

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

August 21, 2017

Members Present: Shawn Farrell (via telephone), Allison Jenkins, Jeff Hubbard, Scott Maddern, and Bill Wilson (Chairman).
Town Manager: Michael Lombardo

This meeting was called to order at 7:04 pm.

Announcements

Bill Wilson described the current Board openings of which there were none. Bill Wilson announced that Shawn Farrell would be participating remotely via teleconference due to geographic distance.

Public Comment

Selectmen/Town Manager's Report

Shawn Farrell described the Community Preservation Committee's applications for the repair of roofing from the Hamilton Housing Authority and the Operating Project Manager for Town Hall Restoration. Both projects were considered eligible. Allison Jenkins noted that some members were hesitant to fund the Town Hall project. Ms. Jenkins recalled that the Planning Board had approved the new entrance at 15 Walnut and the turf field at Pingree School. The Hamilton Wenham turf field applicants would continue discussions. The Patton Homestead group would present the parking lot to the Planning Board. Some members of the Planning Board felt that the Town should be obligated to pay for the legal defense of the cell tower denial even though Town Counsel had given a different opinion. Some members of the Planning Board were still requesting that the applicant review additional sites. Ms. Jenkins said there were no additional sites available at this time. Ms. Jenkins investigated the recent (1983) sale of a Pirie parcel to the cemetery to determine that it was restricted. The Gordon Conwell parcel had many restrictions on it to include that there be no poles or any other commercial uses other than water supply.

According to Allison Jenkins, there were four Planning Board members in favor of the cell tower and three against the project, but a supermajority was needed for the special permit to pass. There was some discrepancy that the Planning Board Director put in writing why the request did not pass, but the three opposing members did not agree with what Patrick Reffett wrote so they wrote a different viewpoint and wanted to file that on behalf of the Planning Board as the Planning Board's opinion. They were told they could not as it was not the opinion of the majority of the Board. In theory the majority of the Board voted for the cell tower, so if the Board of the Selectmen were to provide funding for the legal defense, it would be against the majority of the Planning Board.

Michael Lombardo said the opponents tried to file something with the Town Clerk, but Town Counsel said it had to be a reflection of the Planning Board. There were only six members at the meeting last week, so the vote was a 3 to 3 split. The Planning Board would be voting a decision on September 5, 2017, reflecting what was discussed rather than what was embellished after the fact. There would be a 14 day waiting period, then the Town and Varsity Wireless would file an appeal in Federal court. The Finding that was filed was taken back and was null and void. Mr. Lombardo said the Town had no obligation to fund a defense for them. As a resident, Allison Jenkins filed an open meeting law violation as the three opponents wrote the Finding outside of an open meeting. Ms. Jenkins filed a public records request and was denied access to records filed with the Planning Board. The Town was an applicant for the cell tower. Michael Lombardo did not envision the case continuing for more than \$1,000 worth of time, based on Planning Board minutes.

Scott Maddern recalled his one on one meeting with the Town Manager to follow up on the employee survey, Patton parking lot plans, recommendation for biweekly reports, and agenda items. Mr. Maddern discussed the Director position posting and the Request for Qualification for an architect for the Patton Homestead repairs. Nine firms had responded. Mr. Maddern said Tim Olson indicated that the parking lot could not be grass, as it needed to be plowed and maintained. The parking lot would be gravel, which was one-fifth of the cost. The Planning Board would review the opening of the stone wall when Mr. Olson would explain the rationale of the design. The responsibility of the Patton archives had transferred to the Wenham Museum. Custody and long term ownership would be discussed. The museum would keep a relationship with Gordon College.

