

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
AUGUST 13, 2012**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, August 13, 2012 with David Neill, Marc Johnson, Jennifer Scuteri, Jeff Stinson and Jeff Hubbard present. Town Manager Michael Lombardo also present.

**Call to order**

Chair David Neill called the meeting to order.

**Public Comment**

None.

**Chairman/Selectmen reports**

Jeff Hubbard noted that Black Cow restaurant had done a good job maintaining front of building during renovation work and said wife of Terrence Hart, Eastern Essex Veteran's Services, had passed away.

**Town Manager's report**

Town Manager Michael Lombardo announced for Town Clerk Jane Wetson that August 17 is the last day for residents to register to vote in the September 6 primary election. He read letter from Secretary of State Francis Galvin that outlined time to register to vote on August 17 would be from 9 a.m. until 5 p.m.

Discussion ensued about whether or not Town wanted to continue to pay extra for turquoise green paint color on new Town vehicles since Hamilton has ordered trucks that were approved at Town Meeting.

Lombardo explained that an identifying color is necessary for these vehicles since they are used for snowplowing. There are standardized safety colors of orange or yellow that could be used for a lower additional cost than the green currently used for Hamilton's fleet that is estimated to cost from \$700 to \$1,200 per vehicle. Jennifer Scuteri and David Neill thought the paint color should remain as is, Jeff Stinson and Marc Johnson are deferring to the Town manager

and Jeff Hubbard was in favor of the least expensive solution. Lombardo offered to investigate actual cost and present numbers to Selectmen at a future meeting so a decision can be reached.

Discussion ensued about need for Selectmen to conduct annual performance review for Town manager. Former Selectman David Carey is compiling evaluation information from Board members and has received information from Scuteri and Johnson but is waiting for submissions from Stinson and Hubbard. Neill was elected to the Board in May.

It was noted that Lombardo's evaluation would be discussed in open session. Hubbard and Neill mentioned that information on how other municipalities conduct Town manager evaluations would be helpful to Board. Lombardo suggested Board discuss format and process for his evaluation during a working session at the beginning of the calendar year; his anniversary date is in April. The Town manager offered to provide the Board with samples of other community's evaluations of their chief operating officers. Neill recommended Lombardo's evaluation be scheduled on an upcoming Selectmen's meeting agenda.

#### **HW Ed Fund "Up With People"**

Sarah Gaylord of HW Ed Fund and "Up With People" representative spoke about \$90,000 in grants provided by the private endowment to the HWRSD. One hundred will be participating in "Up With People" performance to benefit Ed Fund on September 7 and 8. Hamilton residents will be serving as host families to the visiting students participating in "Up With People".

#### **Q & A with Jack Spellman – MBTA Liaison**

Jack Spellman has been serving Hamilton for four years as MBTA liaison attending meetings in Boston. Recent issues transportation agency is addressing are budget crisis, need to raise fares and cut services. Spellman noted that there is no \$3 ticket surcharge for passengers boarding trains at Hamilton-Wenham stop.

Discussion ensued about ideas for MBTA including extension of service on the North Shore as well as ticket purchases with smart phones and ticket vending at more commuter rail stations but there is no funding for these. Also addressed were train whistles at street level and why the gate stays closed when inbound train is traveling south in Hamilton.

Johnson asked Spellman to mention at MBTA meetings how Hamilton would benefit if "The Ride" were extended into Town. Spellman noted that the MBTA has plans to cut back on "The Ride" services. Other topics addressed for Spellman to bring to the Boston meetings and report back to Board are: how the cost of parking at the MBTA lot in Hamilton-Wenham has doubled and there is relatively little use of lot, if there could be morning schedule changes regarding timing (i.e., revision of 8:15 a.m. departure from Hamilton-Wenham), and if walk could be sheltered.

