

**TOWN OF HAMILTON
BOARD OF SELECTMEN
JULY 23, 2012**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, July 23, 2012 with David Neill, Marc Johnson, Jennifer Scuteri, Jeff Stinson and Jeff Hubbard present. Town Manager Michael Lombardo, Police Chief Russell Stevens and DPW Director John Tomasz also present.

Call to order

Chair David Neill called the meeting to order.

Accept Minutes (July 6th, July 9th, and July 17th, 2012)

Board clerk Jeff Hubbard entertained a motion for the Selectmen to approve the July 6, 2012 minutes. Jeff Stinson so moved. Marc Johnson seconded motion. VOTE: Unanimous.

Hubbard entertained a motion for the Selectmen to approve the July 9, 2012 minutes. Stinson so moved. Johnson seconded motion. VOTE: Unanimous.

Hubbard entertained a motion for the Selectmen to approve the July 17, 2012 minutes. Stinson so moved. Neill seconded motion. VOTE: 3-0-2 with Jennifer Scuteri and Johnson abstaining since they did not attend.

Public Comment

None.

Town Manager's Report

Town Manager Michael Lombardo updated Board about computer system upgrades occurring for local government, noted that emails may need to be resent to Town officials during this period as changes are finalized, and that website would be revamped. He will speak to the Board in the near future about potential for municipality to use social media.

Police Chief Russ Steven explained to Selectmen that public safety department is currently working with an insurance company to conduct training with a driving

simulator related to distractions on the road for younger drivers licensed three years or less.

Also that the Hamilton police department has completed some accreditation standards and is working hard toward completing 326 standards to become fully accredited. Once this is done, Hamilton would be one of 40 departments in the state that is fully accredited, and this will benefit the insurance rate the Town receives from MIIA.

Russell also mentioned that a public safety day will be held on September 15 from 10 a.m. to 2 p.m. at Hamilton's public safety building. The Citizens Police Academy will be continued and start again shortly with 20 people involved. In addition, RAD training will be held again in October. He also noted that a police bike patrol has been initiated with five officers certified.

DPW Director John Tomasz explained that construction is underway on Gregory Island Road and that residents should expect travel delays. Neill thanked Tomasz for the work he did that was above and beyond on July 4th.

Chairman/Selectmen reports

Neill mentioned the Little League championship that has been occurring at Patton Park. Scuteri noted that Town is finalizing agreement on Patton property; the household had military artifacts inventoried and closing on property is likely to occur in September. Also, she mentioned that fundraising for Patton park playground is going well. Lombardo added that RFPs are being prepared now for construction of play structure and that renovated playground is expected to have a grand opening in the spring.

Hubbard summarized downtown improvements saying trees would be installed in fall, HW Garden Club would install new flower boxes in fall and that Jim O'Brien, landscaper, had cleaned up eyesore areas.

Discussion ensued about the need for weeds to be removed along curbing on Bay Road. Also mentioned was that Fall Festival sponsored by HW merchants group will be held on Saturday, September 22 and will include parade with Myopia hunt (traffic on Bay Road will be addressed in pre-planning meeting), apple pie baking contest and beautification contest for Hamilton and Wenham retailers. Merchants are planning to publicize information on their website. Discussion

ensued about Art Grows Here program and that there is a map and information available.

Declare Mandatory Water Ban

Tomasz described how the flow in the Ipswich River dictates when Hamilton conducts a water ban in compliance with Department of Environmental Protection regulations. Due to recent reduced flow in the river, the Town's residents are being told to only use handheld watering devices, no mechanical watering devices, from 8 p.m. until 8 a.m. as part of mandatory water ban. Lombardo noted that residents with private wells are also required to comply with these restrictions.

Discussion ensued about bylaw related to this matter that says if there is a violation of water use during the mandatory water ban, that first violation carries a \$50 fine and second violations, a \$100 fine. Lombardo noted that a letter could be sent to people who may be unaware of mandatory water ban with follow up, and in his experience a handful of letters are sent out annually and people are responsive in complying.

