

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
DECEMBER 2, 2013**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, December 2, 2013 with David Neill, Jennifer Scuteri, and Scott Maddern present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena, Director of Assessors Tina Zelano, Board of Assessors – Gelean Campbell, Chair, Peter Kane, Steven Ozahowski, and Valuation Consultant Thomas Hogan also present.

**Call to order**

Acting Chair Scott Maddern called the meeting to order at 7:00 p.m.

**Public Comment**

None.

**Town Manager's report**

Town Manager Michael Lombardo described how the Town is working with two cellular telephone vendors interested in siting cell towers on Town owned land. There are three potential sites: water plant (but there is a conservation restriction so DEP is being consulted), Town Hall, and public safety building. Site walks have occurred and the hope is to get this going by the first of the year. An applicant would go through the Planning Board.

Also, landfill capping bids for access to soils were opened last Monday and the apparent low bid came in at slightly less than \$1.2 million. The low bidding firm frequently caps landfills.

**Chairman/Selectmen reports**

Maddern and David Neill spoke to their participation in recent Gabe's Run. Jennifer Scuteri mentioned meeting at Patton Homestead and exploration of uses including for veterans, and also funding sources, that the Boy Scouts have been camping at the property, the suggestion for a Purple Heart trail run, and Hamilton citizen's police academy graduation. Maddern noted the joint meeting with HW Joint Recreation Board scheduled for Wednesday night with focus on

next steps for Patton Park pool project where Recreation Board reaffirmed its supportive position of scope of work for pool.

## **PRESENTATION**

Carolyn Dann, on behalf of MassRecycle, presented its top award to the Town of Hamilton for adopting a weekly Curbside Organic Waste collection program that has demonstrated results. Hamilton has realized a drop in solid waste disposal from 1,816 tons to 1,278 tons and expects better results in 2013. Selectmen and Town manager attributed significant part of program's success to effort by Gretel Clark and composting operation managed by Peter Britton as well as Board of Selectmen's adoption of the program in 2012.

## **CONSENT AGENDA**

The Board address the items on the consent agenda separately.

- Cemetery Perpetual Care Funds for FY14 Cemetery purposes. Maddern entertained a motion. Neill moved that the Board of Selectmen appropriate \$10,000 from fund to set tax rate. Scuteri seconded the motion. VOTE: Unanimous.
- Maddern entertained a motion. Scuteri so moved to sign grant of Septic System Easement to 367 Lake Drive for maintenance of a septic system underneath the Town's right of way, as passed at Special Town Meeting, under Article 2013/11 5-1 and on terms acceptable to the Board of Selectmen. Neill seconded the motion. VOTE: Unanimous.
- Maddern entertained a motion to appoint Andrew Mente as Hamilton's MBTA Representative. Neill so moved. Scuteri seconded motion. Selectmen discussed how Mente had attended many pool project meetings and was an active participant in Town activities. VOTE: Unanimous.

## **PUBLIC HEARING**

In accordance with M.G.L. Ch 40 s. 56, the Hamilton Board of Selectmen voted on three of the following items as to the fiscal year tax rate:

- The determination of a discount factor of up to 25% for all land identified as Open Space

- The determination of a Residential Exemption of up to 20%
- The determination of a Small Commercial Exemption of up to 10%
- The adoption of a Residential Factor for the purpose of determining the percentage tax burden to be borne by each class of property

Director of Assessors Tina Zelano explained that the Town does not have any properties classified or designated as Open Space according to state criteria. The Town assesses open land acreage differently than residential. The Open Space discount is an incentive not to develop open land. Only one community in the state has adopted this discount factor. Discussion ensued about how some properties in Town are already getting a discount due to conservation restrictions which are associated with agricultural use.

Also addressed was the Residential Exemption which has only been adopted by Nantucket, Boston and Cambridge. The Board of Assessors recommended against Hamilton adopting this exemption.

Maddern entertained a motion on this exemption. Neill moved that Town of Hamilton not adopt the Residential Exemption. Scuteri seconded the motion. VOTE: Unanimous.

Discussion ensued on the Small Commercial Exemption that benefits owners of buildings and small businesses must have an annual employment of not more than 10 people. The tax burden shifts within industrial and commercial classes. Hamilton does not have enough commercial properties over a million dollars to shift the tax burden so the Board of Assessors recommended against Hamilton adopting this exemption.

