

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

September 11, 2017

Members Present: Shawn Farrell, Allison Jenkins, Jeff Hubbard, Scott Maddern, Bill Wilson

Town Manager: Michael Lombardo

Members Absent: None

Chairman Bill Wilson called the meeting to order at 7:03 p.m.

**ANNOUNCEMENTS**

**Board and Committee Openings**

The Council on Aging has two open positions; the Hamilton-Wenham Cultural Council has one. Michael Lombardo said he learned the Recycling Committee is also looking to fill a volunteer position.

**Public Comment**

None.

**Selectmen/Town Manager Reports**

Scott Maddern reported that the topics on tonight's agenda for the Recreation Committee included the turf field at the high school and fundraising efforts, as well as a pool re-cap. A Longmeadow study group rep. will also be present. He and Mr. Lombardo met to go over personnel policies and their presentation for Special Town Meeting regarding water sources and the water treatment plant. He invited Chief Russell Stevens to tonight's meeting. He also requested a cottage housing bylaw be put on the warrant. A public hearing was set for that. He and Shawn Farrell were at the Planning Board meeting in which the bulk of time was spent on the Great Estates bylaw. The Patton Homestead Board of Directors approved the parking lot, which came in at a big cost savings. They are interviewing candidates for Patton Homestead's executive director position and will then pursue architects. On Aug. 30, they went over the capital plan, which was very thorough. He thanked everyone involved for their extra time. He is looking forward to the two-year expense forecast that will be part of the meeting tomorrow night with the Finance Committee.

Jeff Hubbard arrived at 7:07 p.m.

Allison Jenkins was absent from the Planning Board meeting but said she watched the tape. They did do the necessary public hearing for the items coming under Town warrant, and they had a number of residents requesting emergency funding.

Shawn Farrell reported that the Conservation Commission had a site walk and looked at Pingree's proposal for their turf field, although much of it is out of their jurisdiction. He detailed some of the Commission's current projects. The Community Preservation Committee (CPC) will meet Thursday to review the status of available funds and bonding obligations. Among the projects the CPC will be voting on for funding is an Owners Project Manager (OPM) for the Town Hall Building Committee's restoration project. He listed the current CPC grants that will be discussed. He commended everyone involved with Public Safety Day and commented on the Pingree School eighth annual Flying Horse Outdoor Sculpture show, currently the largest outdoor sculpture show in New England. Mr. Hubbard asked what is happening with the Council on Aging balustrades. Mr. Farrell responded that the project has been paused since the last Department of Public Works (DPW) director, but the grant was kept open. Part of the delay is that they didn't have a good picture of the balustrades and are trying to find the right vendor to recast them.

Mr. Hubbard reported on the Finance Advisory Committee meeting held Aug. 30. He said it was one of the most comprehensive, detailed meetings they've had. Each department head presented their capital projects and they're all in a package. They include the big-ticket items: Town Hall renovation, turf field, and Chebacco Road paving. He noted that the OPM for the Town Hall project will oversee the project and make sure that money is spent wisely. That person would be conducting an engineering study on the existing building. He said this is an important request to the CPC because they need funding to move forward.

Mr. Wilson reported on Board of Selectmen activities. He complimented everyone on a job well done regarding the capital items. Tomorrow is a joint meeting with the Finance Committee to go over the capital plan and how to prioritize needs of the Town, looking at the FY17 budget vs. the actual spend. The School Committee met regarding FY18 and FY19, combined at \$2.7 million. Look for a debt exclusion in FY19, he said. They had some preliminary numbers they will be updating. The schools also did a RFQ (request for quotation) to get a green energy grant for some control units to handle HVAC (heating, ventilating and air conditioning). They went through goals with the superintendent and school committee in a discussion of the Longmeadow property. The Hamilton Development Corporation (HDC) has asked the schools to come in and speak to them regarding their immediate and long-term uses for the Longmeadow property, for example, fields or an elementary school compound. That discussion will happen Wednesday at 6:30 p.m. in Wenham's Town Hall. The Affordable Housing Trust meets Sept. 20.

Town Manager Michael Lombardo reported the Board of Selectmen will hold a joint meeting with the Finance Advisory Committee tomorrow evening regarding the capital

plan. They have not had a good response to the recruitment for a qualified Patton Homestead director, which might be because the position is posted as part-time, not full-time. They may have to rethink that. He met with UEL, the contractor for the Bridge Street culvert, and their attorneys to discuss possible settlement of payment for the work there. They asked for additional backup of some of their billing for police details. They are not in agreement with what was proposed for settlement. They are looking more along the lines of a deduction of the bucket cost and then to have the Town cut a check for the difference. Once he has an actual settlement proposal there will be an executive session about how to proceed.

