

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

May 7, 2018

Members Present: Chair Shawn Farrell, William Olson, Scott Maddern, Jeffrey Hubbard, and Allison Jenkins (participating remotely).

Members Absent: None

Acting Town Manager: Chief Russell Stevens

Chair Shawn Farrell called the Board of Selectmen (BOS) meeting to order at 7:05 p.m. Allison Jenkins participated via conference call due to geographic constraints.

ANNOUNCEMENTS

- **Board and Committee Openings:** There is one open position on each of the following boards: Open Space Committee, Town Hall Building Committee, Board of Health, and Historic District Commission/Historical Commission. Also, the Town is recruiting for the Town Manager Screening Committee.
- A Community Forum will be held May 16 at Town Hall at 7 p.m. to share thoughts on the ideal qualifications for Hamilton's next Town Manager.
- The Police Department will hold a Memorial Day ceremony May 20 at 9 a.m. in the Hamilton Cemetery.

Public Comment

Michelle Horgan, 141 School St., a Hamilton Housing Authority board member, invited the BOS to come see their properties. She said Executive Director Kate McGuire had done a great job with her staff keeping the facilities up to speed and creating a community with the residents. The Housing Authority wants to plan a meeting soon, which will be open to the public.

Fatima Bezamat, 34 Black Brook Rd., who moved to Hamilton in October, commented on the bad condition of Cutler Road and said she wanted to bring it to the Selectmen's attention.

Ms. Jenkins noted the meeting wasn't being broadcast. Mr. Farrell explained the Hamilton-Wenham Community Access Media (HWCAM) technician hadn't arrived yet.

Selectmen/Town Manager Reports

Jeff Hubbard gave an update about working with Gordon-Conwell Theological Seminary, along with Finance Advisory Committee (FinCom) members David Wanger and John Pruellage with the goal of reducing the tax burden on the community. The group has had others join them in their preparation meetings, including Dave Thompson, Bill Shields, and Claudia Woods. The first meeting with Gordon-Conwell went positively and they have planned a second meeting for May 21, 22 or 23. One topic is whether they might accommodate a cell tower somewhere on that property. They are open to others joining them to address the issue. Mr. Hubbard also announced that on May 22 the Council on Aging will be having a tour of three estates in Town with a lunch at the Myopia Hunt Club. The event is sold out.

Scott Maddern said the Senate and House of Representatives approved the bill that created the Patton Homestead fund, which was requested via a citizen's petition, and they can start the fund reporting. That includes highlighting the tax revenue the Town receives as part of the gift agreement (\$145K). Mr. Hubbard inquired about how the funding is structured and was told the \$145K goes to the general fund while the Patton Homestead Fund is separate. The Homestead is beginning its capital campaign. There will be workshops and materials available to those interested in helping to solicit donors. Mr. Maddern said there's potential for \$1 million in supplementary funding. State revenues are up from what was anticipated, which could be good news for the Homestead, but they won't know for a while. Mr. Maddern met with Robert Patton at the Green Meadows farm site regarding the Medical Marijuana project and had a follow-up meeting with Chief Russell Stevens and Town Counsel Ray Miyares. There are filings Green Meadows has to go through before they can get State approval. From the Town, they need a letter of support or non-opposition. Prior to that they will need to iron out a Host Community Agreement that incorporates the desires of the Town and costs they're looking to receive. Mr. Maddern said they are researching host agreements in other towns. Based on legal counsel, they are devising a list of key items, which Mr. Maddern will be sending out to the BOS. Mr. Olson inquired whether Green Meadows is choosing Hamilton or Topsfield as the site for its medical marijuana operation since the farm is located in both towns. Mr. Maddern said each town is being looked at independently, but it is his understanding they are leaning toward Hamilton.

