

**TOWN OF HAMILTON
BOARD OF SELECTMEN
APRIL 4, 2011**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, April 4, 2011 with Jennifer Scuteri, William Bowler, David Carey and Jeff Stinson present. Town Manager Michael Lombardo and EDC member Bob Bullivant also present.

Accept minutes (March 1st and March 21st and March 28th, 2011)

Board clerk David Carey said there were a number of changes on March 1, 2011 draft minutes with a lot of back and forth by Selectmen. He proposed having the minutes secretary use the actual audio recording statements and insert those verbatim into the original draft minutes document produced under the headings: Budget Process and Selectmen's Goals and Objectives. Then the minutes would be accepted.

Carey entertained a motion to approve the March 21, 2011 Board of Selectmen regular session minutes. William Bowler so moved. Jeff Stinson seconded motion. VOTE: Unanimous.

For the March 28, 2011 Board of Selectmen regular session minutes, not all of the Board members had responded with comments so these will be accepted at a subsequent Selectmen's meeting.

Public Comment (3 minutes on topics not already on agenda)

Betty Gray of Asbury Grove asked for details on next Selectmen's meeting date of April 25, 2011 as specified on agenda. The Board, under other business, will discuss the next Board meeting date on April 11.

Steven Newbold of 4 Carriage Lane spoke about improvements Police Chief Russell Stevens had made including removing the Sunday no entry sign on Union Street, replacing 30 miles per hour sign near Wenham line and no parking sign on Route 1A. He asked about enforcement of emergency parking spaces at the public safety building since attendees at a children's party at the site parked there last weekend.

Newbold was told that when he sends an email to all Selectmen at hamiltonma.gov the entire Board receives it. However, due to Open Meeting Law requirements, the Board would not deliberate via email. Jennifer Scuteri noted that residents should be contacting the Town manager or his assistant Chris Lindberg first before contacting the Board.

Edwin Howard of Meyer Lane asked the Board and Town manager to inform the public about the status of all of Hamilton's lawsuits. This will occur at the next Board of Selectmen meeting that the Town manager is attending.

Town Manager's report

Town Manager Michael Lombardo noted that interviews had been conducted to find a replacement Recreation Director since Melissa Roy has left the post. An offer was made to one candidate who declined the position.

It was decided that the Town is looking for different skills and experience than is available with the three other candidates interviewed from the 40 applicants who responded to the job posting in the first round. The ideal candidate would have a strong recreation background, experience with summer programs and related state laws, as well as experience managing projects and people. The position will be advertised again with MMA and on two state association websites.

Lombardo will be meeting with Recreation Department staff tomorrow to discuss how to manage the office with one full time person and determine what support staffing may be needed going into the summer session.

Application for One-Day Liquor License – Friends of Cutler fundraiser

Ivana Szady representing Friends of Cutler explained to Board that a school fundraiser would be held on Friday, April 8 from 7 to 10 p.m. at private home located at 617 Highland Street. A TIPS-certified bartender from Boston's Best Bartending will be used at the event to serve all alcoholic beverages. Food will also be served. Expected attendance is 70 but not over 100 so a police detail will not be used. Discussion about how the start time of the event should be when alcohol is delivered so it was changed to noon on the day of the event.

Jennifer Scuteri entertained a motion to grant a One-Day Liquor License to the Friends of Cutler for a fundraiser to be held on April 8, 2011. The alcohol to

arrive around 12 p.m. and expected event to start at 7 p.m. and end at 10 p.m. Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

Thermal Imaging

The state Department of Energy Resources has pilot money left from a project in Springfield that could be used by Cambridge-based company Sagewell to do thermal imaging for 4,000 versus 1,000 homes in Hamilton and Wenham.

Sagewell will rank order homes based on energy efficiency and send a postcard to homeowners with inefficient homes directing them to a website and potential estimate on cost of improving energy efficiency.