Neill read a declaration on the mandatory water ban that addressed use of non-essential water (i.e., car washing), due to low flow in the Ipswich River, to maintain sustainable drinking water for the Town. He entertained a motion to issue a mandatory water restriction notice that all mechanical outside watering is banned and only hand-held watering is permitted between 8 p.m. to 8 a.m. Stinson so moved. Scuteri seconded motion. VOTE: Unanimous.

One-Day Liquor Licenses:

- Timothy S. Hopkins Catering for events at Myopia Polo Field, 435 Bay Road on August 26th, September 2nd and September 23rd;
- Green Meadows Farm, 656 Asbury Street on July 25th and July 26th

Neill entertained a motion to approve One Day Liquor Licenses for Timothy S. Hopkins Catering for events at Myopia Polo Field on August 26th, September 2nd and September 23, and to Green Meadows Farm for events on July 25th and 26th. Hubbard so moved. Stinson seconded motion. VOTE: Unanimous. Lombardo noted that Police Chief Stevens was aware of all liquor license applications especially for events where more than 100 attendees are expected.

Council on Aging Interlocal Agreement with Wenham

Lombardo said this was approved in March and on agenda unnecessarily so Board passed over it.

Confirmation of Marybeth Lawton as Interim COA Director

Lombardo explained that Marybeth Lawton would bring the Hamilton and Wenham Council on Aging organizations into closer alignment then a permanent appointment could occur.

Lawton noted that she would be moving to Hamilton shortly from Bridgewater, had served as a selectman with focus on elder issues and was Council on Aging director in Abington and Plymouth where she was involved in development of senior centers. She was enthusiastic about managing services and activities for seniors in Hamilton and Wenham commending towns for interest in supporting seniors and agreeing with Selectmen that COA program is underfunded. She described how seniors could be brought into the public safety day event, and that changes in the kitchen at the existing Meeting House building where the senior center is housed could provide for a nutritional program and lunches.

Neill entertained a motion to confirm the appointment of Marybeth Lawton as Interim COA Director. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Accept donations to Patton Park playground:

Neill read the list of donations for Patton Park playground:

- CCPDS Fundraising - \$1,185
- Eric D'Orio - \$500
- Kevin & Rosemarie Bottomley - \$100
- Andrew & Heather Tripp - \$100
- Aaron & Teresa Von Staats - \$100
- Anne Babcock - \$100
- The North Shore Nursery School - \$100
- William & Christie Sumner - \$700
- Zachary & Janet Soolman - \$100
- Patrick & Nancy Waddell - \$100
- Gregory & Kimberly Meyer - \$100

- Benjamin & Helen Allard - \$100
- Andrew & Kathleen Ayers - \$100
- Joyce Toomey - \$100
- Kevin Donovan - \$100
- David & Dianne Johnson - \$100
- Kevin & Kathleen O'Connor - \$300
- Karin & Frederick Smith - \$400
- Eric & Emma Schenker - \$100
- Matthew & Karen Nevins - \$100
- Jessica & Connor Minnaar - \$100
- Joshua & Alison Fleury - \$100
- Jennifer & Eric Graham - \$100
- Craig & Maria Upton - \$100
- Jennifer & Jay Cornforth - \$100
- Mark Ostrowski - \$100
- Shaun Hutchinson - \$100
- Patrick & Naomi Gray - \$100

Neill entertained a motion to accept the above-referenced donations to be used for the Patton Park Playground, and sign the corresponding Gift Agreements. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Sign State Primary Warrant

Neill entertained a motion to sign the Warrant for the State Primary on Thursday, September 6, 2012 from 7 a.m. to 8 p.m. at the Winthrop School. Scuteri so moved. Hubbard seconded motion. VOTE: Unanimous.

Appoint Kim Deitel as ZBA Alternate

Neill entertained a motion to appoint Kim Deitel as an Alternate to the Zoning Board of Appeals with a term to expire on June 30, 2013. Hubbard so moved. Stinson seconded motion. VOTE: Unanimous.

Appoint Poll Workers for Town Meetings and Elections

Neill read letter from Town Clerk Jane Wetson and list of names of poll workers to be appointed.

