

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
OCTOBER 5, 2009**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, October 5, 2009 with David Carey, William Bowler and Jennifer Scuteri present. DPW Director John Tomasz, Conservation Commission Coordinator Jim Hankin, Police Chief Russell Stevens and Town Administrator Candace Wheeler also present.

**Minutes Approval**

David Carey entertained a motion to approve the regular session minutes from August 20, 2009 and the executive session minutes of July 29, 2009. Jennifer Scuteri so moved. Carey seconded the motion. VOTE: 2 in favor. William Bowler abstained since he wasn't at the meetings.

**Meeting with Sam Cleaves of MAPC re: Pre-Disaster Mitigation Plan**

Sam Cleaves and Martin Pillsbury from MAPC described how the Town could develop a pre-disaster mitigation plan to minimize damage as the result of a disaster (i.e., flood). The draft plan would be sent to MEMA. With a comprehensive emergency management plan, Hamilton could potentially be eligible for FEMA grant funds.

This could prove useful in repairing and upgrading the undersized Bridge Street culvert that is estimated to cost \$800,000. Beaver management would be part of an ongoing process related to this culvert and elevated water in the Miles River. Also discussed were drainage problems in the vicinity of Bradford and Sharon Roads.

If the process were pursued, extensive benefit/cost analysis would be required since there is a lot of competition for the FEMA grants. The government pays 75% and a local match of 25% is required. If FEMA adopts the Town's plan then Hamilton would work on the follow-up requirements.

**Beaver deceiver at New England Biolabs**

Conservation Commission Coordinator Jim Hankin said beavers are all over the state and are causing flooding problems. The Conservation Commission has approved a Town-wide management permit for trails maintenance and repair for the Essex County

Trails Association that allows for the installation of beaver deceiver flow devices in beaver dams. These devices are designed to permit water to flow while not disturbing the beaver environment. However, while beaver deceivers are often believed to be effective, they're not always and need to be maintained to work properly.

At the Biolabs property in Ipswich, a very large beaver dam contains one beaver deceiver that was installed by Skip Lyle for the trails association several years ago. The one pipe in the dam acts like a culvert. It is believed it could function better if it were lower. The trails association is trying to work out a trail repair on a property off of Gardner Street and Lyle could lower the pipe to achieve relief. This has to be settled between the private property owner and the trails association.

Hankin said the downstream communities are concerned about more water if the flow were restored to a more natural level. He summarized that Ipswich Conservation Commission chairman David Standley conducted a study and said the Biolabs situation was not the problem. Standley believes the Bridge Street culvert, low slope of the river and build up of vegetation and silt has caused the high water problems so there is disagreement as to the cause.

Discussed was whether making an improvement in the Biolabs beaver dam could help the water flow.

Hankin will send an email to Skip Lyle and copy Carey. He noted that the Town officials from Hamilton and Ipswich, the trails association and Biolabs were willing to move forward to address the high water situation when they met in December 2008.

Since the trapping law was repealed the beaver population has grown from 10,000 to 70,000 animals in the last 10 to 12 years.

### **Presentation by Emergency Medical Services Committee**

This was rescheduled to Tuesday, October 13 at 8:15 p.m.

### **Police Update**

Carey described the decision made by the Board in regard to the Hamilton police officers who received a reprimand relative to EMT certification training from the Office of Emergency Medical Services. The Town had received a letter from OEMS in August that said in-house EMT training was not recommended. The officers who were reprimanded had taken steps on their own to get training outside of the department and maintain their certification.

Police Chief Russell Stevens has done a thorough investigation of what transpired. The Town will be issuing a press release containing details about what led up to the final decision on the matter.

Also mentioned was that good progress is being made with the Officer Michael Marchand lawsuit. Bowler noted that he was dismissed as an individual defendant. The court has found no basis for Bowler to be liable as an individual. He added that in regard to the motion to dismiss for Town Counsel Donna Brewer, eight of 11 counts were dismissed. Certain state court counts remain in the case.

**Renewable Energy**

The state will give the Town free technical assistance to understand how to become a green community. Carey will work with Assistant Town Administrator Christine Lindberg to apply for \$5,000 from a renewable electricity fund to be committed by November 30 for perhaps solar energy. It could be used to pay for a coordinator to oversee projects a few hours a week. Additional money might be available to Hamilton. Carey will call the state to confirm the details.

Carey entertained a motion to go into executive session at 8:06 p.m. not to return to open session for the purpose of discussing collective bargaining, real estate negotiations and litigation strategy. Bowler so moved. Carey seconded the motion. Members raised their hands for a unanimous roll call vote.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: \_\_\_\_\_  
Clerk