**CONSENT AGENDA—**

- **Release minutes from the Executive Session meeting of July 10.**
- **The Friends of the Library request permission to hang a banner re: book sale in front of the Council on Aging from Sept. 12 to 22.**
- **One-Day Liquor License requested by the Community House for a wedding on Sept. 16.**
- **YuKanRun requests permission for their third annual half marathon-by-the-sea scheduled for Sept. 24.**
- **Vicky Morency requests permission for a motorcycle ride Sept. 24 to raise funds for the Danvers People to People Food Pantry.**

Mr. Farrell made a motion to approve the consent agenda. Ms. Jenkins seconded the motion. The motion passed unanimously (5-0).

**REAPPOINTMENTS—2018 Poll Workers and Constables**

Mr. Maddern made a motion to reappoint 2018 Poll Workers and Constables. Mr. Farrell seconded the motion. The motion to reappoint was passed unanimously (5-0).

**Special Town Meeting Date**

Michael Lombardo said from email traffic, he had been led to believe that November 4 was a good date for Town Meeting, but he just found out it is the date of the high school musical. So they may want to move it to a different date or hold it in the high school gymnasium (at an approximate cost of \$6K for set-up) or move it to the Winthrop School auditorium. The Selectmen said they preferred to keep it on Nov. 4. People had different preferences regarding the best setting. Ms. Jenkins said she believes it best to keep the location of the event consistent.

Mr. Farrell made a motion to hold the Town Meeting on Nov. 4, either at Winthrop School's auditorium or in the High School gymnasium based on availability. Mr. Maddern seconded the motion. The Selectmen voted unanimously (5-0) to hold the meeting on Nov. 4 in the location to be determined.

**Misc. —**

Town Moderator Jeff Melick addressed the Board. He asked if and when the warrant is mailed out to the citizens of the Town. Mr. Lombardo answered that the warrant will close on Sept. 25 and be mailed after that. Mr. Wilson asked how they can make sure that someone with a citizen's petition knows where to go to put something on the warrant. Mr. Maddern said that assuming the request is valid, the Town Moderator can create a policy that people should contact the Town Moderator and Town Manager. Both he and Mr. Lombardo said, though, that it was too late to get something on the warrant for this meeting.

Mr. Wilson said David Wanger, Chairman of the Finance Advisory Committee, has sent out a recommendation that the Town issue a statement/proclamation that it doesn't tolerate racism or harassment. In the interest of adhering to tonight's agenda, the Board will table this to a future meeting.

**Marijuana Bylaw Banning the Marijuana Industry in Hamilton**

New Public Safety Director Chief Russell Stevens presented a PowerPoint overview of the history of the marijuana law in Massachusetts, as well as some facts and myths. He stressed a new bylaw would not limit anyone's right to use the substance, grow it, or possess it in the amount within their legal rights, but it would ban its sale within the Town. He added that the bylaw isn't his opinion, it's a matter that's up for the Town's opinion and vote. The Planning Board already heard the presentation. They held a public hearing and then voted in support of the article.

Chief Stevens explained that in Massachusetts, if towns do not want to sell marijuana, they need to *opt out* unlike in Colorado, where towns have to *opt in*. The way the bill was written, he said, if your town voted yes on legalizing it, the issue of selling it in town has to go to a ballot vote. If your town voted no, this can be done at Town Meeting (as is the case with Hamilton).

The Chief said one of his biggest safety concerns would be the sale of edibles (such as lollipops and cookies) that are packaged to look exactly like other products with the same brand name. He said in Colorado, there's been an increase in ER visits and fatalities. There is currently no test to determine the amount of marijuana in a person's system. Blood tests only tell if the drug is present in the system. If the Town does legalize the sale of it, where the sales happen can be controlled through zoning.

Questions/Discussion:

Mr. Hubbard asked about the economic impact to the Town. The Chief responded that the Town would have to sell a lot to get anything back. The town could theoretically make up to 3% in tax revenue. Mr. Hubbard asked if the local communities would share in the 10% tax that he believed the Commonwealth can charge. Mr. Lombardo said he doesn't believe so.

The Chief noted that up to two adults in the household may legally grow up to 6 plants each. The vote won't affect that. Ms. Jenkins noted that in Town are many large rural properties and this could pose difficulty with policing.

Mr. Maddern suggested the Board vote on the issue during the warrant hearing. He recommended keeping it on the warrant so the Townspeople can vote on it.