### Consent Agenda

Neill explained how consent agenda vote would work where Board members could exclude an item from Consent Motion. Selectmen did not place "holds" on any items that included:

- Accept and Adopt Board Minutes: July 23<sup>rd</sup> Regular Session, July 23<sup>rd</sup> Executive Session, and July 30<sup>th</sup>, 2012 Regular Session
- Temporary Sign Request – HW Flag Football League
- Appoint Clarence Trepanier as the Hamilton Housing Authority representative to the Community Preservation Committee to June 30, 2013

One Day Liquor Licenses:

- Green Meadows Farm, 656 Asbury St., on August 23<sup>rd</sup> and September 22<sup>nd</sup>, 2012;
- Essex County Trail Association, for an event at Myopia Schooling Field, on September 7, 2012;
- Essex County Greenbelt Association, for an event at Myopia Polo on September 9, 2012;
- Henry's Foods, Inc. for an event at Myopia Polo on September 9, 2012;
- Boston Equestrian Classic for an event at Myopia Hunt Club Stables, 394 Bay Rod, on September 6, 2012;
- Boston Equestrian Classic for an event at Myopia Hunt Club Stables, 394 Bay Rd, on September 8, 2012;
- Boston Equestrian Classic for an event at Myopia Hunt Club Stables, 394 Bay Rd, on September 9, 2012.

Accept Donations to Patton Park Playground:

- CRS Communications Inc. - \$250
- Michael & Sarah Dinsmore - \$100
- Michelle F. Horgan - \$200
- James O'Holleran - \$200
- Labell & Assoc. Physical Therapy - \$500
- Marc Johnson - \$100
- Heney & Assoc. - \$250
- William Boardman - \$1,000
- Peter Abdinoor - \$250
- Heather Ciriello - \$200
- Joseph Musacchio - \$150
- Linsley Waldron - \$100
- William Joseph Van Faasen - \$200
- Alana Mitchell - \$100
- Christine Berry Petryszyn - \$100
- Charles Goddard - \$150
- Michelle Langille - \$100
- Amy Starr - \$500
- Gene K. Lee - \$100
- Suzanne Lanciani - \$200
- William Joseph Frain - \$250
- Barbara Kent Lawrence - \$200
- Matthew Nevins - \$200
- Terrill Jennings - \$25
- Steven Veenema - \$100
- Dana Arvidson - \$100
- Katharine Perry - \$300
- Elizabeth Rossetti - \$100
- Vincent Deno - \$300

Neill entertained a motion to approve the Consent Agenda as read into the record, of which includes adoption of the Board Minutes, approval of a Temporary Sign for the H-W Flag Football League, an Appointment to the Community Preservation Committee, Approval of Eight (8) One-Day Liquor Licenses, and the Acceptance of various donations to the Patton Playground Fund as enumerated herein. Discussion was about Town addressing use of public address system for events at Patton Park that occur late in evening (i.e., HW Flag Football League). Stinson so moved. Hubbard seconded motion. VOTE: Unanimous. Johnson recused himself from Patton Park Playground vote.

**Accept and Adopt the Gift Agreement between Joanne Holbrook Patton and Town of Hamilton for real property located at 650 Asbury Street**

Lombardo mentioned that gift agreement was received some time ago from Mrs. Patton and acceptance was passed at Town Meeting. The current gift agreement provides flexibility for the Town's use of the property and is reflective of Mrs. Patton's wishes regarding the donation and was vetted by Town counsel and Mrs. Patton. Scuteri expressed Hamilton's appreciation to Mrs. Patton and her staff relative to the gift agreement being receptive to each entities interest. Johnson agreed that spirit of the agreement was executed perfectly for both sides. Negotiation with Gordon College will follow with Lombardo and Selectmen.

Neill entertained a motion to Accept and Adopt the Gift Agreement between Joanne Holbrook Patton and Town of Hamilton for real property located at 650 Asbury Street. Scuteri so moved. Johnson seconded motion. VOTE: Unanimous.

**Patton Park Playground**

Friends of Patton Park representatives Holly Regan and Emily Sumner updated Board on their fundraising effort to renovate Patton Park playground at an estimated cost of \$160,000, where \$111,000 has been raised to date. The timeline is to bid the project in fall 2012 with installation in the spring. They are requesting support from the Selectmen to seek \$25,000 in Community Preservation Act funds for the project that is now eligible due to recent changes in state law. Town Meeting approved \$5,000 in seed money for the project.