Hamilton-Wenham Green will pay for the postcard mailing and add information about utilities that will pay up to \$3,000 to improve energy efficiency and the contractors who can do the work. If enough residents seek work through one contractor a lower bid for work is conceivable.

Residents can opt out of having their house imaged by going to the Sagewell website. A notice will go into the newspaper to notify all residents. The Hamilton Wenham Chronicle has been running articles written by HW Green member Sue Patroliia. Hamilton Wenham Patch will also be notified. HW Green is holding a meeting on April 5 from 6:30 to 8 p.m.

Carey will confirm for the Town manager that no record keeping will have to be done by the Town since Hamilton will serve as a pass through to Sagewell, the grantee of the state money.

Resident Ed Seaver suggested that the Town buildings should be thermally imaged as well. Town officials agreed this was a good idea. Carey will notify Wenham about this recommendation.

Carey entertained a motion for the Selectmen to approve submitting an application to the Department of Energy Resources to participate in the thermal imaging program. Scuteri so moved. Bowler seconded motion. VOTE: Unanimous.

Public presentation on proposed Hamilton Development Corp.

Economic Development Committee member Bob Bullivant described the proposed ATM warrant article and the ratification process involving Home Rule petition approval and Special Act by Legislature and Governor to establish the proposed Hamilton Development Corporation. The corporation would function as a legal entity and non-profit, tax-exempt holding company. It would help consolidate the planning activities related to diversifying the tax base within Hamilton.

Under the Special Act, there would be the need for payment in lieu of taxes for any holdings of the corporation and real estate would be treated as if it were taxable.

As required by law there would have to be a commercial development plan that integrates the downtown business district and commercial overlay districts. Also to make use of independent financial tools such as options for land purchase, leases, rental agreements, mortgages, and bonds (these need approval by two-thirds vote at Town Meeting).

The Board of Directors for the corporation would perform a leadership role for commercial development throughout Hamilton. Candidates for the board would serve three-year terms, have expertise in planning, real estate, law, finance, business and architecture, and would not have to be Town residents. Members could include local business owners and one member would be from the EDC.

Program costs will be revenue neutral for the Town because there will be revenues the corporation can collect as a landowner from mortgages or rental agreements.

When wind developers come to Town they could share expenses for engineering studies and site surveys. There will be active application for grants to help fund program costs. Meals tax revenue could be used for downtown development rather than Town Meeting vote to buy planters and benches for the downtown. These taxes, similar to those that come in and go directly to the CATV corporation, would be put into a fund controlled by the HDC.

The benefit of the organization is it would help the revenue needs of the Town. Currently less than 5% of the tax receipts received in Hamilton are from commercial interests.

Next week the Selectmen will meet with the land use boards to discuss the HDC, Chapter 43D warrant article, use of meals tax, update on Canterbrook Farm senior housing proposed project, and status of the Hansbury site, as well as Town owned land.

Gloucester has a development corporation that designed the Blackburn Industrial Park.

Accept gift from Thomas Sears to the Cemetery Perpetual Care account

Scuteri entertained a motion to accept a gift of \$200.00 from Thomas Sears to the Cemetery Perpetual Care account. Bowler so moved. Stinson seconded motion. VOTE: Unanimous.

Accept Notice of Assignment of Option re: purchase of Donovan Fields

Scuteri entertained a motion to accept Notice of Assignment of Option for the purchase of Donovan Fields, which was approved at Town Meeting on October 30, 2010 under Article 2010/10 2-1 and the authority to execute same. Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

Ratify Notice of Exercise of Option re: purchase of Donovan Fields

Scuteri entertained a motion to Exercise the Option for the purchase of Donovan Fields, which was approved at Town Meeting on October 30, 2010 under Article 2010/10 2-1, so as to ratify and allow the Town Manager to execute the same. Bowler so moved. Stinson seconded motion. VOTE: Unanimous.

According to Lombardo, the closing schedule on the Donovan Fields purchase should be done in the next couple of weeks. Work is still being done on the Conservation Restriction.

