

HAMILTON FINANCE AND ADVISORY COMMITTEE
Minutes of Meeting
August 23, 2017

Members Present: Darcy Dale, John Pruellage, Nick Tensen, and David Wanger (Chair)

Others Present:

This Hamilton Finance and Advisory Committee meeting was called to order at 7:21 pm at the Hamilton Public Safety Building.

Public Comments

None.

Discussion regarding outstanding informational requests.

David Wanger had sent Michael Lombardo an informational request, but had given it to Bill Wilson first, then modified the language based on Mr. Wilson's suggestions. Mr. Lombardo responded, but had omitted some information. Mr. Wanger requested the information again, but did not receive a response to the four discreet areas of information needed. Mr. Wanger requested guidance and support of the issues from the Committee. Darcy Dale agreed and commented that it was not right that information was not provided for the FinCom's ability to function as it was their mission to do what was best for the Town.

David Wanger noted the four areas of information that were not responded to. The first area was regarding Gordon Conwell's day care operation, antenna income, and rental units. Mr. Wanger wondered why the non-tax exempt issues were not being pursued. Michael Lombardo acknowledged the rental unit issue but ignored the other issues. Darcy Dale suggested contacting Donna Brewer, but Mr. Wanger responded that only Mr. Lombardo was authorized to contact Town Counsel. Nick Tensen and John Pruellage thought that was reasonable. The deadline for filing the ABC form would be March 1st and once filed, it could not be amended. Mr. Wanger suggested pursuing the issue for next year.

The second area of concern was the FinCom's inquiry about the DPW Director drawing unemployment insurance causing a deficit while he was terminated for cause, which was referenced in the minutes. The third area was in regard to information regarding the remediation of the media and design or structural deficiencies in the water plant, Michael Lombardo reportedly responded that it was an administrative and personnel matter and that Mr. Lombardo would not comment further. Nick Tensen thought the termination for cause may not have followed a formal three time warning. John Pruellage did not think it was worth challenging as it was performance related, but was not determined to have risen to the higher standard level of not being able to obtain unemployment. Mr. Pruellage was willing to give leeway in the situation. Legal fees would be incurred if the situation was challenged. The only way Mr. Lombardo would be able to respond to the request would be to go into the person's personnel records.

David Wanger recalled that in the minutes, Michael Lombardo alluded to the DPW's poor performance, which exacerbated the need for \$100,000 transfer of funds. Mr. Wanger said the FinCom were the guardians to the expenditure of money, so if an employee was not performing, consideration should be given to the Town's entitlement to challenge unemployment. Mr. Wanger, who was speaking in terms of principal, wondered how the Committee could perform responsibly if they were reliant upon the unknown. John Pruellage did not see the FinCom's duty as oversight of the Town Manager, which was the responsibility of the Board of Selectmen. Mr. Pruellage said he believed the Town Manager should have some discretion in terms of his employees. Nick Tensen added that the Board of Selectmen would enter into Executive Session to discuss personnel decisions. If the line item required clarification at Town Meeting, the answer would be deflected and noted as a Town Manager decision. Nick Tensen suggested that Mr. Wanger have a quiet conversation with Bill Wilson about his concern.

David Wanger wanted to discuss the design and structure issues of the water plant and wondered if the Committee considered an investigation for liability and economic remedy of the vendors. Mr. Wanger noted the problem was more than media. Michael Lombardo reportedly responded solely to the media but not beyond regarding the larger cost for remediation. Nick Tensen said the problem happened about ten years ago and at what point would one determine the responsibility. Mr. Tensen recalled that Mr. Lombardo's response was that the data wasn't there. Mr. Wanger recalled that Mr. Lombardo only responded to the media. John Pruellage recalled Mr. Lombardo's response was that there was not sufficient information or documentation so no further action would be taken.