Maddern entertained a motion on this exemption. Scuteri moved that the Town of Hamilton not adopt the Small Commercial Exemption. Neill seconded the motion. VOTE: Unanimous.

Discussion was about Residential Factor to determine tax burden across properties. It was noted that Hamilton has 4% commercial/industrial property and if it had as much as 11% commercial/industrial property then more than one tax rate for the Town would be considered for each class of property. The Board of Assessors recommended a single tax rate and Residential Factor of 1.

Maddern entertained a motion on Residential Factor. Neill moved that the Town of Hamilton adopt a Residential Factor of 1 and single tax rate for all classifications of property. Scuteri seconded the motion. VOTE: Unanimous.

An overview of tax rate summary was given with value of Town for FY'14: \$1,303,712,292 and the tax levy which is \$22,684,594. The valuation of a median single family was \$375,500 (a 1.1% change up from last year) and the commercial property valuation remained the same as did personal property.

### **LICENSE RENEWALS**

Paperwork for the liquor license for 15 Walnut and common victualler license for Jumbo House will be completed in time for the Board's December 16 meeting.

Maddern entertained a motion to approve all alcohol licenses for 2014. Neill moved that the Board grant all alcohol licenses for 2014 for Black Cow; Weathervane Tavern; Myopia Hunt Club; and American Legion. Scuteri seconded the motion. VOTE: Unanimous.

Maddern entertained a motion for package store all alcohol licenses for 2014. Scuteri moved that the Board grant the package store all alcohol licenses for 2014 for Harrigan's of Hamilton; and Community Package Store. Neill seconded the motion. VOTE: Unanimous.

Maddern entertained a motion for package store malt and liquor licenses for 2014. Neill moved that the Board grant the package store malt and wine licenses for 2014 for Hungry Fox; Hamilton Convenience Store; and Crosby's Marketplace. Scuteri seconded the motion. VOTE: Unanimous.

Maddern entertained a motion for the common victualler license renewals for 2014. Scuteri moved for the Board to grant common victualler license renewals for 15 Walnut; American Legion; Black Cow; Daniella's Pizza; Dunkin' Donuts; Crosby's; Hamilton Convenience Store; Hamilton House of Pizza; Hungry Fox; Myopia Hunt Club; Weathervane Tavern; Hamilton Wenham Community House; and Green Meadows Farm. Neill seconded the motion. VOTE: Unanimous.

Maddern entertained a motion for entertainment license renewal for 2014. Neill moved that the Board grant the entertainment license renewal for American

Legion for Jukebox; and 15 Walnut for live entertainment. Scuteri seconded the motion. VOTE: Unanimous.

Maddern entertained a motion. Scuteri moved that the Board grant the amusement license renewal for 2014 for the American Legion for video games. Neill seconded the motion. VOTE: Unanimous.

Maddern entertained a motion for Class II license renewals for 2014. Neill moved that the Board grant Class II license renewals for 2014 for Hamilton Enterprises; and A&M Motors. Scuteri seconded the motion. VOTE: Unanimous.

## **AGENDA**

### **Set date for next Board of Selectmen meeting**

The next Selectmen's meeting is set for December 4 with the joint Recreation Board where next steps for the pool, BOS goals and objectives will be discussed.

## **NEW BUSINESS**

### **Consideration of topics for discussion at future Selectmen's meetings**

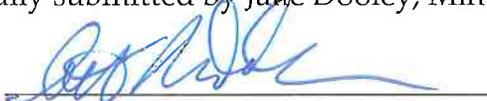
Discussion ensued regarding conservation restrictions relative to open space exemption and if property owners would consider this exemption since they would not have to go through right of first refusal process when they sell their properties. Also, if this was pursued it would shift the tax burden in Town.

The Board restated that the Recreation Board had reiterated its position supporting the proposed Patton Park pool project. Once next steps and scope of the project is agreed upon then a bid document will be developed and RFPs sought. The Hamilton Community Preservation Committee and Wenham Community Preservation Committee will be holding a joint meeting in January.

Maddern entertained a motion at 7:54 p.m. to adjourn the meeting. Neill so moved. Scuteri seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:



Clerk