Jeff Hubbard said the Council on Aging (COA) had met and elected a new chair, Sherry Leonard. There was one opening available with another opening occurring soon. SHINE, which had 130 existing clients, had 25 new clients. The Board put together a new set of guidelines and announced that Beauport transportation would offer free transportation to anyone going to the COA. Mr. Hubbard recalled that the FinCom met with Leslie Whelan, who was asking for their viewpoint and vote to extend the revolving fund limit to \$20,000. The FinCom also discussed the update of FY17 revenues and expenses as well as the Water Enterprise Fund. There was \$200,000 more in income than was budgeted and \$850,000 less in spending. The Water Enterprise Fund retained \$110,000. The Department of Revenue would help finance financial policies. Scott Maddern offered his concern that policies were the responsibility of the Selectmen with the FinCom offering their advisement and review. The audit schedule would start on August 28, 2017. The FinCom was analyzing fees for permits and it was noted that Hamilton was very low compared to other towns.

Bill Wilson said the School Committee had not met but school would start on August 28, 2107. Mr. Wilson had spoken with Dr. Harvey, who had attended the Planning Board meeting. The School would return to offer the permitting phases of the project, which included a turf field, a track, and a baseball field with lights. The cost would be \$5M to \$7M for those items.

Longmeadow if available, would cause them to pause and look at it. Longmeadow was on the School Committee's agenda. Harborlight said they could do a split with some affordable units and some field use. Dr. Harvey said he wanted to tie it into the School's Master Plan to determine if it was a good place for another school. Building a school at Longmeadow might alleviate land downtown for other purposes. Potential uses would be sent to the Study Group with engineering about what could be put there, and then how to pay for it. A recommendation would be made at Spring Town Meeting to determine if there was potential use for all of the property, some of the property or none of the property. The Affordable Housing Trust would meet with Habitat for Humanity and would discuss the Patton Homestead. Mr. Wilson said there was little progress regarding the Regional Agreement.

Michael Lombardo said the Bridge St. culvert project was closed out with \$364,000 in liquidated damages. Damages included police details and the cost of Myopia's project that was affected. Mr. Lombardo said he was expecting to have a reasonable solution with UEL's attorneys.

Three applicants had already applied for the Patton Homestead Director job, according to Michael Lombardo. The Municipal Aggregation Program filed a response to a third inquiry to the Department of Public Utility. As soon as the Town received a green light, implementation would occur. Regarding the change in Town Hall hours, Monday nights were preferred by Board members, while the union preferred Tuesday nights. Mr. Lombardo said he needed a signed Memorandum of Understanding from the union and then the contract could be amended. The Board discussed the merits of having Monday or Tuesday nights with holidays transferring the evening work to the following day versus being paid for holiday pay for evenings not worked. It was decided that Tuesday would be the late night and if a holiday were to occur on Tuesday, the late evening would transfer to Wednesday.

Michael Lombardo said the Employee Survey was up on line and was stratified for better understanding. Mr. Lombardo wanted to coordinate a date for future 4th of July celebrations with the Myopia Schooling Field Trust as there was a conflict with a horse event in 2017.

Consent Agenda

Approve minutes from July 24, 2017 and August 7, 2017.

One day liquor license for the American Legion for a one day ride to benefit service dog support for disabled veterans on August 26, 2017 from 9:00 am until 3:00 pm.

Motion made to accept the Consent Agenda by Scott Maddern.

Allison Jenkins seconded.

Vote: Unanimous in favor.

Agenda

Increase in Board of Health FY18 Budget.

Leslie Whelan was present to request the increase of the Board of Health FY18 budget. Michael Lombardo said he had a conversation with Chris Lee regarding the post-partum program. Ms. Whelan said there was a regional group of public health nurses who had applied for a grant to provide training to public health nurses to check on new mothers and children to determine post-partum issues such as depression. The Board of Health and FinCom were in favor. The increase would be from ten to 14 hours per week with mileage and supplies for a cost of \$5,000 per year. Eight moms a month would be visited.

Scott Maddern wondered about opiates and other important public health programs. MAPC was developing a regional health collaborative to try to find ways on a broader level, according to Michael Lombardo. Shawn Farrell suggested a coordination between the post-partum program and the Hamilton Wenham Mother's Club. The Warrant for Fall Town Meeting would approve the increase in the budget and would be included thereafter.