Ms. Jenkins reported the Planning Board met May 1 to discuss how to rewrite accessory apartments and make the bylaw more user-friendly. They discussed the Cutler Ridge property, putting 8 or 9 properties there. There was some neighbor pushback on that. The Planning Board reviewed minutes from when Mr. Maddern came to talk with them about the cell tower and wanted to change something in his statement. She sent an email to

Director of Planning & Inspections Patrick Reffett stating they can't change a statement in the minutes because they didn't like what was said. She has been looking at other properties, including Gordon-Conwell, as potential sites for a cell tower, but has found these properties highly restricted. She commented she didn't think the purpose of meeting with Gordon-Conwell was to discuss cell tower negotiations. Mr. Hubbard clarified the group was just in preliminary discussions and had been charged to find creative ways the Seminary could help the Town. She noted the topic of the cell tower issue should go on a future agenda. Also, she said she wondered if those involved with the Green Meadows project knew about the Town's Right-to-farm Bylaw.

William Olson will attend his first Hamilton Affordable Housing Trust (HAHT) meeting tomorrow night. He said he reached out to a few companies concerning the possibility of purchasing clickers to use at Town Meeting. Mr. Farrell said Lynnfield was looking at clickers on loan from a company, but they didn't work well and the town decided not to use them. The issue is being explored by Hamilton's Town Clerk.

Mr. Farrell reported the Conservation Commission (ConsCom) met April 25. They had an Abbreviated Notice of Resource Area Delineation. The public hearing was closed and wetland lines shown on plans approved. A public hearing, continued from April 11 concerning a tennis court on Bridge Street, was closed and approved. At the landfill cap, there's an invasive species they are working to eliminate; they have a site walk scheduled May 12 to look at it. The rain barrel program is up and running with barrels for sale on the website. Orders are open until May 13 at midnight; pickup is May 19. Mr. Farrell is following up on a Municipal Aggregation project with the Town's Energy Manager Vicky Masone. They may be teaming up with Gloucester to get a more competitive rate. Citizens can opt out of the program if they choose.

Acting Town Manager Chief Stevens discussed the upcoming Community Forum with Principal Bernie Lynch of Community Paradigm Associates, LLC. A flyer about the event was in the packet he distributed. Mr. Lynch will be meeting with department heads May 16 and then there would be a public forum at 7 p.m. to gather community input about qualifications the new Town Manager should possess. Also in the packet was a photo of a completed plaque that's been placed at Chebacco Lake where on Feb. 28, 1910 an aircraft made the first controlled, sustained flight of a powered, heavier-than-air aircraft in New England. He inquired whether they should hold a ceremony. Mr. Farrell thought yes, since it was a significant event in history. Chief Stevens will follow up on it.

CONSENT AGENDA

- **Approve Minutes from the BOS Executive Sessions on Dec. 18, 2017, March 19, March 29, and April 2, 2018.**
- **Approve Minutes from the BOS meeting on April 2, 2018.**

- **Motorcycle ride to support**

Decision:

Mr. Maddern made a motion to approve the Consent Agenda. Mr. Hubbard seconded the motion. The BOS voted unanimously (5-0) to approve the Consent Agenda.

Report from Public Works (DPW) Director Tim Olson

Tim Olson reported on the vast array of projects he's been working on. Some of the highlights:

—The curbside Textile Recycling Program starts June 6. Residents will receive a pink bag in the mail. After they fill the bag and leave it curbside, they will be issued another pink bag. The DPW helped assemble the list of residents and mailing addresses.

—The water ban is still in effect and will remain in effect until the DPW feels they can lift it.

—Regarding the water plant project, they begin construction this week and hope to have two filters up and running by the end of June, which allows them to treat and process more flow than they are currently treating. Mr. Farrell noted abutters should be given notice of the disruption. The tentative completion date is October. There will be quite a bit of water flow monitoring and water testing. Mr. Farrell said they want to get the public as much information as possible, perhaps with a code red. Mr. Maddern suggested putting an insert in the water bill. Mr. (Tim) Olson said they have it on the bottom of the water bill that just went out. Mr. Maddern also suggested a notice in the newsletter.

—Phase 3 water system improvements, which involved replacing water pipes, repaving the streets and restoring lawns, are nearly complete. The contractor's estimated completion is the end of June.

—Annual street sweeping, line painting, and catch basin cleaning is in process and should be done before Memorial Day. Mr. Farrell asked if they share the striping machine with Wenham. The answer was no, each town has its own. Mr. Maddern asked about spring cleanup and was told the DPW just finished up a lot of tree work from the high winds and long winter.

