

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
JANUARY 7, 2013**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, January 7, 2013 with David Neill, Marc Johnson, Jennifer Scuteri, and Jeff Hubbard present. Town Manager Michael Lombardo also present.

**Call to order**

Chair David Neill called the meeting to order at 7:00 p.m.

**Public Comment**

Bob Gray, Bay Road, requested that the Board discussion in executive session about the Town manager's contract be postponed until all of the Selectmen were in attendance since Jeff Stinson was absent and he thought all of the Board members input would influence the final decision. Duke Seaver, Essex Street, and Bruce Wadleigh concurred with Gray's request. Neill agreed to discuss this request before the Board went into executive session. He noted that the Town manager's contract discussion was preliminary and no decisions would be made so he was in favor of discussing the Town manager's contract in executive session.

Seaver inquired about if there could be a Town Meeting warrant article asking the voters to weigh in again on the decision about whether or not Hamilton should operate the ECO independently or join the regional dispatch center in Middleton. He questioned the \$16.26 per capita cost that was previously quoted for all communities involved in the regional center since the number of municipalities interested in joining had dropped from 12 to six. He also stated his belief that once the cost to taxpayers is established to maintain the ECO in Town, many people may be willing to pay it.

**Town Manager's report**

Town Manager Michael Lombardo said that the DPW was disassembling pieces of playground equipment at Patton Park and that some pieces would be refurbished and assembled at the School Street Park. He added that the fundraising for the Patton Park playground had exceeded the goal and he acknowledged the stellar effort by project drivers Emily Sumner and Holly

Regan. Also, that the procurement process is underway for the new playground equipment and Town officials are looking at state bids. The public works department will continue site work, weather permitting, and finish the job in the spring.

Lombardo described water system infrastructure work that has occurred on Hamilton Avenue, Mill, Cottage and North streets noting that the sidewalk work would be done when the weather improves. Additional water system work is underway on Park, Arlington and Maple streets with more than 3,000 linear feet of water lines to be replaced. The total project will benefit 50 homes.

He also explained that there is a meeting with staff tomorrow to discuss zoning at the Patton estate and to determine what projects should be done moving forward. There will be a report on this presented shortly and property committee will be meeting soon.

In regard to the schools bonding project, the Facilities group convened last week and is working on strategy for prioritizing bidding projects and is determining if a worksite person is needed.

He noted that the Affordable Housing Trust is working with MAPC on the housing production plan for Hamilton. MAPC representative Jenny Raitt will provide an update at the end of the month.

Also, that he and his administrative assistant Maureen Hickey are scheduling an All Boards Meeting with the Town's land use boards to be held at the library in the main meeting room or at the public safety building.

### Chairman/Selectmen reports

Jennifer Scuteri explained details about the meeting Town officials had with Ben Patton and his interest in using the Patton homestead and estate for his business where he videotapes veterans who are suffering from Post Traumatic Stress Disorder. It has been realized that telling their story on tape is therapeutic to veterans and their families. Patton would be interested in doing the taping in the late spring. She noted that Lombardo is following up on the zoning issues and that Town Counsel Donna Brewer had said this would require a license agreement.

Jeff Hubbard referred to a conversation he had with DPW Director John Tomasz about outsourcing municipal work and that this would be done in concert with Lombardo. There is a possibility for outsourcing at Patton Park rather than the Town cemetery since public works employee Paul Rigol is retiring.

Hubbard added that when he addresses the possibility of outsourcing work for the Town he is not interested in eliminating Town employees' jobs but believes outsourcing could be used when attrition occurs. Hubbard noted the success of the fundraising effort for the Patton Park playground.

### **Public Hearing**

Neill opened the public hearing related to petition from National Grid and Verizon to erect two new poles #225 & 226 and one new anchor at each pole on Sagamore Road, approximately 1900 feet north of the intersection of Blueberry Lane. All abutters were notified and invited to the hearing.

Discussion ensued with utility representative Sabhita Mahabier addressing how there were no problems with the proposed pole and anchor location nor were there any comments from abutters. Also mentioned was that National Grid is no longer using any double utility poles in Town.

Neill entertained a motion for the Selectmen to approve the poles as specified in the plan. Hubbard so moved. Scuteri seconded motion. VOTE: Unanimous.

