

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

August 6, 2018

Members Present: Shawn Farrell, Scott Maddern, Jeffrey Hubbard, and Allison Jenkins

Members Absent: William Olson

Interim Town Manager: Robin Crosbie

Other Town Staff Present: Chief of Police Russell Stevens, Finance Director Marisa Batista

Shawn Farrell called the Board of Selectmen (BOS) meeting to order at 7:05 p.m. with a quorum present. About 12 people attended.

BOARD OPENINGS & ANNOUNCEMENTS

- **Board and Committee Openings:** The Open Space Committee, Board of Health, and Community Preservation Committee each have one open position. The Historic District Commission/Historical Commission has three open positions. (Four interested parties have submitted applications.)
- The Patton Homestead Inc. nonprofit is looking to add individuals with extensive nonprofit fundraising, marketing, and legal experience. Please contact Scott Maddern if interested.
- **Announcements:** The absentee ballots for the Sept. 4 primaries are available at the Town Clerk's office.

RECOGNITIONS

Recognition of Hugh Gist for Eagle Scout Project

Mr. Farrell recognized Hugh Gist for his Eagle Scout project and presented him with a citation for his work repainting and restoring the tank in Patton Park.

Decision:

Mr. Maddern made a motion to accept the generous gift of Mr. Gist's time and materials and include any future gifts of this order to be approved by the Town Manager without having to come before the Selectmen. Ms. Jenkins seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Recognition of Police Intern Lindsay Allen by the Hamilton Police Department

Police Chief Russell Stevens and Lieutenant Scott Janes presented Ms. Allen, a Forensic Psychology and Criminal Justice major, with a citation and pin for completing her internship. Lt. Janes talked about the projects Ms. Allen worked on, which included updating the data base, ride-alongs, attending court, and observing the reaccreditation process.

Public Comment

None

Selectmen/Town Manager Reports

Allison Jenkins said in the Community Preservation Committee (CPC) funding hearing, the CPC had concerns some of the Hamilton Affordable Housing Trust (HAHT)'s funds might be used for legal fees associated with the Longmeadow Way project. She also noted the CPC asks grant applicants to fundraise or seek other funding sources. She thanked the department heads and the Search Committee for their help finding the new Town Manager. The BOS is currently negotiating the contract. The Zoning Board of Appeals (ZBA) will hold a public hearing on rules and regulations Sept. 4. She researched the Conservancy District, which is on the warrant with an ask that it be deleted by Special Town Meeting. She found the 1965 annual report that determined the contention was preserving wetlands. In other towns, restrictions greater than the wetlands policy are handled by the ConsCom. The Open Space Committee can look at extending the wetlands, but with legal parameters. The negotiation process with Gordon-Conwell Theological Seminary concerning the P.I.L.O.T. (payment in lieu of taxes) is stalled over concerns about the charge. She did some research and found the restrictions about not putting anything, such as poles, wires, etc., at Brown's Hill are still in effect. The CPC needs to add a member who will be its rep. from the Planning Board. Some residents approached her about wanting to have a kayak and paddleboard launch at the Chebacco Lake beach.

Mr. Maddern said the high school will conduct its water flow test on Friday. He wanted to warn residents in the area they might see some discolored water. A cardboard box city, an event to raise awareness of homelessness, will take place in Patton Park this Friday night. Blue Sky Wireless is evaluating a site for cell service in Wenham behind Iron Rail. The Attorney General approved the Town's Vacant and Dilapidated bylaw, and people can start

reporting issues as needed. The process starts with the Building Inspector. The Patton Homestead is making good progress. The lease was extended to the Wenham Museum and awaits signatures. An operating budget was created for the Homestead. The property generates about \$150K in tax revenue, which goes into the Town's general fund, not directly to the Homestead. Bids have gone out for exterior repair. Final work is being done by the attorneys on both sides for the Green Meadows Farm Host Community Agreement. As a result of its impacts, the Town will see 1.75 % of the gross revenues for anything over \$6M. Before the \$6M is reached, it will see 1.5%, which will include funding for a School Resource Officer. Last week there was a biweekly update with Finance & Advisory Committee (FinCom) Chair Phil Stearns.