Further Discussion:

Mr. Maddern asked if there were a Selectperson who could attend a meeting with National Grid Friday at 9 a.m. He said they need to put some heat on the company to keep Hamilton as a focus because power in the area seems often to go out.

Chief Stevens inquired about grading work. Mr. (Tim) Olson said the prices came in quite high and it will cost more than he thought. There are environmentally-friendly products to consider in holding the roads together. Regarding Cutler Road, he agreed it was a road discussed to be paved. He said they do the best they can to maintain the roads, as they can work a road and two days later find it torn up again.

Mr. (Tim) Olson continued his report, detailing many projects throughout the town, including kitchen upgrades to Town Hall, working on a redeveloped Caisson Well, and bidding out work for the Patton Homestead to take place this fall. He said Essex County met the threshold for public assistance so they can get State reimbursement on tree work and damages to the Town's weathervane cupola, railing, and trellis. An early estimate for the cupola work is \$100K.

—They are working on the Town Hall keyless entry system. Cards were already assigned and they will be changing the locks.

—They are looking at water sources, infrastructure, treatment, supply storage, pressures, and maintenance to tie in to the North Coastal Basin that Manchester uses, a known source and known quality. Currently the Town depends on the Ipswich River basin for its water.

—The Winthrop Street Bridge needs repair to shift the weight off of one beam that's deficient. It doesn't necessitate closing the bridge. The bridge is jointly owned with Ipswich so they will split the cost 50/50. There is Chapter 90 funding for it.

—They are doing some leak detection at Cumberland Farms, nothing too concerning, but they are doing an exploratory dig.

—On the solar project, they are trying to get the landfill closure certified and fully permitted.

—He said he had worked with Former Town Manager Michael Lombardo and the DPW union to adjust the DPW operational hours. The hours were accepted by the union. (Some of the employees are in the union and some are not.) Prior to Mr. Lombardo's departure, they were close to signing a memo to revise the hours so the workers could have a half day on Friday with long days spread out over the week. Chief Stevens said this is the direction they are going with other Town Hall employees and was amenable to it. Ms. Jenkins questioned how it might affect snow plowing and noted some DPW work is emergency-dependent. Chief Stevens discussed straight time vs. overtime and how it was a "jump ball." Mr. (Tim) Olson said they would still be working 40-hour weeks. Their workday now is 7 a.m. to 3:30 p.m. It would change to 6:30 a.m. to 3:30 p.m. Mon.-Thurs., with a half-day Fri. Chief Stevens will meet with them and see about having a trial period.

—Mr. (Tim) Olson then brought up an action item about investigating when they should plow private roads. Because of deed restrictions on properties, to plow those roadways, they need to go through the Planning Board to get the deed restrictions lifted. There are about 12 roads that should be looked at. They'd like to have it on an agenda in July or August, which would allow enough notice for the residents to make adjustments in their plans if necessary. Also, some private roads aren't in good enough shape for plowing without damaging the Town's equipment. That needs to be addressed.

—The Chebacco Road interconnection with Manchester needs discussion.

—Currently they have an RFP (requests for proposal) for an OPM (Owner's Project Manager) for Town Hall. They will hold a briefing May 15 at 6 p.m. They will go through a selection process to get an OPM on board and then hire a designer.

AGENDA

Water Abatement—Discussion and Vote

Mr. (Tim) Olson said Phyllis Bianco, 97 School St., had a leak in the water line to her swimming pool, which amounted to a large water usage she wasn't aware of. The Town allows a one-time-every-10-years abatement for accidental water use. A timely fix was made and water usage went back to normal. Mr. William Olson asked about how the abatement was calculated and was given an explanation. The bylaw is based on consumption not rates (rates are graduated). The abatement amount is \$908.25

Decision:

Mr. Maddern made a motion that the BOS approve the water abatement of \$908.25 for Ms. Bianco. Mr. Hubbard seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Ms. Jenkins had questions regarding the security of processing water bills and adjustments. She said when the Town has its annual audit, it is often "dinged" because the person who processes the adjustments in the water department also processes the bills. Mr. (Tim) Olson said they are looking at purchasing a large utility billing module for close to \$14K to handle this in-house and studying how other towns and cities make those adjustments.