ALLEN, LILLIAN

LANNON, EILEEN

BARTON, SANDRA
 BOGH DAN, DOLORES
 BOGH DAN, KALIL
 BRAND, SUZANNE
 CARLSON, ANDREA
 COBB, CONSTANCE
 CROWLEY, TENA
 DOLLIVER, JR. CHARLES
 DOOLEY, JANE
 DORAN, ALBERT
 DORAN, MYRNA
 FANNING, MIMI
 FLINT, DONNA
 FLUMERFELT RUTH
 FLYNN, RICHARD
 GRAY, ELIZABETH
 GREELEY, LINDA
 GROESBECK, MARY LOU
 HALLIDAY, LOUISE
 HARADEN, EDWARD
 HICKEY, MAUREEN
 HOPPING, EDWARD
 JANES, ANNETTE
 KINNEY, DONNA
 KIRBY, CAROL

LESZCZYNSKI, WALTER
 LIBERTI, MADELYN
 LONGVAL, NANCY
 McLAUGHLIN, SUSANNA
 MCWANE, JANE
 NYLAND, ROBERT
 PAINCHAUD, SANDRA
 PECUKONIS, MAUREEN
 SEAVAR, CAROL
 SEAVAR, EDWARD
 SHEPARD, ERNEST
 STEVENS, HELENA
 TESHKO, CHARLOTTE
 TOWNE, ARTHUR
 TOWNE, JEAN
 TREPANIER, CLARENCE
 VITALE, SANDRA
 WASHBURN, ROGER
 WESTON, JENNIFER
 WETSON, MICHAEL
 WHIPPLE, DONNA
 WHIPPLE, ELAINE
 WHIPPLE, RAY

**** Volunteer -- not paid

Neill entertained a motion to appoint as poll workers those residents recommended by the Town Clerk in her letter to the Board dated July 16, 2012 (which was read into the record and a copy of which will be attached to the minutes). Hubbard so moved. Stinson seconded motion. VOTE: Unanimous.

Sidewalk Repairs and Maintenance

DPW Director John Tomasz presented information to the Board about 16 miles of sidewalks in Town where 7 miles are in poor condition and are about 30 years old. The Town appropriated \$50,000 at Annual Town Meeting for a sidewalk replacement program.

Discussion ensued in response to Tomasz's presentation about the condition of sidewalks primarily in Hamilton's downtown neighborhoods. Focus was on inconsistencies found with sidewalks relative to width, lack of ADA compliance,

types of curbing (granite versus asphalt), extra materials (rocks) including asphalt that had been added to some sidewalks and encroachment of resident plantings that are preventing parking and that public works does not have the manpower to trim shrubbery along sidewalks. It was agreed that the right of way is 6' to 8' from the edge of the road to the resident property lines.

Discussion addressed the need to replace sidewalks in a consistent way throughout the downtown and Hamilton by providing enough width to allow people to pass one another single file (3' wide) and comply with ADA requirements. Materials considered for sidewalks include asphalt at a cost of \$15 a linear square foot, concrete for \$30 a linear square foot and brick for \$45 a linear square foot.

Tomasz is gearing up to do sidewalk replacement in the early fall. Discussion was on focus of work on Hamilton Ave., Mill and Linden Streets and Railroad Avenue where more people use sidewalks and there is a need for repairs for pedestrian safety. There was mention that bicycles should not be used on sidewalks except by small children.

Duke Seaver, Essex Street, mentioned that there is a need to continue School Street sidewalk to Essex Street. Tomasz noted that he is in the process of getting three quotes for a sidewalk study on Essex Street where \$19,000 was appropriated at ATM for this purpose.

Board discussed need for Selectmen to walk downtown area discussed to take a look at sidewalk situation and arrive at decision on how Town should pursue sidewalk replacement. Lombardo will email Board on proposed dates for walk.

Hamilton Development Corporation Board of Directors

Discussion about how Town has 60 days to make appointments to Hamilton Development Corporation now that legislation has been adopted. Lombardo will provide Selectmen with a list of names of individuals since he wants Board feedback on candidates. One or more people could be appointed from the Economic Development Committee. Discussion ensued on how the HDC will have authority to buy and sell property and committee would be looking at commercial and overlay district in Town. Lombardo is working with EDC relative to list of requirements for HDC candidates that should be on the Town's website. It was noted that individuals with required experience in certain fields might not be Hamilton residents and that Selectmen would not be appointed.

