

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
WORKING SESSION  
DECEMBER 10, 2012**

The Board of Selectmen met at Hamilton Town Hall at 7:06 p.m. on Monday, December 10, 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 at 7:06 p.m.

**Funding Sources for Town**

Neill listed items that the Board had discussed in past meetings to increase non-real estate revenue for the Town. He mentioned encouraging more business enterprises in Hamilton so there would be more businesses paying taxes, sale of Town-owned land, P.I.L.O.T. program, develop landfill with focus on anaerobic digester, outsourcing Town functions including recreation and cemetery, Patton property development or sale, and a by-law to allow for alternative uses for large properties (i.e., energy farms).

Jennifer Scuteri explained that the discussion for the estates was the potential private ownership of a photovoltaic site and bigger issue of development of estate properties since quite a few estates in Hamilton are for sale. She noted that at the recent joint Board meeting with the Finance Committee there was mention that the Town has 20% of its properties that are in arrears paying real estate tax bills and the potential need for a faster process for tax collection with some transactions ending in foreclosure.

Discussion ensued addressing that state can drag out the tax title process, parcel situations with owner unknown and a tax title property on Gregory Island Road where taxes had not been paid for 50 years and that this could be an asset for the Town but a defunct association and convoluted title make the circumstance arduous.

Town Manager Michael Lombardo said Treasurer Collector Cheryl Booth and Finance Director Deborah Nippes-Mena were conscientious regarding tax title

situations and were working with Land Court. He offered to provide the Board with information to foster Board understanding of the property tax payments that are in arrears noting that it amounts to 5% of tax dollars.

Marc Johnson introduced the idea of the Town's consideration of a 20 to 50 unit apartment building that would not be for an over 55 years old demographic exclusively and it would combine residential and aesthetics needs for Hamilton. He drew the comparison to the apartment housing at the Gordon Conwell Theological Seminary that is hidden in the woods off of Bridge and Woodbury Streets. He cited the benefits to the Town by creating a taxable entity that would generate net revenue relative to Chapter 40B.

### **Sale of Town-owned land**

Lombardo explained that the Town officials had worked with an auctioneer as part of the process of selling Town-owned land who evaluated the parcels to be sold and said there was no profit margin for him on the sales so he was not interested in assisting the Town. Therefore, the Town needs to develop an RFP and sell the tax-title parcels to the highest bidders.

Discussion ensued about most of the tax-title parcels being slivers that may be of interest to abutters who could be already using the properties (i.e., Chebacco Road, School and Forest Streets), that the Town doesn't expect to make a lot of money on most of the parcels and that the state of Massachusetts does not allow negotiated sale for tax-title properties and these parcels are tied to the bidding process. Lombardo offered to investigate this process further for the Board. Johnson suggested that the Town figure out if it can take back paper to help promote sales of slivers of tax-title property.

Discussion continued on possible buildable lots of Town-owned land including one near the entrance of Asbury Grove and if it is part of the Hansbury estate. Lombardo will provide the Board in the first week of January with information about all Town-owned land including a plan to sell the parcels.

### **P.I.L.O.T.**

Scuteri outlined all of the tax-exempt properties in Town that she researched from the Assessors information noting that no chapter land or conservation restrictions were included in the group. She had developed a list of what would be the assessed tax for some of the larger tax-exempt properties if they were

eligible for taxation: \$834,000 for Gordon Conwell Theological Seminary (Town receives \$100,000 annually) , \$190,000 for the Town of Manchester for water rights (Town receives \$50,000 annually), \$200,000 from the state for Bradley Palmer (a dollar amount is received), \$185,000 for Pingree School (it rents out sports facilities but this does not financially benefit the Town), and \$167,000 for the Trustees of Reservations.

Scuteri said 13.65% of Hamilton's property is tax-exempt not including chapter land compared to 6% for Essex, 8% for Manchester and less than 6% for Topsfield, amounting to a total for Town that is a huge loss in property tax.