Marc Johnson noted that more detailed plans on proposed pole and anchor locations would be useful to landowners for future public hearings. Lombardo agreed to investigate.

### **Consent Agenda**

Neill read the details about the items in the Consent Agenda.

#### Accept Donations for Patton Park Playground

- General Donations \$23,825 representing 10 donors
  - Richard & Karen Bursaw - \$100
  - Ken & Jean Jones - \$50
  - Westfield Capital Management Company LP - \$500
  - Nancy Littlehale - \$2,500
  - Kenneth & Tina Dixon - \$25

- E David Wagner - \$50
  - Cynthia & Michael Woods - \$100
  - Robert B. Minturn - \$250
  - Old Mutual Asset Management Charitable Foundation, Inc. - \$250
  - The Perkin Fund - \$20,000
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- Brick Campaign \$200 representing 2 donors
    - Laurie & Robert Marshall - \$100
    - Wesley & Patricia McCullough - \$100

Approval of Minutes – December 17, 2012 – Regular Session and December 22, 2012 – Regular Session

Neill entertained a motion to accept the Consent Agenda as read. Hubbard so moved. Scuteri seconded motion. VOTE: Unanimous.

**Action Items**

Sled Dog Races

Peggy Lynch of New England Sled Dog Races gave certificate of insurance to the Selectmen in regard to the sled dog event scheduled at Appleton Farms on January 19 and 20, from 9 a.m. to 3 p.m., on both days with snow dates of February 2 and 3 if there is not enough snow in January to hold the event.

Also discussed with the Board was a proposal to hang a banner publicizing the event from January 8 through February 4 in front of Hamilton's Senior Center on Bay Road. Banner will be taken down earlier than February 4, probably on January 21, if there is enough snow for event to occur in January.

Lynch noted that Hamilton police department had signed off on street crossing as part of event. She also mentioned that organization's website and Facebook page provides information on parking and an author, with background related to sled dog races event, will speak at Community House open house at 7 p.m. on January 17.

Lombardo advised Board that Town staff had reviewed the sled dog races plan and with police details and insurance binder in place, the event was ready for Selectmen approval.

Neill entertained a motion to approve scope and plan for sled dog races and banner to be displayed at the Senior Center from January 8 until February 4. Hubbard so moved. Scuteri seconded motion. VOTE: Unanimous.

#### Patton Park Pool Committee

Discussion ensued about the Board of Selectmen establishing the Committee's charge and scope of work. Hubbard, who is Board liaison on Committee, provided an update on the Committee's first meeting. He noted that the Recreation Master Plan highlighted the priority of the turf field at HW Regional High School. He opined that the Patton Park pool is only used by 200 people for the nine weeks that it is opened annually. Also, that any improvements to the pool should be funded privately or in partnership with CPA funds so as to not be a burden to taxpayers. He suggested the project should be scaled down based on the usage and limited time it is available during the year and in consideration of the potential expense of \$200,000 for a new septic system.

Lombardo acknowledged the points Hubbard made and recommended that the Committee as part of the public process should consider project options, scope of work and cost. He said funding could be determined later from private sources, including potential grants that he would identify, or CPA. He mentioned that the Recreation Master Plan included the community need for aquatics. Lombardo noted that the Committee would ferret out options such as whether or not to patch the existing pool and bring those alternatives to the Selectmen.

Hubbard reiterated Committee's full discussion of options at its first meeting and noted the lack of interest to spend as much as \$2 million for a new pool/aquatics center and that there was interest in looking for a good common sense solution. Johnson mentioned that options should include repairs that could be done to the existing clubhouse, decking and piping.

Discussion ensued with Lombardo, Scuteri, Neill and Johnson citing community survey suggesting that residents are interested in Patton Park pool and the need to garner community input at meetings to assess level of support. Town has to decide whether to close, fix or expand the existing pool. Board members reiterated the need for Committee to develop a list of uses and present pool/aquatic options for community to the Selectmen that reflect the public's interest.

Neill noted that when a visit was held last fall at the pool site there were strong advocates for the facility and he described the importance of providing a local pool where the Town's children could learn how to swim.