Jeff Hubbard said the Town Hall Building Committee needs five members. Now that the OPM (Owner's Project Manager) has been chosen, it's a good time to join the Committee. The Hamilton Development Corporation (HDC) will meet Wednesday at 7:30 a.m. Robin Crosbie noted the openings should be posted to the Town website.

Mr. Farrell said the BOS is working to draw up a contract with Joseph Domelowicz Jr., who was chosen new Town Manager. Due to a large volume of agenda items, a meeting was added to the BOS schedule for Aug. 13. The BOS will hold an Executive Session that evening.

Ms. Jenkins said they are negotiating the new Town Manager's start date for the day after Labor Day. The salary is \$140K plus or minus. She asked if they might make a motion to authorize her and William Olson to negotiate the contract, which would then be voted on in the Aug. 13 Executive Session.

Decision:

Mr. Hubbard made a motion that Ms. Jenkins and Mr. Olson negotiate Town Manager salary and benefits with Mr. Domelowicz. Mr. Maddern seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Farrell and Ms. Crosbie discussed that the Town of Wenham is interviewing candidates for the two towns' shared Building and Electrical Inspection services. (There are two candidates for each position.) Ms. Crosbie said she felt it would be appropriate for a quorum of the BOS to participate in the interviews at Wenham Town Hall on Aug. 21. Mr. Maddern suggested the same questions go to all of the candidates. Ms. Crosbie said Wenham Town Administrator Peter Lombardi will handle details of the process.

Mr. Farrell updated the BOS on the Conservation Committee (ConsCom). They had a meeting July 25 and discussed a notice of intent and public hearing that was continued on an ecological restoration project. There was a request for determination and an extension regarding Title 5 septic. They discussed adding catch basins to help the drainage at Patton Park. A group will be coming before the CPC to talk about removing nuisance vegetation in

Weaver Pond. The Open Space Committee, a subgroup of the ConsCom, is discussing a dark sky bylaw, scenic roads bylaw, and what to do about the Conservancy District. The Open Space subcommittee is going to be dissolved and the BOS is going to reform it with a difference charge and direction. Lastly, he discussed an email he received from Bill Shields concerning a potential mandamus, a judicial writ that says the BOS has to do what Town Meeting ordered and overturn its decisions pertaining to the advisory Citizen's Petitions.

Ms. Crosbie reminded everyone the Pole Hearing was set to start at 7:30 p.m. The BOS interrupted their reports to begin the hearing.

POLE HEARING

National Grid to install 6 JO Poles on Highland Street and remove 7 JO poles on Highland Street.

Mr. Farrell read the notice of the public hearing and opened the pole hearing.

Sibhita Mahabier-Sheehy of National Grid discussed adding the poles to facilitate a new project at Pingree School: a turf field. National Grid is petitioning to add the poles, but removal of the old poles is handled by Verizon.

Ms. Jenkins asked if it wouldn't make sense to have Verizon attend the hearing since the poles are jointly operated. Mr. Maddern said he would like a procedure in place requiring this, as there are many double poles in Town, which are unsightly, and it is frustrating they aren't being removed. Mr. Maddern suggested they postpone the hearing until next week and ask Verizon to be present to address the issue.

It was argued by another attendee associated with the project that National Grid had been waiting for a month for this hearing and Pingree shouldn't be penalized by having the project delayed.

Dennis Curran, wiring inspector for the project, said he hadn't officially given National Grid the OK to turn the service on. He said he could hold off on that until there was an agreement from Verizon about the poles being removed.

Mr. Maddern suggested the BOS move to accept the petition on the condition that National Grid understand it is the last time they will grant such a request without having Verizon present.