Application of Indigo Restaurant Corp. d/b/a 15 Walnut for Alteration of Licensed Premises

Carey read the following legal notice for the public hearing: Notice is hereby given that the Board of Selectmen of the Town of Hamilton will hold a public hearing at Hamilton Town Hall, 577 Bay Road, Hamilton, Mass. on Monday, April 4, 2011 at 7:00 p.m. to consider the following application of Indigo

Restaurant d/b/a 15 Walnut for Alteration of Licensed Premises. Signed by the Hamilton Board of Selectmen.

Notice was given to all 11 abutters and Attorney Anthony Porcello for Jeff Cala, restaurant owner, had given the certified mail receipt cards to the Town manager.

The petitioner was seeking a change to the existing liquor license since there had been a change to the premises, where the restaurant expanded from 49 seats to 97 seats into the space next door formerly occupied by Anton's Cleaners that moved one-door down in the shopping plaza, as well as a staff change in the bar manager listed on the license.

Andrea Knight is the new bar manager and a photocopy of her passport was made by the Town manager. A CORI check on Knight has not been completed. According to Porcello, the CORI form to be submitted to the ABCC has been completed.

The Form 43 for the Change of Corporation name to change the last-approved corporate name/DBA of Serenitee Corporation to Indigo Restaurant Corporation was signed by the Board for submittal to the ABCC.

Scuteri entertained a motion to approve the appointment of Andrea Knight as bar manager of Indigo Restaurant Corp. d/b/a 15 Walnut, subject to approval of her application by the ABCC and review by Town Counsel Donna Brewer. Bowler so moved. Carey seconded motion. VOTE: Unanimous.

Discussion continued on the expanded space at the restaurant.

Scuteri entertained a motion to approve the application of Indigo Restaurant Corp. d/b/a 15 Walnut to alter the existing liquor license to include the expansion of the business located at 15 Walnut Street and approve the new bar manager application, subject to review by ABCC and Town Counsel Donna Brewer. Carey seconded motion. Bowler raised the issue that the restaurant needs to reapply to extend the entertainment license as well. Porcello said diners had been using the expanded space in the restaurant but they were identified as not being served alcohol. VOTE: Unanimous.

Vote recommendations on Town Meeting warrant articles

The Board will vote on its recommendations on Town Meeting warrant articles at its meeting on April 11 when the script and compensation table are updated.

Other business

Next Selectmen's meeting with the land use boards is on Monday, April 11.

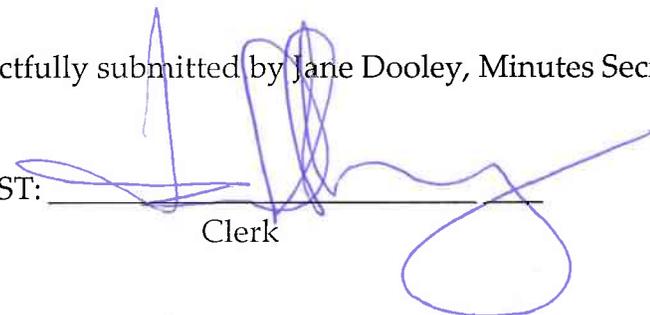
Discussion on scheduling and funding requirements to get refurbishing work done in two corridors on first floor at Town Hall. This will be discussed with DPW Director John Tomasz and Mark Gates, building maintenance supervisor.

Discussion on Lombardo's first-year anniversary date on April 19. Marc Johnson has reviewed tasks in Special Act for Town manager form of government in Hamilton. Lombardo and Board will analyze and determine how well the two entities have implemented the Special Act responsibilities and provide feedback.

Scuteri entertained a motion to adjourn open session at 8:10 p.m. to go in executive session pursuant to M.G.L. c.39, Section 23B(3) for the purpose of Union and Non-Union Contract Negotiations, not to return to open session. Bowler so moved. Stinson seconded motion. The roll call vote was unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:



Clerk