**MRI Regional Dispatch**

Mr. Lombardo called the Board's attention to their packets, including a matrix of his best guess of potential savings to the Town through dispatch regionalization. The savings are predicated on a State grant picking up the cost. His question to the Board is whether the savings are substantial enough for him and Chief Stevens to pursue drafting inter-municipal agreements. He said it will take time to dig into the issue and he only wants to move to the next level if there is support for it. He has met with town managers in Danvers, Wenham, and Manchester about pursuing an arrangement. The headquarters would be in Danvers.

Questions/Discussion:

Mr. Farrell asked if this is a Board of Selectmen decision or a Town Meeting decision. Mr. Lombardo replied it is a Board decision.

The savings would be realized more if Manchester signs on. They are further behind in exploring the matter than the others and will probably reach a decision by January.

A safe room was suggested, where people who are being pursued or harassed can summon police via a camera. It was noted that a man came to the police station recently and had a heart attack. He was quickly attended to. If no staff were present, what would have happened?

There was concern about whether Hamilton would be an equal partner in services when its population is so much smaller than Danvers.

Mr. Lombardo's recommendations would be to hire one FTE (full-time employee) to do window traffic Monday through Friday and perhaps hire another half FTE for weekend traffic. Doors would have to be alarmed during unattended hours, which would be a cost to the Town.

Dispatchers currently working in Hamilton would have to apply for the regional dispatch positions. If hired, that would mean increases for them, but the Town would incur unemployment costs for those not hired.

Currently in Town, alarms are monitored and use a tone activation system that's different from what Danvers uses. Danvers is looking at connecting towns with fiber optics. Chief Stevens noted that all three entities would have to be on the same dispatch system, so Hamilton would be giving up its system, which is in good shape. He said that the Town "pays for premium service and gets premium service" and regionalizing would not mean better service. In his eight years, he hasn't had one complaint about the Town's dispatchers.

Ms. Jenkins noted that when you dial 911 from a cellphone, it goes to Framingham. Only the landline calls go to Hamilton directly. The next generation of systems will accommodate cellphones.

Mr. Lombardo said none of the changeover issues are insurmountable and he knows regional dispatch can work. The reason he is looking into the matter is because the Town asked him to. But is the savings sufficient?

Mr. Maddern said that because he didn't hear the Public Safety Director saying that this move would improve services, his recommendation is that the Board instead look at fire regionalization. Mr. Wilson agreed. He said he didn't know if the grants will come true and wasn't sure Hamilton would have a voice in Danvers.

Mr. Farrell said he doesn't think the savings justifies the headaches and wouldn't want to take a risk with citizens' lives. He asked if in lieu of regionalizing, other improvements can be made. The Chief said he can pursue equipment grants and such.

Ms. Jenkins said that without a cost benefit analysis of what it would take to put in new doors and alarms, etc., she doesn't see a huge savings. Her suggestion is for the Town to stay the course and see if another town (perhaps Wenham) might join them. She asked if most towns provided the alarm systems that Hamilton does. The Chief said no. She suggested the Town could save money by charging for the service.

In the end, the Board agreed not to go any further with regionalizing emergency dispatch at this time.

### **Water Treatment Facility Repairs**

Peter Calderazzo of Dewberry Engineers introduced himself and said he was called in to help Department of Public Works Director Tim Olson do a facilities assessment. The plant, which was built in 2,000, is based on another type of treatment technology and it was

never adapted to accommodate green sand. The problem is that the filters need to be different to do this. The plant is treating the water, but is currently only running at half capacity. The best solution, they determined, is to take the plant back to its original design. The other option is to abandon the plant altogether and build something else. Dave Dolan, the water treatment plant operator, who was in attendance, has been keeping the plant running and is working nights and weekends.

Questions/Discussion:

Mr. Lombardo said they've already ordered the media. Since the plant is pushing 20 years old, some things (not important to the treatment of water) are starting to fail. The plan is to get the plant running to full capacity, replacing one filter at a time.

Mr. Maddern said on a tour of the plant, he noticed obvious rusting and humidity and asked about a dehumidifier. He said that if they are going to spend the money, they should get the system current. Mr. Wilson asked: How do we assure this Board that going back in time is a good idea?

Mr. Lombardo said it was his understanding that they could build a media and take care of the chemicals so that they aren't in the finished water. Mr. Farrell asked Mr. Calderazzo the plusses and minuses if a membrane system was used (rather than green sand). It is a huge cost to replace the system. Mr. Lombardo said that with the conservation restrictions at the current site, they'd be hard-pressed to build there. The Town would have to look at new wells to build somewhere else. Mr. Lombardo's recommendation is to get moving on the first phase of fixing the current system. Mr. Calderazzo described the steps as getting the media changed out, getting the chemicals back where they need to be, and once the filter is running better, to tackle the things outside of the filters.