Ms. Crosbie suggested they condition the approval of the petition on the removal of the double poles. Mr. Farrell agreed National Grid may begin their work on installing the new poles, but Mr. Curran won't sign off on doing the final electrical connection and turning the

power on until Verizon signs off about when they will remove the poles. Mr. Farrell said the BOS would reach out to Verizon.

It was mentioned Comcast shares the poles, as well, and needs to be involved.

Decision:

Mr. Maddern made a motion to approve the installation of 6 JO Poles and removal of 7 JO Poles on Highland Street with the condition that the power not be turned on until the removal of the poles is scheduled.

Selectmen/Town Manager Reports (Continued)

Ms. Crosbie said she hadn't heard back from Ameresco regarding the solar project. Town Counsel Jennie Merrill is away so Energy Manager Vicki Masone will follow up. An informational session regarding electrical aggregation will be held Sept. 6. She asked the group to come to the Sept. 10 BOS meeting and give a short presentation. Police Chief Russell Stevens will be out on medical leave for a few weeks. Lt. Janes will be filling in. The HAHT is struggling to come up with a plan with Harborlight Community Partners concerning the Longmeadow project. The HAHT will meet Aug. 14. She had a discussion with HAHT Chair Russ Tanzer and they talked about having the HAHT come before the BOS Aug. 13 to gather BOS feedback, which she tentatively scheduled. The Trust is trying to find some way that the Town can potentially influence the number of units there. Town Office clean-up was conducted and a ton of material was removed from the building. She suggested the event be held annually.

Ms. Jenkins, BOS rep to the CPC, said currently the plan is for 100 units, but depending on how much money the Town kicks in, the size of the Longmeadow project could go down to 48 or 49 units.

Ms. Crosbie said Marc Johnson of the HAHT has developed a matrix so everyone can easily see what funding amounts are needed to reduce the density to a different number of units. Mr. (William) Olson and Mr. Johnson will discuss the plan at the CPC funding hearing on Thursday. Ms. Crosbie said she thought it was important to have the discussion at a forum where community leaders can weigh in.

CONSENT AGENDA

- **Approve Minutes from the BOS meeting on July 2.**
- **Approve Minutes from the BOS joint meeting with the CPC on June 18.**
- **Approve "For the Love of Pete" Race on Sept. 23.**

Decision:

Mr. Hubbard made a motion to approve the Consent Agenda. Ms. Jenkins seconded the motion. The BOS voted unanimously among those present (4-0) to approve the Consent Agenda.

Approve and Sign Town of Hamilton Warrant for State Primary Election to Be Held Sept. 4 at the Hamilton-Wenham Recreation Gymnasium

Decision:

Mr. Maddern made a motion to approve and sign the warrant for the primary election to be held Sept. 4, 2018 at Hamilton-Wenham Recreation. Ms. Jenkins seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Farrell added he's been in discussion about getting an LED sign that can be used to get the word out to the community about the election and its location.

Recycling Committee—Change in Title and Charge

Mr. Farrell discussed making a change in the title and charge from the Recycling Committee to the Hamilton Waste Reduction Committee. He said Committee Chair Gretel Clark and member Anne Gero have been discussing how they can help trash hauler Casella with enforcement issues, such as discouraging "snowconing"—the practice of putting more into a trash barrel than actually fits when the lid is closed. (If people can't shut the lid, they need to buy a bag for the excess). Also, some people are putting their recycling in plastic bags. Casella has had to hire people to weed out the bags because they gum up the machines. They are going to start putting a violation sticker on any recycling that includes plastic bags and will not pick it up.

Mr. Farrell said the purpose of the Waste Reduction Committee will be to work with Town government to reduce the solid waste stream and costs for disposal. The Committee will have a minimum of five members and maximum of nine. The reason for the name change is they aren't just concerned with recycling, but with waste in general. The market has dropped out in China and recycling costs almost as much as solid waste tipping for the Town.

