

HAMILTON COMMUNITY PRESERVATION COMMITTEE

MINUTES OF MEETING

October 12, 2017

Members Present: Tom Catalano, Robert Preston, Ed Howard, Jay Butler, Neil Duggan, Katherine Mittelbusher, Shawn Farrell

Members Absent: Chris Currier, Mimi Fanning

Coordinator: Dorr Fox

Tom Catalano called the CPC meeting to order at 7:30 p.m. with a quorum present.

Minutes

Ed Howard made a motion to approve the minutes of the September 14, 2017 meeting. Robert Preston seconded the motion. The Committee voted unanimously to approve the minutes (7-0).

Committee Member Reports

Shawn Farrell updated the CPC on Board of Selectmen (BOS) activities. He gave announcements of upcoming events: Town Meeting is Nov. 4.; Drug Take-Back Day sponsored by the Police Department is Oct.28; Recreation Department's Pumpkinfest is Oct. 28. The BOS is waiting on the closure certificate for the landfill. The Board received a Community Compact grant to review the Town's financial policies; consultants will start that process this month. Gretel Clark, who's heading the Recycling Committee, is working to get the Town back on track. Composting and recycling have gone way down and the amount of trash has gone up since the Town switched from bi-weekly to weekly trash pick-up. As a result they began a sticker program, charging a fee for a sticker for the trash pick-up of large items. The BETA Group gave a presentation on Pavement Management. The firm had looked at the condition of all the Town roads. They gave the Town a 75.4% rating, which is pretty good. The Town is looking to figure out a capital improvement plan for paving so that roads can be maintained. By applying joint sealing at an early stage they can prevent road deterioration that might require more extensive work later on. The BOS reopened the warrant for Town meeting to add language to discuss changing the Town Clerk's salary structure to hourly. As an elected official, she receives a stipend for her three-year term, but she has not been coming in to the office as much as needed so there is a gap in services and the Town has been having to pay someone to cover for her. The BOS reviewed and approved the warrant items set to go to Town Meeting. They discussed and approved personnel policies. The Conservation Commission met for three and a half hours regarding Pingree Schools' notice of intent for a new parking lot, trail relocation, and drainage. There is also a notice of intent from the regional high school for installing the new turf field and associated drainage and landscaping. Hamilton resident John Doherty voiced

opposition to the Pingree project at the meeting and has filed an appeal of the Planning Board decision. Discussion of the turf field at the high school will also be continued to the next meeting. There were a couple of general septic system requests.

Mr. Howard reported on the Planning Board. He said the Great Estate bylaw and Cottage Housing bylaw are getting trimmed up to go to Town Meeting. He doesn't think the bottom line supports either of those available tools, but he wouldn't stand in the way of someone who wanted to try to develop them. Three members of the Planning Board, including himself, voted no on locating the cell tower at Town Hall and opted to not go along with the rest of the Board. A super majority was needed to approve the special permit project and they didn't get it so it did not pass. A lawsuit has been filed by the Town. The reasoning of the three members is that other sites weren't considered, such as the reservoir site or the back of the cemetery. The forced situation, he said, is that the three members were promised by State law that they would have legal counsel defending their opposition if challenged. The BOS is saying no to that so they have hired an attorney to represent them. If the three fail at this, he said, it means people serving on Town boards will be held individually responsible for the decisions they make.

Mr. Catalano reported on the Historic District Commission that met just prior to this meeting. They are trying to move forward a Demolition Delay bylaw to put on the ballot for Spring Town Meeting. This would provide protection for historic structures that are not in the historic district. With this in place, someone who purchases a property deemed historic can't just demolish it; they would be subject to a 12-month delay or meeting certain requirements of the Historic Commission.

Mr. Howard added to his Planning Board report that there are now four lawsuits against the Town.