David Wanger said the media issue was about \$100,000 with the total for the water plant being \$750,000. Mr. Wanger wanted to know if the Town had been diligent to recoup associated costs for a deficient structure or design and wondered if the topic had been explored. Nick Tensen said Tim Olson reported it was getting the engineering done, which would be put out to bid. Darcy Dale said the operator had been asking for help for more than five years. Mr. Wanger noted the minutes and attributed blame to not knowing earlier because the information flow stopped at the former DPW Director, which Mr. Wanger thought should have been reviewed. Mr. Wanger said general exposure was inappropriate regarding personnel issues, but here there was a blank slate.

The fourth item was David Wanger's suggestion and desire to be more collaborative, but Michael Lombardo ignored the suggestion. The Board agreed to support Mr. Wanger's hope to renew the request. John Pruellage said it would be a good question for the joint meeting with the Selectmen. Nick Tensen was hesitant to bring it up at the Board of Selectmen while Mr. Lombardo was there. John Pruellage wanted to focus on collaboration rather than questioning Mr. Lombardo's lack of response. Marisa Batista had made the point at a previous meeting that she reported to Mr. Lombardo and e-mailed Phil Stearns to support her capital expenditure position. Mr. Wanger pursued the collaboration and communication issue with Bill Wilson

Discussion regarding fall STM, including discussion and consideration of potential warrant articles, participation by FinCom, and related process.

Bill Wilson forwarded a draft agenda for the joint meeting. David Wanger read aloud the format of the joint meeting with the Board of Selectmen. The meeting would include the review and discussion of the capital improvement plan, review FY17 budget versus actual, and review and alignment of open projects including financial policies. John Pruellage wanted to talk about some of the projects that the FinCom was working on and wanted to ensure the Selectmen agreed with those projects. The Committee would discuss and align priorities for FY19 including budget, guidance and budget calendar. Mr. Wanger wanted to have a parallel listing of participants and discuss Special Town Meeting preparation and anticipation of Town Meeting articles.

David Wanger wanted a joint discussion regarding his suggestion for a warrant article regarding condemnation of bigotry and acceptance of differences in society. Mr. Wanger purposefully left the language vague to avoid debate as to specific groupings and wanted to garner community support using general terms. Mr. Wanger also noted the subcommittee of the School District that would review and adopt Warrant Articles. Other articles would include the change of the Conservation Commission By-law, Willow Street Overlay District By-law, Estate Overlay District By-law and the Marijuana ban. Special Town Meeting would occur on October 28, 2017.

Discussion regarding joint meeting with the Board of Selectmen.

The joint meeting would include the review and discussion of capital improvements and review and discussion of the FY17 Budget versus Actuals. Discussion ensued regarding the \$200,000 revenue surplus and \$800,000 in expenditure surplus net of encumbrances, creating close to \$1M in free cash. The salaries of the two positions, health insurance, and positive variance in fire would indicate it would not be repeated. Nick Tensen wanted to discuss if free cash would be coming back to offset tax rates. Each \$100,000 would reflect into a \$.07 on the tax dollar. The meeting would allow for review of FY17 to see where there were excess or underestimates of revenue or expenditure and how the current fiscal year was handled, according to David Wanger.

There would be a review of open projects, financial policies, fees, fines, PILOT, Air B&B, free cash, shared services, solar, and capital stabilization information choices. According to John Pruellage, best management practices would be determined by the State for financial policies, then the proposal would be tweaked to suit the Town's needs. John Pruellage wanted FinCom's role in the alignment of Special Town Meeting preparation and anticipated Warrant Articles and how to execute efficiently. Mr. Wanger wanted to ensure that scheduling allowed for recommendations to become part of the printed materials for the residents. Nick Tensen wanted to discuss the Annual Town Meeting date and how to align priorities of FY19 including budget guidance and budget calendar.

FinCom Projects including status of and alternates to the Intern.

David Wanger referred to Worcester, which had implemented a solar project saving \$2M. Darcy Dale said every town around Hamilton had converted to solar as it saved money. Mr. Wanger said there was an article about the City of Boston and the extensive PILOT study. John Pruellage would contact Bryant Ales and Peter Carrin in Beverly. Gordon Conwell and Pingree School were the only PILOT options in Hamilton. Ultimately the FinCom could recommend language to set some standard to have the community assert the need to accept a contribution or money.