Ms. Clark introduced herself and talked about the crisis the country is in regarding recyclables, which cost as much to handle as trash does now. She noted the only way they are going to save money is by composting and getting the heavy stuff out of the trash barrels. Composting can include paper, tissue and even dirty pizza boxes. Composting costs less than paying to burn the trash at a solid waste facility. Ms. Clark's group is working on a mailing to go out in December along with the calendar for trash pickup that gives people information about what can be recycled as well as other information.

She urged people not to put recyclables in plastic bags, but to just put them loose in a bin. She said to make sure they are washed out.

Mr. Maddern noted there are large bags intended to be recyclable. Ms. Clark said yes, but they can't go into the Town's waste stream because they affect the machinery. Ms. Gero said Aubuchon was selling those bags and they asked the store to take them off the shelves. They want Beverly to request this of Stop and Shop and Shaws, as well. If people want to recycle plastic bags with a "2" or "4" marked inside a triangle, they can take them to Shaws and Stop and Shop. Crosby's does not take them back.

Mr. Farrell noted web designer Tom Rodgers is working on an update to the Town website about trash/recycling. He said to let him know when that is done so they can have links disseminated in addition to the written materials.

Ms. Jenkins said she believes the BOS should get in the habit of hearing matters at one meeting and voting on them at the next meeting, so citizens can have an opportunity to share opinions prior to the BOS vote.

Decision:

Ms. Jenkins made a motion to put the Waste Reduction Committee name change on the next BOS Consent Agenda. Mr. Maddern seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Financial Policies (Disbursements, Revenue Turnover, Travel Reimbursement)
Second Reading and Adoption

Finance Director Marisa Batista had presented to the BOS the final versions of the policies after she incorporated some minor changes based on feedback from the last meeting. She said the FinCom had agreed with the policies. When asked how implementing the policies might play out, she said they are best practices and are fairly detailed so she isn't sure. Ms. Jenkins noted that if for some reason the policies don't work for the department they can readdress them. Mr. Farrell urged Ms. Batista to come to the BOS or new Town Manager as they work through growing pains in implementing the policies.

Decision:

Ms. Jenkins made a motion to approve and adopt the second reading of the three Financial Policies named. Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Ms. Batista noted there is already a travel reimbursement policy included in the Personnel Policy and this new Financial Policy will supersede it.

Decision:

Mr. Maddern made a motion to consider tonight the first reading of the Personnel Policy with the travel reimbursement portion removed. Ms. Jenkins seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Maddern recommended all new policies they adopt be distributed to all Town employees.

The BOS will have a second reading of the revised Personnel Policy at the next meeting. Ms. Batista will be on vacation; it was determined she didn't need to be present.

Order of Articles Discussion with Jeff Melick

Mr. Melick was not present. The BOS discussed the order in which to present the warrant articles at Special Town Meeting so more people will stay for the entire meeting instead of just listening to certain articles and then leaving. They discussed a number of approaches, including simply picking articles out of a hat or arranging them so there's a mix of challenging "heavier" articles vs. easy "lighter" ones.

Ms. Jenkins recommended keeping the order the same as it has been since 2006 and then the new Town Manager can have input. Mr. Maddern said his gut says the order of the warrant articles at this meeting shouldn't make a difference. He also recommended leaving them in the usual order until the new Town Manager can be involved.

Ms. Crosbie attached a draft of the current warrant articles to date. They include an article by the HAHT, which presently falls under the category of CPC Funds, and the article by the BOS that allows gas stations to remain open 24 hours.

The warrant currently says the meeting is being held at the Winthrop School multipurpose room and there isn't any such room. Ms. Crosbie made a note to change that.