Selectmen were supportive of the Friends group's fundraising for the project to upgrade the playground at the park that will incorporate benches and landscaping as well as equipment that meets code with the intent of creating an area at the park for young and old. Johnson suggested 80% private funding and 20% public funding as a doable ratio. Hubbard questioned the extent of the renovation and both he and Stinson asked if a maintenance component had been considered. Lombardo explained that changes in the Recreation Revolving Fund where it would be replenished annually, especially with fees for summer recreation park program, could cover those costs.

Neill entertained a motion for the Selectmen to give its blessing to the Friends of Patton Park for approaching the Community Preservation Committee for an additional \$25,000 to complete the project. Discussion ensued about \$1 million in reserve in CPA funds and that Hamilton has already received this money

through surcharge on real estate tax payments. Scuteri so moved. Stinson seconded motion. VOTE: 4-1 with Hubbard opposed. He said he could not support \$25,000 for the park playground upgrade when the Town funds \$11,000 annually for its senior citizens.

It was noted that HW Recreation Director Sean Timmons would assist Friends group in the process of completing and submitting an application to the CPC and they will attend upcoming CPC meeting. Neill suggested Timmons and Tomasz meet with Selectmen to explain program and plan to maintain playground equipment.

### **Patton Park Pool Reconstruction Project**

Lombardo summarized site assessment and surveys that Timmons has overseen with existing pool and process for moving forward. He said the intent is to raise awareness about 51-year-old pool that is 75' by 35' is 7' deep in deep end and 4' deep in shallow end.

Gayle Associates did the Recreation Master Plan and has said the pool is undersize for school swim meets. Newer pools have a uniform 4' to 5' depth and do not allow for diving. Eighty percent of piping in Patton Park pool is original from 1961, buildings are original and only upgrades have been to pumping system. Concrete decking has cracks and there is limited access and seating, fence is in poor condition, pool is out of plumb creating structural issues, bathrooms are in poor condition and there are not enough to meet code, and facility is lacking in safety and serviceability.

The code violations by the Department of Health have been met this year but will be exceedingly difficult to met next year so that pool can be opened for the season. Johnson noted that the HS swim team would not be meeting there.

Lombardo mentioned that the highest number of recreational activities that residents go out of Town for are swimming lessons. Respondents to recreation survey had the greatest response to desire to have swimming facilities in Town. He said 76% of respondents are interested in the pool as part of recreational services. He suggested an additional pool consultant beside Gayle Associates could provide information for the Town on suggested pool facility.

Lombardo noted that building a new pool would be more likely than patching and repair the existing pool and that proposal would be to rebuild the bathroom facilities to an adequate size.

He described a robust proposal design identifying elements such as zero entry pool besides lap pool, covered area to provide shade, splash pad (dedicated wading pool or fountains, spraying water and play apparatus), new bathrooms and changing rooms, new office for park program staff and lifeguards would include a medical station, as well as expanded parking. The intent is to meet needs of small children, youth and elderly. Lombardo said programmatically one or more of these amenities should be added at the park for young children.

In addition, a concession stand that could be run by local organization that would be able to provide lunches to children participating in summer program and could be staffed during fall and spring athletic events.

Lombardo said Timmons and Recreation Board could manage process of upgrading the aquatic facilities at Patton Park. He explained the pool consultant projected to refurbish basic amenities and refurbish pool by adding six-lane pool and splash pad the cost would be \$1.4 million. Gayle Associates has said \$1.75 million to \$2 million would be the cost of a new aquatic center with new facilities. If multiple "kiddie" areas were added the cost would be \$3 million to \$4 million. None of these costs included demolition or expanding parking.

Discussion ensued about a broader plan for a recreation facility and concession stand and that joint meeting with Wenham is planned about expanding baseball field and addressing bathroom facilities on other side of field. Johnson suggested this is a joint asset for both towns so the burden would be less. Selectmen agreed that this is the first discussion but if both communities were involved more could be done.

Discussion addressed that the Town needs a new pool and replaced bathrooms and that there are some wanted items at the park. It was noted that the area is wet due to high groundwater and that more extensive septic facilities would be required to accommodate increase usage at the site. Lombardo mentioned that this is the first discussion and he asked the Board for input on whether or not this should be tackled and to what extent. He said public processes would be used to gauge involvement from Board and/or Recreation Board.