Gordon Conwell had vulnerability due to legal issues. Pingree School had a permitting issue, which was recently voted upon favorably. Mr. Pruellage said there was nothing to stop a Selectmen from approaching them.

Discussion regarding fees included that Bill Wilson should be contacted to determine if the FinCom could use their fund to hire an intern. John Pruellage thought the Committee should use some of their funds to hire the intern. David Wanger did not think Michael Lombardo's approval was that specific. Mr. Pruellage said if the Committee had projects, then they should use the money to pursue them, which should be a topic at the joint meeting. The hiring would be managed under Mr. Lombardo. Nick Tensen noted that building permits were under the local towns' average, but other fees were equal or above. Brian Stein and Patrick Reffett would be invited to come to the Committee for a discussion.

John Pruellage was gathering comparative data from other towns regarding which schools offered a PILOT. North Andover was clear. Pingree was considered a top private school and if their peers were paying, it might be compelling for them to pay. Nick Tensen mentioned that schools might be different based on where faculty lived and how much public school student integration occurred.

Darcy Dale noted the Charter School placement cost of \$16,000. David Wanger suggested discussing it at a tripartite meeting. Nick Tensen recalled that SPED had been blossoming and wondered to what degree it could be controlled when the State dictated it. Mr. Tensen referred to the school for the deaf in the town he had lived in. The school became a benefit as part of the fabric of the town, which might be an alternative for the shrinking population of Hamilton students.

Discussion of HWRSD Agreement

David Wanger said the Committee had not posted a meeting to discuss the agreement. Hamilton had taken the position that the agenda must include the addition of other criteria such as acreage and services in addition to enrollment. Wenham wanted to only discuss enrollment criteria.

Committee Member Comments/Report

David Wanger attended the Longmeadow Study group. The FinCom had a list of issues for the group to consider, which was provided to them. Mr. Wanger would attend the meetings. Mr. Wanger mentioned that he had met with Alex Begin, who was supportive of renewing discussions about shared services. Sean Timmons was preparing information for the Board in September. The two FinComs could meet with Recreation as it was a great opportunity to start discussions. The Recreation Department worked under a revolving fund, but the FinCom wondered who accounted for it.

David Wanger wanted to coordinate a tripartite relationship between the School Committee and the Wenham FinCom. Mr. Wanger was hoping to set up a meeting between Gene Lee, Alex Begin and the School Business Manager to develop an early understanding on what the schools were considering for the FY19 budget concepts. Discussion ensued regarding level funding and level spending regarding the Schools. Level funding for the Town would create some personnel reductions, which Michael Lombardo was not in favor of. It was considered the Town and Schools should be following the same mantra. The topic would be part of the August 30th discussion. Mr. Wanger said a concrete barometer would be to understand the student to teacher ratio versus the policy. Nick Tensen added the cost per student, which was higher than other towns. John Pruellage wanted to have a student population forecast for the next ten years.

Jeff Hubbard had submitted a summary from the Board of Selectmen meeting to include Leslie Whelan's request to increase the Board of Health budget. The FinCom had approved the increase to the revolving fund, but not the budget. The increase would be a Warrant Article.

Nick Tensen talked about the Patton Estate, which was now a non-profit 401-C with a job description for a paid part-time fund raiser position. The DPW issued a Request for Qualifications (RFQ) for an architect, which was due August 10, 2017. The Board of Selectmen would appoint the committee or the RFQ. While everything would be paid for out of the Patton Fund, Mr. Tensen wanted an account as to where the Town was currently. A special fund must go to the legislature. There was not an RFP for the parking lot, yet but it would be prepared by Tim Olson. Gordon College paid \$6,000 a year and Wenham paid \$1,000 for Military Day.