Motion made to approve the increase of approximately \$5,000 by Scott Maddern for the Board of Health.

Allison Jenkins seconded.

Vote: Unanimous in favor.

Board of Health Emergency Clinic Revolving Fund.

Leslie Whelan said the Revolving Funds collected money when the Town gave flu or other vaccinations and submitted for reimbursement from insurance companies. The money was used to purchase vaccines and pay for nurses to run the clinics. Each year, the fund accepted more money than was spent. Currently there was \$23,000 in the fund. According to Ms. Whelan, the Board of Health was spending more money in recent years than when the Fund started with a \$5,000 limit. Once clinics were expanded, the limit was increased to \$10,000, but there was a need to raise the Fund again to \$20,000. The Fund was intended for emergencies. There was no possibility to transfer money out of the Fund. The Fund could go to ongoing training, emergency preparedness, emergencies, or clinics.

Allison Jenkins made motion to approve the increase of the Emergency Clinic Revolving Fund.

Jeff Hubbard seconded.

Vote: Unanimous to approve.

MBTA liaison, discussion and vote.

Bill Wilson said he had spoken with all three applicants. Walter Miebaum, who was a mechanical engineer, had experience with air freight and the railroad. Steven Dudley Norstrum and Christina Shankharbrum were not present but were considered excellent candidates. Allison Jenkins thought it was a difficult decision but Mr. Miebaum had the most railroad experience. Scott Maddern thought Mr. Miebaum's experience was excellent and would allow him to get something done and improve service.

Motion made to appoint Walter Miebaum as MBTA liaison made by Bill Wilson.
Scott Maddern seconded.
Vote: Unanimous in favor.

Set date for Special Town Meeting.

It was agreed that Town Meeting would occur on October 28, 2017.

Personnel policies second reading of Sections 1-3. First reading of Section 4-6.

Regarding Sections 1.1.3 and 1.2.1, Allison Jenkins said there was usually not a section that included interpretation by the Town Manager or Human Resources. It was agreed that an employee should speak with their manager and then to the Town Manager, if needed. Michael Lombardo said he would contact Town Counsel or Labor Counsel, but not the Board of Selectmen if a need arose. It was agreed to keep the existing language.

Regarding Section 2.3.5., Allison Jenkins asked about an employee who worked at a higher classification for more than five days, Michael Lombardo proposed the additional language that included a 10% on the 6th day as the work would be project driven but not one of total responsibility with no decision making to run a department.

The Board discussed Section 3.2.2 that defined overtime as not being applicable until 40 hours and how it related to the regularly scheduled shift of a 37.5 hour work week. It was decided that if an employee worked 32 hours or 40 hours, they would get overtime after 40 hours, but administrative assistants who worked 37.5 hours would get overtime after their regularly scheduled hours. Department Heads needed to approve the overtime.

Motion to approve Sections 1-3 of the Personnel Policies as amended by Allison Jenkins.
Seconded by Scott Maddern.
Vote: Unanimous to approve.

Section 4-6 would be flexible in that when the laws changed, the Sections would change to reflect the law. Allison Jenkins noted that Section 4.12 would change with the new Town Hall schedule. The Board discussed Section 4.14, entry onto the premises to safeguard employees being accused of something that may or may not be true. A safety grant for card access was being written. The access would allow for a log in to determine who had been in the building.

Patton Homestead and Citizen's Petition

The Town was working on language for accountancy of the proposal. Marisa Batista reportedly said funds should stay in current accounts. Scott Maddern noted the importance of having a gift fund to donate money to the Homestead and not to the Town. The Patton Homestead Inc. would not dissolve but would remain a 501-3C. Mr. Maddern said the operating fund should be under the Town as it was a Town asset. Michael Lombardo said the Committee had not reconsidered that they wanted the Director to report to the Town. Scott Maddern would meet with the

Wenham Museum to update the Town and keep a relationship between the two if they were planning on using the Town facility.