Family Promise North Shore Boston

Executive Director of Family Promise North Shore Boston Russ Queen asked for use of Patton Park for an event involving building a cardboard city to raise awareness of homelessness. Citizens sleep out in the cardboard city. This year they are offering more options for youth to attend. The tentative date is Aug. 11. Chief Stevens had no issues from a public safety point of view. All of the cardboard and trash was removed, and the event went well last year.

Decision:

Mr. Maddern made a motion that the BOS approve Family Promise's use of Patton Park on Aug. 11, 2018. Mr. Hubbard seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Liaison Roles

Mr. Farrell emailed the list of liaison roles to the BOS, explained he assigned them according to Selectmen requests. He also gave them a list of the boards and board chairs. Liaisons attend their respective board meetings (or watch them on tape) and report back to the BOS.

Ongoing Town Projects/Prioritization

Chief Stevens requested the BOS move this item to later in the meeting, prior to the Interim Town Manager discussion.

Changes to Senior Citizen Property Tax Work-Off Guidelines, Discussion, and Vote

COA Director Mary Beth Lawton discussed her suggested changes to the guidelines for this program involving citizens who are 60 plus years old or have a disability working to pay off their property taxes. She would like to eliminate the requirement applicants be Hamilton residents for five years (instead, they'd just need to be residents) and that they need to be up to date with paying their property taxes. She discussed how other towns handle similar programs and said Hamilton's has 15 slots available.

Decision:

Mr. Maddern made a motion to approve the two changes to the Senior Citizen Property Tax Work-Off Guidelines proposed by Ms. Lawton—eliminating the requirements that the applicant be residents for a certain number of years and that they be current with their property taxes. Mr. Olson seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Further Discussion:

Ms. Lawton said if she had her choice, it would be that they *not* have an income requirement. Ms. Jenkins did a quick Google search and found some towns do not have an income requirement, but do look at residents' 1040 tax forms. This topic was dropped, though, because it is not on tonight's agenda.

Whistleblower Policy

Ms. Jenkins had circulated a redline version with Town Counsel Donna Brewer's changes along with a clean copy. She said she agreed with all of the changes. Mr. (William) Olson questioned one aspect—that the Town Manager would report to the BOS Chair after the claim was investigated and resolved. He didn't think it was good that the BOS wouldn't know about a claim prior to that. Ms. Jenkins said she hadn't read it that way. The BOS discussed that they thought the BOS Chair should know of the existence of a complaint. However, they noted they need to be careful that the policy didn't call attention to the whistleblower by making the person have to bring the matter publicly to the BOS. The point of the policy is to provide another avenue for handling employee complaints. Chief Stevens said he would consult Ms. Brewer. The BOS will continue the discussion to the next meeting.

Financial Policy Priorities

Mr. Maddern had sent the BOS a spreadsheet with a list of financial policies. He said he tried to consolidate everyone's input. There are multiple steps taken before policies are implemented, he said. He explained the Town had received a State grant for Finance Director Marissa Batista to work with the Department of Revenue (DOR) on financial policies and procedures. As a result, they had come up with 18, and needed the BOS to decide which ones to work on first.

Ms. Batista gave her recommendations:

1. Disbursements.
2. Revenue Turnover
3. Travel Reimbursements (The BOS had ranked this #7.)
4. Financial Reserves (such as how much free cash to keep around and how much to put toward capital projects)
5. Either Reconciliations or Capital Planning

Mr. Maddern recommended the fifth item be Capital Planning. He said they've learned how other towns try and put a percentage of their annual operating budget to capital projects. Having this kind of predictability makes it easier to make decisions from year to year, he said.

The BOS agreed to the list above with Capital Planning as #5. Mr. Farrell said he thinks they need to work through the financial policies like they did the personnel policies. The topic of funding OPEB was also discussed.

Appoint Janel Curry as Planning Board Associate (Fill Term of William Olson)

Mr. (William) Olson commented Ms. Curry would be a big asset, her attendance at meetings was great, and he listed her many qualifications. The term is for two-years, but she'd only be serving for a year since she is completing his term.