Scuteri suggested that the Selectmen could provide the Committee with questions as part of the process to take the pulse of the public about what kind of pool they would like to see at the park and to foster information gathering to illustrate options. Johnson suggested creating a list of alternatives related to pool, stressed need for public meetings to get public input and need to work with Recreation Committee to coordinate programs. Lombardo said at a subsequent budget meeting with the Board, what is needed to keep the pool operational would be discussed.

Discussion ensued about community's priority for a turf field at High School and how this could possibly be done simultaneously with a Patton Park pool improvement.

Johnson offered to draft a document for Board review this week that could be used by the Committee and approved by Selectmen that lists possible options, includes scope of work, takes into account public participation and support, incorporates input from Selectmen, Finance Committee and Recreation Committee, and provides for timing when Committee could present options including by Annual Town Meeting on April 6 for voter discussion. Discussion addressed how Committee should be prepared to present options and update Board at the end of February.

Schedule next meeting

Selectmen will conduct a working session on January 14.

### New Business

Consideration of topics for the discussion at January 14 working session

Topics that Selectmen will discuss at the Board's next meeting include: vote on pool committee scope of work, future of ECO, Hamilton's budget, and possible warrant articles. Other topics for subsequent Selectmen's meetings are synopsis of management partners report/guidance document on restructuring municipal government especially land use functions, presentation of Recreation Master Plan, and coordination with HW School Committee to discuss HWRSD budget.

Also mentioned was that Lombardo could request that Board's working session meetings be televised on local cable television.

**Executive Session**

Neill entertained a motion to go into Executive Session pursuant to M.G.L. c.30A, Section 21a(2) for the purpose of negotiating a contract with the Town Manager, as an open meeting may have a detrimental effect on Town's negotiation position, and pursuant to M.G.L. c.39, Section 23B(3) for the purpose of discussing strategy with respect to collective bargaining agreement with the Firemen's Union and to set guidelines for collective bargaining agreement with the Hamilton Police Benevolent Association, as an open meeting may have a detrimental effect on the Town's negotiating position and not to return to regular session.

Discussion ensued relative to Bob Gray's request during public comment period at start of Selectmen's meeting to postpone discussion of Town manager's contract in executive session until the full Board was present. Lombardo asked the Board to still go ahead with the discussion without Stinson present to set the ground rules for how the negotiation process would work for his contract and he noted that the details of the contract would not be discussed at this meeting. He agreed that if the discussion did commence in executive session that no decisions would be reached and that Stinson would be able to bring up again, any matters which had been discussed.

Selectmen noted that Stinson had sent the Board an email asking them to postpone the discussion until the Selectmen's next meeting when he could attend. Neill and Scuteri wanted to get the process started since there would be subsequent discussions before the Town manager's contract is brought to open session for a vote. Also, that Stinson had the ability to use teleconferencing technology to participate remotely in the executive session meeting.

In addition, that the Town manager's contract would be negotiated collectively by the Board and that Stinson could be brought up to speed about any missed discussion. Hubbard noted that the Board had rarely met to discuss any Town employee contract so he thought Selectmen could wait until Stinson returns for conversation on setting guidelines for Town manager's contract negotiation. Johnson recommended that the Board reach consensus on how to approach the discussion of the Town manager's contract negotiation.

Neill entertained a motion to postpone the Town manager's contract discussion until the executive session at the Board's meeting on January 14. Hubbard so moved. Johnson seconded motion. VOTE: 3-1-0 with Scuteri opposed.

Neill entertained a motion at 8:37 p.m. to go into Executive Session pursuant to M.G.L. c.39, Section 23B(3) for the purpose of discussing strategy with respect to collective bargaining agreement with the Firemen's Union and to set guidelines for collective bargaining agreement with the Hamilton Police Benevolent Association, as an open meeting may have a detrimental effect on the Town's negotiating position and not to return to regular session. Neill said he would be available for the fire union contract discussion but he recused himself from the discussion about the police union contract since his son is a police officer in Town. Johnson so moved. Hubbard seconded motion. Roll call vote: Scuteri, yes, Johnson, yes, Neill, yes, Hubbard, yes.

Respectfully submitted by Jane Dooley, Minutes Secretary

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



Clerk