Discussion Regarding Winthrop School Playground

The playground opened three weeks ago. As Patrick Waddell, a Wenham CPC member at large, had reported at the last meeting, it was supposed to be Americans with Disabilities Act (ADA)-compliant, but for money reasons, the school chose to deviate from the original plan and substituted bark chips instead of the rubberized surface proposed that would have made the playground ADA-compliant. Mr. Preston said he heard that the school district is saying it will no longer work with Friends' groups. This raises the issue of how to prevent this type of thing from happening in the future, when CPC funds are given for a project that doesn't pan out as it was proposed. CPC members discussed that had specific language and conditions been included in the request and tied to the funding, they would have a better argument against the schools' decision.

Mr. Catalano said that in general, he is against projects that comingle with school funds, projects he believes should be municipally funded.

Mr. Preston said when this playground was first proposed, the school did not want to have anything to do with it, but the Friends group were able to do it and then the school added money to it. Once the school throws money into the pot for the project, he said, nobody else has a leg to stand on. Mr. Catalano said that in the future, as is done with projects by the Planning Board, the relevant documents and plans should be attached to the approval of the funds.

- **Payment for Playground:** Dorr Fox said that Finance Director Marisa Batista is looking for the CPC to approve the processing of a \$25K invoice from the vendor that completed the playground work. The grant agreement does not say that the payment has to go to the grantee. The work is from a year and a half ago. CPC members agreed that the vendor did its job and should not be penalized because of what happened.
- **Decision:** Mr. Farrell made a motion to approve the payment to the vendor. Mr. Catalano seconded the motion. The Committee voted unanimously to approve the payment (7-0), although the members expressed chagrin at how the project turned out.

Further Discussion

The Committee discussed mechanic's liens and how to protect themselves, for example, if a case arises in which the major grantee doesn't pay the subcontractors. This is a question Mr. Fox will ask Legal Counsel Donna Brewer.

Publicizing CPC Successes

CPC members discussed ways to publicize their successful projects with signage.

Mr. Catalano noted that at Sagamore Hill, Greenbelt will have signs; he'd like them to add that the project was funded by the CPC. The Committee agreed they would like to request that grant recipients make an effort to acknowledge the CPC with signage.

Jay Butler said he had asked Kate McGuire if she would be willing to earmark a few hundred dollars for a sign at the Brooks House and she said yes, absolutely.

As a relative newcomer to the CPC, Neil Duggan asked what the driver was. It was explained that people aren't aware of what the CPC does or why it's necessary. Mr. Catalano said the goal is to spend as little as possible but to get the recognition.

Mr. Fox asked if the cost of the sign should be part of the grant agreements. It was decided that this should be based on threshold, for big projects, such as the senior center, community house, pool, etc. It was suggested that even the knotweed removal project have signage.

Mr. Catalano knows a vendor they could use, who lives in Hamilton and has a shop in Lynnfield. He will email the contact to Mr. Fox.

Review of Open Grants

Mr. Fox gave the following updates:

- **Senior Center Ballustrade:** He has talked with Department of Public Works (DPW) Director Tim Olson, who said it is his next project. He didn't give a time frame.
- **Patton Park Cannon/Wagon Wheels:** They are supposed to come back in January. The decision to paint them drab olive happened about three weeks ago.
- **American Legion Electrical Work:** Dennis Curran's company is doing the work. When he and contractor Joe Hanson appeared at the last meeting, they said it would be done by year-end.
- **Historical Society Pictorial Collection:** No change.
- **Patton Estate Roof Replacement:** This is Mr. Olson's current project and it's being worked on. Mr. Farrell said they just got the design and construction packets and are in the process of making decisions.
- **Winthrop School Playground:** This topic was previously discussed this evening.
- **Pingree Park Playground:** According to Recreation Committee Director Sean Timmons, it should be completed by mid-November.
- **Buker School Playground:** An email was sent out to the CPC members regarding the project that will happen in FY18 or FY19. We are in FY18 through June 30.
- **Habitat for Humanity House Construction:** It is still on the schedule to be completed after Christmas. They had an issue because they are using North Shore tech students on the project who were off and did not work during the summer months.

Other Business

None.

Adjournment

Mr. Butler made a motion to adjourn the meeting. Mr. Preston seconded the motion. The Committee voted unanimously (7-0) to adjourn the meeting at 8:23 p.m.

Mary Alice Cookson

Attest

Date