Decision:

Ms. Jenkins made a motion that BOS Chair Mr. Farrell and Town Moderator Mr. Melick make any changes they wish to the formatting of the warrant articles. Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Discussion on Warrant Articles and Their Format. Vote to Close the Warrant

Ms. Crosbie had some questions regarding the warrant, specifically about free cash, which is the closing financial action. She was told to leave that on the warrant. She said it was confusing having many attachments and it seemed to her everything should appear in the text of the articles, aside from something lengthy like a wage classification study or zoning change. She presented the BOS with a sample format to gather their thoughts. It included the majority of vote that was required and a summary of each article. Mr. Maddern thought the summary was excellent. Mr. Farrell agreed. Ms. Crosbie said she would modify the articles within the format.

Ms. Jenkins wanted to hear what the BOS thought about some of the content of the articles they were putting forward, for example, on gas stations remaining open 24 hours and on deleting the Conservancy District. She provided some context of the two. The BOS decided to leave them in the warrant. They would like to get Mr. (Tim) Olson's input on the cost impact of fueling Town vehicles at gas stations in Town rather than from the Town's fueling tank.

Duke Seaver, 402 Essex St., asked if the Town would have to put it out to bid. Ms. Jenkins said all the stations in Town are on State bid so they don't have to.

Decision:

Mr. Maddern made a motion to close the warrant for Hamilton's Special Town Meeting. Mr. Hubbard seconded the motion. The BOS voted unanimously (4-0) to close the warrant.

Request To Use Town Property—Filming in Cemetery/Bay Road

The BOS had received information from a company that would like to film at Appleton Farm, the Town's cemetery, and Miles River Middle School on Aug. 24. One scene involves a car driving on Bay Road. The company needs permission from the school, the BOS, and will contact the Police Department.

The BOS discussed whether it should charge a fee. The thought was that if there were an impact to the Town they should.

Decision:

Ms. Jenkins made a motion to approve the request regarding filming on behalf of the Town of Hamilton. Mr. Maddern seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

NEW BUSINESS

Consideration of Topics for Discussion at Future BOS Meetings:

- Memorandum of Understanding (MOU) with the Patton Homestead Board of Directors
- Green Meadows Farm Host Community Agreement
- Gordon-Conwell Theological Seminary Task Force and charge
- Policy on double utility poles, as was discussed earlier this evening
- Waste Reduction Committee name change and change in charge to go on the next Consent Agenda
- Second reading on the Personnel Policy after removing the travel reimbursement-related section
- Discussion with Mr. (Tim) Olson about Chapter 90 expenditures, including Chebacco Road paving and the plowing of private roads.
- Potential launch at Chebacco Lake beach for kayaks and paddle boards.
- Discussion on who will maintain the walkway from the Patton Homestead to the river. The dock area is overgrown.
- The incorporation of another field person for the DPW department as part of budget discussions.
- Signage at the Council on Aging building. Mr. Farrell has been talking with COA Director Mary Beth Lawton about signage there and whether it should be the same size as the Public Safety Building sign. Ms. Lawton has suggested more unified signage on all the public buildings in Town. Ms. Jenkins noted banners are also hung in front of the COA and should be discussed, as well.

The BOS asked Ms. Crosbie about her schedule pertaining to the transition with Mr. Domelowicz. Ms. Crosbie said she is happy to spend a few hours with him, but didn't think there needed to be two bosses on site. His most important priority will be getting ready the Town ready for Special Town Meeting and becoming engaged in the budgeting process.

Decision:

Ms. Jenkins made a motion that BOS Chair Mr. Farrell may authorize up to 40 additional hours for Ms. Crosbie as needed during the transition to the new Town Manager.

Adjournment

Mr. Hubbard made a motion to adjourn the meeting at 9:11 p.m. Mr. Maddern seconded the motion. The BOS voted unanimously among those present (4-0) to adjourn.

Sign Cemetery Deed #1164

Prepared by:

Mary Alice Cookson / 9/19/18

Mary Alice Cookson
Minutes Secretary

Date

Attest:

William Olson / 9/10/18

William Olson
Board of Selectmen Clerk

Date