Regional Dispatch Report.

Michael Lombardo thought a subcommittee might be engaged with scenarios outlined and discussed with Chief Stevens. Allison Jenkins wondered what the Town would do with old equipment and the impact on employees. Mr. Lombardo said the recommendation was that Hamilton would be the back-up and fitted with proper equipment. Hamilton could go live for dispatch for communities that were part of the system in the event that Danvers was unable to assist them. New positions would be available for current employees to apply for. Chief Stevens and Mr. Lombardo would talk to employees about what was being discussed. Bill Wilson said he needed a real compelling reason to move it out of town and would rather have Wenham involved with Hamilton. Mr. Wilson wanted savings and improved services. There were bigger economies of scale with four towns rather than two with Wenham. The Board agreed to determine how much savings might occur and if the savings were worth the impact.

Town Manager goals.

Scott Maddern looked at what had worked in the past as well as the performance summary and key elements of the April review. The draft goals were organized by key topics, including improving communications, project based reporting, and addressing needs improvement items. There were four or five subtopics related to each item. Bill Wilson said communications had been improved and the project based reporting would be listed out. There would be some guidelines or goal posts of when items were accomplished. Bill Wilson suggested adding a delivery by category. The Board agreed to use the Trello application for tracking. Michael Lombardo could add updates to it as well as reprioritize and change dates.

Allison Jenkins said she liked the format and thought Michael Lombardo had done many improvements. Some of the items in the project fell to Mr. Lombardo, which would be difficult because he did not have the control over the elected officials to move things forward, such as the Cottage By-law. Scott Maddern recalled that the Town had voted money to create the By-laws and wanted joint meetings to determine what was going on. Ms. Jenkins compared the cell tower approval and added that some towns had taken the approach of appointing officials.

The Board discussed the quarterly financial review. Michael Lombardo said year end reporting was not possible. Allison Jenkins said without a Purchase Order system, it was difficult to determine where the Town was regarding what had been allocated or spent. Scott Maddern suggested putting a target date at some of the items, which were keys to smart goals. Ms. Jenkins wanted to have items that fell off or were on hold, listed.

Discuss Joint FinCom and Selectmen agenda.

The Board wanted to have expected roles and responsibilities discussed. There would be discussion and alignment of open items, including budget priorities.

Regional School Agreement.

Dr. Harvey would bring the agreement up at the next School Committee meeting. The scope of work would be worked upon including the nine items, of which Wenham removed six. The third party was ready to do the enrollment study. It was decided that understanding the shifts and changes would be a benefit. The Board felt strongly that they should not go into any discussions with a gag order on anything. Scott Maddern said every citizen he spoke with wanted to know the compelling evidence as to why the allocation was needed to change, which would result in their increase in taxes. The Board said there would not be a beginning to the enrollment study until everyone agreed with the charge of the committee would be. There were already two enrollment studies but if the third party cleared time for the committee to discover other items, it would be a benefit.

New Business

Action items from the current meeting included: the next sections of the personnel policies, goals, and regional dispatch grid. Joint meetings with the Planning Board, Community Preservation Committee and the FinCom were added to the future discussion list in an effort to work together more effectively. The Community Preservation Committee’s pool of money was getting smaller and it was important to prioritize projects. Shawn Farrell said the Committee listed projects with an ABC listing with the Town Hall being an A. A scoring system was adopted a year ago, which allowed for projects to be ranked by each member, then averaged. It was suggested that a Joint meeting with the School Committee to understand the capital plan might be scheduled on a quarterly basis. An open list of priorities could be distributed to committees for suggestions. The cable advisory board would be contacted to determine how to broadcast more meetings.

Adjournment

Motion to adjourn made by Shawn Farrell.
Seconded by Scott Maddern.
Vote: Unanimous in favor to adjourn at 9:57 pm.

Prepared by:

Marcie Ricker

Marcie Ricker

Will W. Will 9/25/17
Attest Date