Mr. Lombardo said that if they bid the first two phases together, there would be some efficiencies. He recommended they move to bid the work for both phases and get solid numbers. The citizens would feel the effects of one filter down at a time, but if people are aware and can conserve, it would be helpful.

Mr. Maddern suggested putting a placeholder on the warrant for the project and then to move to bidding. The other Board members agreed. He noted that tonight the executive session minutes pertaining to the water issue were released, and he encouraged people to read them. From those minutes, it was made clear that the Town needs to diversify its water sources.

**Personnel Policies—Second Reading of Sections 4-6; First Reading of Section 7**

Ms. Jenkins said she thought the statement "disciplinary action up to and including termination of employment" appeared too frequently. It appears 12 times in the document,

under every section. Mr. Maddern agreed it was heavy-handed. Mr. Lombardo said he would do another redline.

Ms. Jenkins voiced her concern that the policy reads all new hires may get three personal days before June. These aren't prorated, so if someone is hired in May, they still get three days before June. Mr. Farrell noted that it's up to the discretion of the manager and didn't think it a big issue. Ms. Jenkins said she disagreed and thought it was a morale buster. She said she also thinks the after-hours policy should be tweaked because the way it reads now, if she comes in at 7:45 a.m., rather than at 8 a.m., she's violating the policy. Mr. Lombardo said he will strike that part.

Mr. Lombardo's recommendation regarding holidays is that whatever day the holiday falls on is the day an employee gets off, regardless of the amount of hours that one generally works that particular day (for example, some work a long day on Tuesday and a half day on Friday). The Board agreed with the policy. Also noted was that employees can carry over five vacation days if they use them by July 31.

Mr. Wilson noted that procedures are almost more important than the policies. They will be looked at after the policies are done.

Mr. Maddern made a motion that the Board approve sections 4-6 of the Personnel Policies as amended. Ms. Jenkins seconded the motion. The motion passed unanimously (5-0). Regarding the first reading of Section 7, Ms. Jenkins had made a few comments that she passed to Mr. Lombardo. The others are invited to email their comments to him.

### **Delegate Authority to Issue Temporary (One-Day) Liquor Licenses to the Town Manager**

Mr. Wilson said he had no problem with empowering Mr. Lombardo to issue the temporary liquor licenses. Ms. Jenkins explained that the reason to do this is because they've had instances where it's been difficult to approve one for a resident. As long as all the boxes are checked off, it is rare that they wouldn't grant one.

Mr. Maddern made a motion to delegate the authority to issue temporary (one-day) liquor licenses to the Town Manager. Mr. Farrell seconded the motion. The Board voted unanimously (5-0) to approve the motion to delegate the authority.

### **NEW BUSINESS**

Mr. Maddern asked about the following:

- At an Affordable Housing Trust meeting, an issue was raised that water was building up behind the Public Safety Building all the way to the Miles River. He'd like to get a project on the books to assess that. Mr. Lombardo said he would look into it.



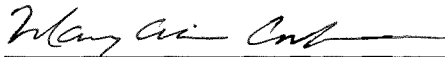
- What happens next regarding the cell towers? Mr. Lombardo said the Planning Board just signed off on its decision and they will get a lawsuit filed against the Planning Board in Federal Court next week. He thinks they can negotiate a settlement.
- What is the timeline for the Longmeadow study group and how might it impact affordable housing progress? Brian Stein will address the Board of Selectmen on Sept. 25 and provide some details. Mr. Wilson said his goal is to get a reading from the schools regarding their potential interest in Longmeadow at the meeting on Wednesday.

Ms. Jenkins asked when they might be moving forward with the Public Safety Building cell tower. Mr. Lombardo responded they want to get the other one moving forward first, although the two cell towers were bid together.

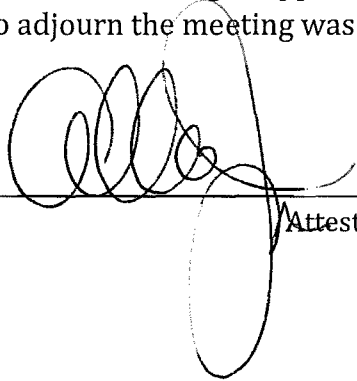
**ADJOURNMENT**

Mr. Hubbard made a motion to adjourn the meeting at approximately 9:50. Ms. Jenkins seconded the motion. The motion to adjourn the meeting was approved (5-0).

Prepared by:



Mary Alice Cookson



Attest

10/30/17

Date