Scuteri inquired about if Wenham could use CPA funds to support a project in Hamilton. Johnson thought there could be large private funding involvement (i.e., family memberships) for the asset in a public park. Hubbard thought a committee was needed to develop concept on what could be done and is needed and that this should be accomplished as much as possible through private funding. Scuteri stressed the difficulty of raising private funds. Neill said this is reminiscent of when two towns deciding to build a new library as a joint effort. He thought it was worth approaching the joint Recreation Board and Wenham as well as private sector since the Town has to decide to fix, replace or lose the pool. Also suggested was the possibility of seeking grant money.

Selectmen agreed with Neill, Hubbard wanted this figured out first before moving forward. Lombardo reiterated that the pool is in poor shape and that the health department report was glaring and that possibility of opening pool next year could be in jeopardy. Discussion was about how a renovated pool project could likely not be launched until the Annual Town Meeting since it will take time to develop a plan.

Residents Jen Flynn, Miles River Road, Maura Riccio of Wenham, and Sandra (who provided Board a list of 65 names) spoke on behalf of the pool and the importance of the recreation programs being supported at the pool and that seniors should be included in planning aquatic facilities.

Lombardo reiterated that the pool is viewed as a tremendous community asset and he suggested that added amenities would be well supported. He recommended this project be tackled during the winter with a committee that could consist of 1 to 2 Selectmen from both towns, the Recreation Board, Department of Public Works and Recreation director. Hubbard repeated his interest in involving the Council on Aging and private entities that could be resources to make the project successful.

Lombardo mentioned that Recreation Board is supportive of an aquatics facility. Discussion ensued about how such a project could be done in stages, and Lombardo agreed to organize a site walk for Selectmen and counterparts in Wenham sometime in September.

#### **Patton Estate Field Development**

Discussion ensued about how the Board in its capacity as the water board will receive advice from DPW Director John Tomasz about whether or not to take

Patton well offline for public use and the need for input from a broad host of people at public hearings. The well impacts the Town's ability to access and create fields at the back of the Patton property lot. At the suggestion of Scuteri, Lombardo agreed to invite the Town's Special Counsel Ray Miyares who advises on water use management issues to an upcoming discussion on the Patton well. He also agreed to schedule a presentation at the end of month on the results of the Gayle Associates work that would address the entire Recreation Master Plan.

### Sidewalk Repair and Maintenance Program

Lombardo referred Board to memo from Tomasz on decision points regarding sidewalk repair and maintenance relative to condition of existing sidewalks in Hamilton's downtown and what areas where work should be focused as well as what materials should be used.

Johnson noted that resident on Board site walk of the downtown had said it was more important to have core sidewalks on connector streets rather than in front of his house. Neill added that another resident with small children had the opposite concern about sidewalks in front of her property. Hubbard weighed in agreeing with the core sidewalk on connector streets theory. Lombardo mentioned that core business district has the density where there should be sidewalks to provide safe passage. Scuteri was in favor of sidewalk repair on Hamilton Avenue.

Board members agreed that Lombardo should consult with Tomasz about best use of \$50,000 appropriated at Town Meeting for sidewalk maintenance in areas with the worst conditions and that future consensus in community needs to be understood as part of how to approach subsequent sidewalk repair.

Discussion ensued about Tomasz' suggested sidewalk width size of 48 inches and Board members thought that 42 inches and use of Cape Cod berm was reasonable. Resident Bob Gray of Bay Road asked if grassy strip between sidewalk and street was necessary and Board members thought this identifies where pedestrians perambulate.

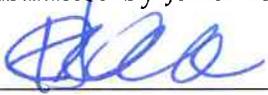
Lombardo mentioned that he and Tomasz would set expectation and notify residents when and where sidewalk work would occur. In response to Johnson, he said consideration would be given to coordinating sidewalk work in concert with water main repairs planned in Town.

Other business

Selectmen signed cemetery deeds. Board members are planning to meet individually with new Superintendent of Schools. Discussion ensued about two people expressing their interest to Lombardo about serving on Hamilton Development Corporation. The next Board of Selectmen's meeting will be held on August 20, 2012.

Neill entertained a motion for the Board to adjourn at 9:25 p.m. Scuteri so moved. Hubbard seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

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

Clerk