Decision:

Mr. Maddern made a motion to Ms. Curry as Planning Board Associate to fill the term. Mr. Olson seconded the motion. The BOS voted unanimously (5-0) to appoint Ms. Curry.

Appoint Town Hall Building Committee Member

Mr. Farrell had sent the BOS a packet of prospective candidates. They discussed who was interested and available, which was one candidate: Jay Butler.

Decision:

Mr. Maddern made a motion to appoint Mr. Butler to the Town Hall Building Committee. Mr. Olson seconded the motion. The BOS voted unanimously (5-0) to appoint Mr. Butler.

Ongoing Town Projects/Prioritization

Chief Stevens said in their packets was a list of projects for the Interim Town Manager. He said some projects in the second wave of the list could perhaps be pushed off if they went with a manager who only worked 20-25 hours. Most importantly, they needed to decide if the Interim Town Manager position would be part-time or full-time. The goal is to have a permanent Town Manager by September.

Some projects on the list included Town Hall renovations, the tie-in to the Manchester water plant, and Chebacco Road paving. Mr. Farrell added the Winthrop Street Bridge. Mr. Maddern said they could adjust the list according to the person hired.

Chief Stevens went over the current three choices for the position. He had spoken with all three. Ira Singer can do the job full-time, 40 hours, but only until Aug. 1. Jim Engel from Ipswich, who covered for Robin Crosbie (the Town Manager of Ipswich who retired and is the third candidate) can work roughly 20-25 hours a week also until mid-August. Ms. Crosbie can do 25 hours and can work through August. She is also willing to renegotiate if the work were to extend beyond August.

Mr. Maddern said they need to hire the Interim Town Manager soon to give some stability to the department heads and office hours to the public. He commented on the great job Chief Stevens is doing.

Mr. (William) Olson asked what the Town can afford and asked if Chief Stevens had asked his department heads if they preferred part- or full-time. He had not.

Mr. Hubbard said he had a hard time with the person they hire leaving in August since it is already mid-May. Mr. Farrell noted they'll need time to get up to speed and wondered what the productivity would be with only 20 hours. Ms. Jenkins said her preference is full-time; however, she thinks longevity is even more important than full-time. So if their only full-time candidate has to stop Aug. 1, she doesn't think that's in the best interest of the Town. The consensus of the BOS was that they would all want the Interim Town Manager to be in place for more than two months. Mr. Maddern said they could discuss this further in the Executive Session as part of their negotiations.

Mr. Hubbard said he thought the Fall Town Meeting calendar was a key item on the list of priorities and should be moved up. Chief Stevens said all top seven priorities on the list needed to be moved forward. He suggested they give the part-time candidates flexibility with their billable hours, but have some set office hours.

Mr. Farrell noted the Interim Town Manager has to sit on the Hamilton Affordable Housing Trust (HAHT), according to Town bylaw.

New Business

Mr. Maddern suggested they discuss the working group for the Gordon-Conwell P.I.L.O.T. (payment in lieu of taxes) issue, as well as the plowing of private roads, two topics that were brought up tonight.

Mr. Olson advocated they continue discussing how to make Town Meeting more efficient, for example, by looking at purchasing clickers for voting.

Ms. Jenkins said she verbalized her list of topics a couple of meetings ago and will forward her list to Mr. Farrell.

Adjournment/Entered Executive Session

Mr. Farrell read the following legal notice: *"I will now entertain a motion to go into Executive Session to enter into negotiations on an Interim Town Manager employment agreement and not to return to regular session."*

Mr. Hubbard made a motion to enter executive session at approximately 9:40 p.m. Mr. Farrell seconded the motion. A roll call vote was taken with "ayes" from Ms. Jenkins, Mr. Olson, Mr. Maddern, Mr. Farrell, and Mr. Hubbard. The motion to enter into Executive Session passed unanimously (5-0).

Prepared by:

Mary Alice Cookson 7-13-18
Mary Alice Cookson Date
Minutes Secretary

Attest:

William Olson

William Olson
Board of Selectmen Clerk

8/13/18

Date