and distribution of a notice of sale in preliminary official statement, dated March 10, 2017 and a final official statement, dated March 16, 2017, each in such form as may be approved by the Town Treasurer, be and hereby ratified, confirmed, approved, and adopted and that each member of the Board of Selectmen, Town Clerk, and the Town Treasurer be and or authorized to take any and all such actions and execute and deliver such certificates, receipts, or other such documents as may be determined by them or any of them, to be necessary or convenient to carry out into effect the provisions of the foregoing votes made by Bill Wilson.

Jeff Hubbard second.

Vote: Unanimous to approve.

Policies

Designer selection policy. Allison Jenkins said the State indicated that each Town should adopt a policy. Setting the standards and guidelines would create transparency to qualify designers. There was standard language recommended by the State except for whomever was recommended to be the authority. This was the first reading of the policy.

Adoption of policies. Allison Jenkins recommended putting a structure around ownership of adopted policies. Ms. Jenkins proposed how a policy would be brought forward and noted that the impact cost and capital were comments that came back to her. Ms. Jenkins suggested putting policies on the agenda and website, then go through the process of sending it out to Boards and await feedback. Scott Maddern and Ms. Jenkins discussed the effect of Town Manager and liaison would have in the creation of the policy. Ms. Jenkins said if the policy affected the collective bargaining representative, they would have a meeting with that group or whatever Board was affected. Ms. Jenkins suggested starting with the policies that affected the Board of Selectmen and have the other Boards review their policies.

Motion made to approve policies on policies by Jeff Hubbard.
Bill Wilson seconded.
Vote: Unanimous to approve.

New Business

On April 3, 2017, there would be a legislative update, Cape Build discussion, Patton Homestead proposal, and Michael Lombardo's review. The Board would discuss an application for the Town Hall Building Committee. Members from committees, volunteers, and associate members would be allowed.

Town Meeting would be April 1, 2017.

Motion to adjourn made by Jeff Hubbard.
Seconded by Shawn Farrell.
Vote: Unanimous to adjourn at 10:38

Prepared by:
Marcie Ricker
Marcie Ricker

[Signature] 4/18/17
Attest Date

[Signature] 4/18/17