Board goals and objectives

Scuteri updated Board on status of Patton playground project reiterating that fundraising effort was going well and that ZBA design review was completed. Also that Patton property gift transfer would occur soon. In addition, Scuteri mentioned that a permanent senior center should be designated in Town with the assistance of Lawton. Also discussed was Community Preservation Committee looking at Patton pool project where Recreation Director Sean Timmons is working on cost estimates for rebuilding pool with additional amenities. Scuteri noted that other Board goals are revenue generation such as selling Town-owned land, P.I.L.O.T. programs, and cost cutting through identifying other ways to share costs with Wenham (i.e., merging police departments).

Hubbard outlined his suggested goals including freezing costs in local government and HWRSD, evaluation of value of Town departments (i.e., recreation and cemetery), and determination of which playing fields are needed above and beyond what is available from Pingree School and Gordon College relative to the Town's master plan. Also, that hiring of Planning Director could be postponed and work such as snow removal, landscaping, accounting and payroll could be outsourced. In addition, costs for transportation and lunch programs at the schools should be evaluated as well as use of electronics (i.e., iPad) versus textbooks.

Hubbard suggested improved use of Town's meals tax revenue, better public relations effort for Hamilton with Town website, if a clubhouse were considered for Patton Park it should include senior citizen use and pool could be managed in a private/public partnership (i.e., Manchester Athletic Club). Also that property tax forecast should be done for the next 10 years with 2% annual increase, a discussion of role of municipal government, evaluation done of Town manager form of government, trash program be modified to mirror Wenham's with weekly solid waste pickup, presentation done by firm that analyzed local government efficiencies, morale problems at Town Hall be addressed, organization of Fire Department and revenue generation, Town manager review, Master Plan and all Town boards meeting.

Stinson outlined his Board goals as need for cell tower to improve mobile communication service in Town, increase in services for senior citizens, trash program should be reviewed for weekly solid waste pickup, state mandates need consideration and review of Town manager form of government.

Johnson addressed Selectmen's goals mentioning need to finish Town's acceptance of Patton property gift, that open discussion should occur early on regarding review of the HWRSD budget, fundraising and magnitude of pool project, unfunded pension liability where cost should be identified for 20 years and taxpayers educated, and that Hamilton website needs to market Town.

Neill mentioned that his Board goals are the importance of sidewalks on Essex Street and in the downtown area, need for funding sources other than tax dollars especially for HDC, what to do at Patton property (i.e., focus on garden to hold events), join Wenham and become one town with central police department and common dispatch center, Patton park and pool improvements, development of landfill site, Chapter 40B challenge and addressing difficulty of reaching 10% affordable housing in Town as well as reconciling Town's bylaws with state law.

Discussion ensued about the water overlay district relative to development in Town and Planning Board process for reviewing proposals (i.e., Canterbrook) and work Tomasz is doing relative to closing Patton well and impact of keeping well operational on use of Patton property that will be presented to the Board. Lombardo explained that he would review the Selectmen's goals with Neill and he'd prepare a list for Board discussion at its next meeting.

Board signed cemetery deeds. Scuteri mentioned that Town manager's review is supposed to be done by Selectmen in April as part of Special Act. Board members who haven't done so already will provide input to former member David Carey who is compiling information on subject for Selectmen. Selectmen will meet again on Monday, July 30. At that meeting Lombardo will address decision on Town counsel appointment and he'll email Board memo on matter.

Neill entertained a motion for the Board to go into Executive Session pursuant to M.G.L. c. 30A, Section 21 (a)(6) to consider the purchase, exchange, lease or value of real property, as an open meeting may have a detrimental effect on the Town's negotiating position, not to return to regular session at 9:25 p.m. Scuteri so moved. Johnson seconded motion. Roll call vote: Hubbard, nay, Stinson, abstained, Neill, yes, Scuteri, yes, Johnson, yes.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:  8/12/12
Clerk

