

**TOWN OF HAMILTON
BOARD OF SELECTMEN
AUGUST 3, 2009**

The Board of Selectmen met at Hamilton Town Hall at 5:05 p.m. on Monday, August 3, 2009 with David Carey, William Bowler and Jennifer Scuteri present. Finance Director Deborah Mena, DPW Director John Tomasz and Town Administrator Candace Wheeler also present.

Update on Background Check

John Creighton is doing a background check on Russell Stevens, the Board's choice for police chief, that could be done by week's end.

Finance Committee member Bob Bullivant has developed a model police chief contract. Town Administrator Candace Wheeler will provide information to the Selectmen from BadgeQuest on police chief salaries from comparable towns.

Town Hall Renovations

The Board discussed proposed renovations to Town Hall (and Hamilton cemetery) that would be paid for with Community Preservation Act funds. Susan Wiltshire suggested that after the renovation, upstairs at Town Hall could be used to accommodate meetings. Since the Board of Selectmen will be expanding from three to five members and the Memorial Room on the first floor could be used for office space.

Department of Public Works Update

DPW Director John Tomasz said Winthrop Street Bridge \$17,500 contract will be awarded shortly to Bartlett Consolidated, Chapter 90 funds could be used toward reconstruction of Bridge Street culvert and Tennessee gas is not interested in moving its line, additional work has to go out to bid for Woodbury Street path, green sand treats Hamilton's water well, drainage at Howard and Linden Streets will be addressed when weather is dryer, new facilities manager can help with Town Hall renovation, solid waste disposal down 50% in 13 months saving \$94,000, voluntary water ban still in place, excess water being

pumped by Myopia Hunt Club, Town Hall septic system needs parking lot paving finished, vegetation in south of public safety building, Weaver Pond chemicals clearing weeds, chloroform problem in water samples resolved and DEP publicity requirements will be met, traffic islands are cared for by residents and Allison Jenkins has been named new DPW administrative assistant replacing Nancy Stevens.

Water Treatment Study

David Carey entertained a motion to sign a contract with Stantech (Engineering) dated March 23, file number 195111847. William Bowler so moved. Jennifer Scuteri seconded the motion. VOTE: Unanimous.

Hamilton Wenham Green

Carey entertained a motion for the Town of Hamilton to apply for the Green Communities Pilot Initiative. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Government Study Committee Timeline

The Government Study Committee proposed a timeline for hiring a Town manager. The committee is interested in having the Town use a recruiter to identify candidates. A warrant article would be required to appropriate funds to pay an estimated \$10,000 for the search firm. The committee asked for a placeholder to meet the August 24 deadline when the fall Special Town Meeting warrant is closed.

Discussion focused on how a Legislative Act has to pass before the Town manager's position can be created. It has a 50% chance of passing according to committee members following this closely.

Town officials discussed whether a recruiter was necessary in the hiring process due to budget constraints. Committee members believe this is important since the Town is reorganizing its local government structure. It was suggested that interviews with three recruiters could be done after the Act passes.

Proposal to Amend the School District Agreement

Discussion was on revamping the formula used in the school district agreement where buy-in is required from Hamilton, Wenham and school district for a proposed change. Carey will follow-up with Wenham Selectman Larry Swartz.

OEMS Continuation

A press release was issued last Friday by the Attorney General's office describing how an Essex County grand jury returned indictments for former Police Chief Walter Cullen and his son-in-law David Mastrianni, a former Hamilton reserve police officer and trainer, in regard to the EMT training scandal brought to the attention of the state Office of Emergency Medical Services.

The Attorney General's office conducted an investigation on this matter. During the investigation, Hamilton police officers Arthur Hatfield, Michael Marchand, Kent Richards, Karen Wallace and Stephen Walsh whose EMT-basic licenses had been suspended entered into agreements with Hamilton and the Attorney General's office to accept administrative punishment in lieu of criminal prosecution.

Within the next two years these officers have to make full restitution to Hamilton for EMT stipend and training pay received during the period they were falsely certified; pay the Town an additional \$5,000; accept an unpaid suspension of 30 eight-hour shifts, and agree to work without pay for 30 eight-hour shifts of punishment duty. The total to be paid to the Town by each officer is approximately \$25,000.

A few Hamilton residents told the Board that they thought the police officers owe the Town an apology.

Carey mentioned that the investigative hearings are continuing involving Officer Karen Wallace.

Capital Management Advisory Committee Recommendation and Evolution

Carey entertained a motion to agree to the recommendation regarding the "Evolution of the Capital Management (Advisory) Committee" proposed by the committee and Jeff Chelgren, Wenham town administrator, for A, C, and D. The

Board does not agree with the composition it believes the Selectmen and Finance Committee should play a role. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Ambulance License Suspension

Dan Parsons from the Fire Department told the Board what the Emergency Medical Services Committee recommends in regard to the suspension of the Town's ambulance license and related appeal.

Carey entertained a motion to take no action and let the suspension continue to its termination and drop the Town's appeal. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Minutes Approval

Carey entertained a motion to approve the July 20 and July 21, 2009 regular session minutes. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Carey entertained a motion to approve the July 20 and July 21, 2009 executive session minutes. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Carey entertained a motion to go into executive session at 7:15 p.m. not to return to open session for the purpose of discussing litigation strategy and non-union negotiations. Bowler so moved. Scuteri seconded the motion. Members raised their hands for a unanimous roll call vote.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____

Clerk