

HAMILTON FINANCE AND ADVISORY COMMITTEE  
Minutes of Meeting  
October 18, 2017

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

Others Present: Jeff Hubbard (Selectmen)

This Hamilton Finance and Advisory Committee meeting was called to order at 7:00 pm at the Council on Aging Building.

**Public Comments**

None.

**Discussion regarding fall Special Town Meeting including consideration and voting on recommendations for Warrant Articles not previously on and any Article that may be re-considered, including Articles 2-8, 2-10, and 3-4**

Article 2.10 The text was read by David Wanger. Discussion ensued regarding possible changes to the Town Clerk's salary structure. During the last Selectmen's meeting, there was a comment as to the pattern of attendance for the current Town Clerk. The Selectmen decided to reopen the Warrant, add the Article, and reclose the Warrant. Various options had been considered to provide for some type of base compensation. One option was that if attendance was reduced, then compensation would be reduced, but other options were still under consideration. The choice would be finalized at Town Meeting.

Allison Jenkins said she had discussed options with Town Counsel. Options considered included a stipend and/or hourly rate. David Wanger responded that it was hard for the FinCom to make a determination without implementation details. Ms. Jenkins said both options would result in the same pay if a full time schedule was kept. As the Warrant was at the printer, the recommendation would need to be offered at a later date. Mr. Wanger explained that the matter could be looked at objectively in dollars and cents, but the fact was that there was a basis in support and opposition of the proposition.

Allison Jenkins was a proponent of the change. Ms. Jenkins recalled that the Town Clerk's position was a full time, 37.5 hour position. For each department, there was a manpower sheet developed by the Finance Department, listing each employee in the department, their schedule of hours, and how much they were paid per year. The sheet was signed by each Department Head and given to Finance and Payroll departments. According to Ms. Jenkins, an elected official cannot be compelled to work a set number of hours or to perform the functions that would be required under MA General Law. The Town set the salary each year as part of the Town procedures. As the assistant resigned, the office was only opened on Tuesdays and Thursdays. The backfill position was not budgeted to cover the position.

Other salaried positions in the Town of Hamilton were non-elected and submitted personal, vacation, and sick time. Other salaried positions were required to work regular Town hours unless something else was arranged. Section 1.4 of the Personnel Policies were attributable to all employees including elected employees. The policies were read, understood, and signed by all employees. Previous Town Clerks always listed their time off but a change had occurred, which led to issues.

David Wanger wondered what change had occurred to initiate the issue and what effort had been made administratively to resolve the perceived problems. Michael Lombardo had requested the submittal of time, to which the Town Clerk correctly responded that she did not need to do so.

The Town Clerk had not accounted for her time for the last two years. According to Ms. Jenkins, other staff in the building logged her time. Ms. Jenkins said there had been no response to when the Town Clerk would return. The assistant Town Clerk resigned and the Town Clerk noted that she did not want to participate in the hiring of an assistant for personal reasons. The Town Clerk indicated that she would train staff upon her return on December 4, 2017. Ms. Jenkins noted that the Town cannot hire staff if no one can train them. The Town Clerk would not do Special Town Meeting functions until after December 4, 2017, according to Ms. Jenkins.

David Wanger explained that the Town Clerk was out on maternity leave. While Family Medical Leave was 12 weeks, the Town Clerk was not eligible because she could not be compelled to work. Not being compelled to work was a state law but the Town could determine how to pay them. Allison Jenkins said the situation had happened in Marshfield and Wakefield, where the Towns changed the salary in some way or covered both salaries. According to Patrick Della Russo (Andrea Carlsen's husband and Finance Director of Marshfield), Marshfield was covering both salaries as they made the ethical decision to pay the Town Clerk due to her illness. John Pruellage asked about previous clerk hours, to which Ms. Jenkins responded that they exceeded 37.5 hours per week. Ms. Jenkins said her intention was to keep compensation the same, but not to exceed the annual sum of \$64,155. Administration positions (Town Manager, DPW Director, Police and Fire Chief as well as union personnel) worked 40 hours. Other administration positions (Town Collector, Accountant and Finance Director) worked 37.5.

Darcy Dale recalled that Michael Lombardo had suggested making the position an appointed one rather than elected. The Town could pursue the concept after Andrea Carlsen finished her term in 2.5 years.

Patrick Della Russo announced that Andrea Carlsen intended on returning December 4, 2017 and had informed Michael Lombardo of the date. Mr. Della Russo added that Ms. Carlsen was home nursing premature twins, which was why she was not back at work. Mr. Della Russo stated that changing a contract mid-stream without prior notice or without being notified was unethical and discriminatory. Mr. Della Russo noted the stress of insurance and compensation loss and did not believe there was a clear structure offered. Ms. Carlsen was not given an opportunity to go to the Selectmen. Mr. Della Russo found it unfair to have the discussion brought up at Town Meeting. Mr. Della Russo said Ms. Carlsen was not out on extended leave and that the term of "extended leave" used by the Town Manager was inaccurate.