The Recycling Committee reportedly found that there was a shift from organics to trash, which needed to be measured properly. In the past, Hiltz had ways of measuring the organics that went into the composting, but the current vendor, Cosella did not. Brick Ends Farm paid the Town \$1,200 a month but they didn't weigh the material either. The committee was trying to find ways to weigh the compost. The Recycling Committee wanted to develop an education process and determine if trash pick up should occur weekly or bi-weekly. Excitement for compost had died away in the last five years. Marisa Batista had set up accounts for revenue for trash.

Nick Tensen said Tim Olson was preparing a proposal for engineering services for the water plant. Once the proposal was in place, the engineering company would write a proposal. The proposal would be used to create permitting and design plans. The bid package would be ready in December with construction occurring January to March. The cost would be between \$750,000 to \$1M. The connection to the water plant to the piping may have disintegrated.

Water tank inspection was done to find that the tank was acceptable but aging. There were some corrosion issues, such as the ladder, but not the tank itself. The construction of the tank featured four different cells within the tank, which was unusual. David Wanger noted that the timing would allow for a full funding discussion. Mr. Wanger asked how much of the fund would be consumed with the piping work in town.

John Pruellage described the Planning Board cell tower hearing, which denied the special permit as a super majority was required and only a majority voted for the project. Varsity Wireless would be suing in Federal court with the Town as it was their RFP. When the cell tower was proposed, the abutters objected to it and asked for other potential sites to be looked at. There were limited parcels of Town owned land. The cell tower concept went to Town Meeting and passed exemplifying a clear indication from the town that the town wanted a cell tower. The Planning Board was allowed with reasonable restrictions but flat rejections were not appropriate.

The Board of Selectmen determined that the Planning Board would not have access to Donna Brewer and would not be able to retain outside counsel. The Planning Board needed to release their findings but could not agree because the majority of the Board voted for the project.

Findings were written by opponents.

According to John Pruellage, the minority thought there were other potential sites with technical analysis not being done. Town Counsel said that standard had been met. Mr. Pruellage thought the denial was ill conceived. There were other technical reasons, such as the balloon test should have been three days but they were small technical reasons, which could be superseded by Federal law. Board of Selectmen agreed that the Planning Board would lose the case in court.

Mr. Pruellage compared the Asbury Street tower, which was approved without the same scrutiny. Darcy Dale and Nick Tensen wondered about placing the tower at Gordon Conwell, but Mr. Pruellage responded that if the landowner was not willing to use their land, the Town could not force them to do so.

Darcy Dale announced that Town Hall hours had change and that Harborlight wanted linkage between the affordable housing at Willow St. and Longmeadow with funding from the Town.

There was discussion about affordable housing connected to the Public Safety area but it was decided to wait until the Schools made site utilization decisions. Housing was considered at Patton as well. CO2 levels were found in police cars, so meters were installed. Ameresco the solar field vendor at the landfill would be renegotiating the existing contract with the Town due to a disagreement. Town Meeting might be moved because Wenham moved theirs until May.

The culvert contractor, tree work, grading of roads, and the Patton parking lot were discussed.

The Cassin well went offline but once repaired increased water flow from 16 gallons per minute to 200 gallons per minute. The Town was also negotiating with Manchester for water, according to Ms. Dale. Waste stickers were for sale at the same place as bags.

Review of liaison assignments.

Review and approve minutes

Motion to approve the minutes from June 21, 2017, July 5, 2017, July 15, 2017, July 19, 2017 and August 2, 2017 to include minor changes to be completed when David Wanger met with the minutes secretary made by John Pruellage.

Nick Tensen seconded.

Vote: Unanimous in favor.

Discuss agenda for next meeting.

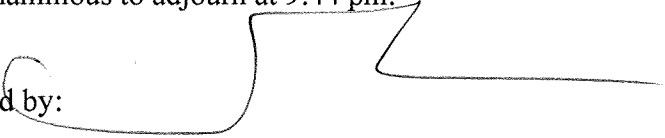
Other topics not reasonably anticipated as determined by the Chair

Adjournment

Darcy Dale made motion to adjourn the meeting.

Seconded by John Pruellage

Vote Unanimous to adjourn at 9:44 pm.

Prepared by: 

11/17/17

Marcie Ricker

Attest

Date