Discussion ensued about how Beverly has an aggressive P.I.L.O.T. program where it pursued some form of compensation from every tax-exempt organization in the city (i.e., church paying \$50 or providing use of its facility as could be done in Hamilton with the gym at Congregational Church) for public services provided. It was noted that there is a loss of \$53,000 from Harvard College for its tax-exempt acres in Town. Also addressed was a four-acre, landlocked parcel that may provide access to another parcel which could be a long term water source for the Town.

Discussion continued on the topic with Board members highlighting 100 percent compliance that Beverly achieved from tax-exempt entities and addressing the organizations that present the biggest burden on the Town consuming tax revenue through services provided (i.e., GCTS with public safety services including need for ladder truck in Fire Department and educating as many as 24 seminarian students' children in HWRSD). It was noted that Gordon College pays Wenham for public safety services such as fire calls and it was thought that no children living at the college were enrolled in the public school district.

As a result of the discussion, Jeff Hubbard said he was only comfortable with pursuing GCTS and Pingree School for P.I.L.O.T. contributions rather than all tax-exempt entities in Town. While other Board members thought the state of the Town's finances in these tough financial times warranted a campaign to approach the tax-exempt entities in a manner similar to Beverly's effort that included three versions of a letter tailored to the various tax-exempt organizations, noting that this would not just be a PILOT program but also a SILOT program, meaning that tax entities might be willing to provide a service to the Town. Discussion also addressed how these groups should be approached by the Town (i.e., invitation by members of a rejuvenated P.I.L.O.T. committee or by Selectmen).

Selectmen agreed that this is a sensitive topic but many believe the Town's tough budget situation justifies a bigger financial commitment or provision of non-financial benefit (i.e., Harvard College trail easement) from the tax-exempt parties. Scuteri offered to provide Selectmen with copies of the Beverly letters so the Board could review and determine next steps for P.I.L.O.T. Neill and Stinson agreed to collaborate on a draft letter for Hamilton that they will present for Board review.

### **Anaerobic digester at landfill site**

Discussion ensued about Town's recent receipt of \$60,000 grant to write an RFP that will be done with the engineering company that is capping the landfill relative to the proposed anaerobic digester at the site.

Lombardo agreed to provide the Board with a schedule of deadlines the Town has in place as part of its commitment to bringing the digester to the Chebacco Road landfill site. Addressed in the discussion was the Selectmen's sense of urgency to get the project going to ensure Hamilton receives community credits from the state. In addition, that Manchester is interested in the energy that the digester would produce. Also mentioned was the possibility of a companion project including a solar field to generate electricity at the site.

In addition, discussion reiterated that such a solar field project could have potential on a tax-exempt property in Town resulting in it becoming taxable land. Neill suggested a list of like projects could be developed.

### **Selectmen Policy on Establishing Committees**

Discussion ensued on Selectmen policy that Scuteri, Lombardo and Town Counsel Donna Brewer drafted that would outline charge and terms for establishment of committees that would make recommendation to decision making body (i.e., Selectmen). The policy defines role of Town committees relative to the Special Act that governs Town manager's responsibilities and Hamilton's change in local government that was enacted a few years ago. Selectmen agreed that committees would vote amongst themselves before coming to Board with recommendations.

Lombardo noted that also accommodated in the charge would be the committees' responsibilities relative to other Town boards, committees and commissions. Policy amendments discussed by the Board restated the

responsibilities of the Town manager and Board of Selectmen where committees would be beholden to the Board of Selectmen. Lombardo said policy would be included on the Board's December 17<sup>th</sup> meeting agenda for Selectmen's vote.

**Schedule next Selectmen's meetings**

The Board scheduled business meetings on January 7 and 28, and a working session on January 14. At the next Selectmen's meeting on December 17 topics for discussion will include: future of ECO, HWRSD budget, opening of Town Meeting warrant and presentation of cemetery information from public works director. Board also reiterated the importance of fostering development in Town.

Neill entertained a motion for the Board to adjourn at 8:56 p.m. Hubbard so moved. Scuteri seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:  12/17/12  
Clerk