MGL stated that it was the Town Management's responsibility to fill a vacancy by the Town Clerk in Section 143. Patrick Della Russo said the replacement Town Clerk was willing to work three days a week. When the assistant announced her resignation, it was the Town's responsibility to fill the position not Ms. Carlsen's. According to Mr. Della Russo, the position could have been filled within ten days so the office did not need to be closed. Mr. Della Russo added that Michael Lombardo had told payroll that Ms. Carlsen did not need to submit a payroll sheet. Mr. Della Russo had e-mails to support his claim. Mr. Della Russo thought questions

**Discussion and consideration of other issues related to Special Town Meeting, including participation by FinCom, and related process.**

David Wanger would make cautionary remarks about using free cash. Phil Stearns would discuss the Stabilization Fund. The FinCom would know if they were in support after the Selectmen's meeting on October 30, 2017.

**Discussion of Association of Town Finance Committees Annual Meeting**

The meeting would be the following Saturday. Darcy Dale, Phil Stearns, and Nick Tensen would attend. David Wanger would arrange to obtain reimbursement.

**Committee Member Comments/Reports.**

David Wanger said he did not understand where the Longmeadow study group was headed. The potential remaining viable land could be for a new school. Harborlight had control until April 2019. State funding for new school construction might take the parties beyond that date. The School Committee had not formally determined if they wanted to build a new school. Phil Stearns said if the School wanted to conduct an exploration, they would need to file a statement of interest with the MA School Board Association and go through town processes as well as School Committee process. If they were able to be on the agenda, a response would be issued in February 2018. There would be a nine to ten year process for a project that cost \$60M for a declining enrollment. The FinCom could tell the Longmeadow Study that it did not make sense.

David Wanger said there was no clarity.

The Housing Trust was meeting concurrently and the Committee for the District Agreement had not met. Wenham had not responded affirmatively to having a menu of items to consider for apportionment discussion. David Wanger suggested to agree to a figure to change from a three to five year apportionment term and assign amounts to offset the acreage and public safety as a way to mitigate the significance of the transfer to Hamilton, but nothing happened in response.

Mr. Wanger had e-mailed to resume meetings with Jeff Sands and Wenham FinCom members with no response. There was no response to joint FinCom meetings with Wenham for joint services. John Pruellage said the Gordon Conwell lawyer letter would be looked into. Nick Tensen sought definition regarding large items for sticker sale and how to instruct the public and truck crews. Darcy Dale and David Wanger would meet with Patrick Reffett regarding fees, fines, and interest.

Phil Stearns said the Town Hall Renovation Committee had not met. Jeff Hubbard added that the big issue was getting funding. Nick Tensen described the Waste Committee discussed the Town Manager's report, which defined how much tonnage had changed and how much it had cost.

The report indicated an increased cost due to waste tonnage, not recycling. The tonnage increased about 200 tons in one year, which equaled a \$14,000 increase. Due to every week pick up, bag revenue decreased by \$6,000 causing a \$20,000 change. Phil Stearns noted that there was a fee to pick up trash and compost and the cost effect of compost being down and trash up should be the delta. According to Mr. Stearns, the savings would be less due to the compost costs. David Wanger noted the environmental interest. The study was conducted from September 2015 to August 2016 and September 2016 to August 2017. Rates were the same. Mr. Tensen added that he would be in favor of pay as you throw.

Darcy Dale recalled that the Energy Director had attended the Smart Initiative meeting and found it to be more complicated than anticipated. Ms. Dale wondered if a Warrant article could be put in place to support solar power.

David Wanger said Michael Lombardo was pursuing the aspect of entrepreneurial activities at Gordon Seminary in regard to the PILOT program. Nick Tensen said the Town was having a hard time selling big item tags. Bag vendors were not interested and Town Hall was not

available as there was no one in the Town Clerk's office. The Patton Homestead Committee met to look at objectives for the Board and for the person employed. The Board agreed to construct the parking lot and stone wall. The design needed to be defined to have an architect involved. It would be put out to bid.

**Minutes**

August 23, 2017 September 13, 2017, September 27, 2017, and October 3, 2017 would be reviewed and approved after Town Meeting. The joint Selectmen's meeting was set for November 20, 2017.

**Determine/Discuss agenda for next meeting.**

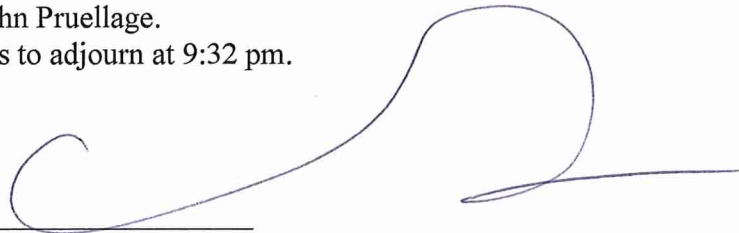
The next meeting would be November 1, 2017. Special Town Meeting issues after the Selectmen met and presentation review would be discussed.

**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 9:32 pm.

Prepared by:



11/17/17

Marcie Ricker

Attest

Date