

**TOWN OF HAMILTON
BOARD OF SELECTMEN
JULY 11, 2013**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Thursday, July 11, 2013 with Marc Johnson, Jeff Hubbard, David Neill, Jennifer Scuteri, Scott Maddern present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena, Recreation Director Sean Timmons, and CPA Coordinator Christine Berry also present.

Call to order

Chair Marc Johnson called the meeting to order at 7:03 p.m.

Public Comment

None.

Town Manager's report

Recreation Director Sean Timmons reported that a missing piece of equipment for the Patton Park playground was delivered and will be installed next week. Additional work to complete playground includes installation of wood chips, artificial turf, and fencing. Town Manager Michael Lombardo noted that once the project is completed including seeding of grass there would be an appreciation kick-off with the Mother's Club.

The brick walkway is scheduled to be delivered on July 22 so the playground could open during that week. He noted that the swings would be moved and zip line installed. The end date for completion is the end of July. It was noted that the project was bid at a certain dollar amount so there would be no additional cost due to construction delays. Timmons said more fence would be added costing more but would be paid for with funds raised by the Friends group.

Lombardo noted that a walk was done at Patton Homestead to understand possible access to the back of property for canoe launch. Interim DPW Director Dave Hanlon is investigating how a road could be cut this season and will present what is feasible.

Jeff Hubbard said there was a brief discussion about this topic at the Recreation Committee meeting. He said there are three canoe access points within one mile from Patton Homestead. He raised his concern about before master plan of property is known should money be spent to create access road. Scott Maddern thought it was a good opportunity to leverage existing Town properties and passive recreation is part of the Town's master plan. Johnson noted that Patton property committee thought river access is important and that it would not interfere with other uses at the site. Hubbard suggested that the river access road could be installed when other parts of the property are developed.

Lombardo provided an update on the capping of the landfill noting that a conference call is scheduled for next week with company interested in placing soils in the landfill that will defray costs and provide revenue. He added that an implementation plan would be developed for grading and moving soils with capping done end of August, in September or early October. Work at the landfill will continue well into the winter to add fill and complete capping.

Lombardo said he and Laura Bugay from CDM Smith met last night with the Zoning Board of Appeals, regarding the proposal for an anaerobic digester at the landfill, to provide a broad overview and hear committee concerns. He noted that the inquiry phase is winding down and a meeting is scheduled with Town counsel to sort out how an anaerobic digester would be permitted within the Town's by-laws and state regulations (i.e., recycling center).

Lombardo added that he and Hanlon have a meeting scheduled with the new town administrator in Manchester to discuss the proposal for the anaerobic digester at Hamilton's landfill site. Hubbard suggested that buy-in is needed from Manchester relative to trucks using highway exit and traveling on that municipality's roads to Hamilton's landfill site. Discussion ensued about the importance of a partnership with Manchester relative to that community's interest in receiving power from Hamilton and rights that the Town has to use public way. Also noted was that the Board of Selectmen could meet with Manchester or other neighboring communities on this matter, if necessary.

Chairman/Selectmen reports

David Neill mentioned continuing success of Sunday concerts in Patton Park. Jennifer Scuteri spoke to Ben Patton's video of veterans with PTSD that was made at the Patton Homestead. Scott Maddern noted that social services coordinator has started working for the Town. He added that the repurposed

Senior Center will be seeking Town board approval on kitchen project. Also, that Sean Timmons is working well with the Recreation board. Hubbard spoke to the flag pole painting accident and the community support from Hamilton Fire Department personnel.

CONSENT AGENDA

Johnson read the items on the consent agenda.

One Day Liquor Licenses-

- **Lantern Hill Catering, LLC** for an event at Pingree School on August 3, 2013.
- **Minutes** May 16, 2013 – Public Hearing Board of Selectmen and Town Board Representatives; June 3, 2013 Regular Session

Reappointments to Boards, Offices, and Committees

Johnson entertained a motion to approve the Consent Agenda. Jennifer Scuteri so moved. Hubbard seconded the motion. VOTE: Unanimous.

AGENDA

Accept **Pool Committee's** report and consider dissolving the committee

Recreation Director Sean Timmons introduced Mary, Steve Ozahowski, who were in attendance and served on the pool committee and/or Recreation board and mentioned pool committee members Emily Sumner and Patrick Wilson who were not at the meeting.

Timmons was prepared to give a 12-slide presentation from the Patton Park Pool Committee on recommendations for pool. Hubbard interrupted and said that the pool committee was not prepared to make a presentation to the Board or the community. Discussion ensued about whether or not people who elected Hubbard knew he was going to serve on the pool committee. Hubbard noted that the Wenham selectman liaison to the committee, Patrick Wilson, had the same concern as Hubbard about timing for pool recommendations to be presented to the Board and community.

Hubbard opined that the pool committee does not have complete information according to the pool committee's written charge regarding specific financial

information that would be provided by the Town. He referred to information needed by the pool committee as the condition and capacity of the existing septic system relative to growth and life expectancy of system. Discussion ensued about pool committee's charge not including financial review but focus on what programs would be offered, what facility options might be suitable and to bring that information back to the Town.

Hubbard referred to the three options that the pool committee has considered including the existing concrete pool but the condition of the pool and septic system are unknown which affects Option A. He reiterated his belief that the Town was supposed to supply financial information that the pool committee could use to fulfill its written charge. Also, that the Town Meeting had approved \$150,000 of CPA funding to be used for analysis of pool and to carry out recommendations.

Hubbard opined about how the request for the information was reasonable and the data could be provided by an engineer analyzing the pool and septic system and architect hired for \$1,000. He acknowledged that there was no consensus from the pool committee on these issues since no pool committee vote was taken. He reiterated that he, Wilson and another member were not in favor of Timmons making his presentation.

Johnson acknowledged Hubbard's position, said he did not agree with it, and said he was interested in hearing Timmons's presentation. Discussion ensued where Hubbard decided he would continue to attend the meeting. He restated his belief that the information to be presented by Timmons was incorrect and expressed his concern that the community would be shocked that the cheapest estimated cost to fix the pool was \$1.2 million. Johnson asked Hubbard to allow Timmons to present the information and not interrupt. Hubbard requested five minutes to respond after the presentation.

Timmons proceeded with the presentation explaining scope of pool committee including scheduling of public meetings for public comment, creation of survey on survey monkey for public input, creation of list of three possible redevelopment scenarios for pool and preliminary summary of related costs.

Timmons summarized how the online survey had received 400 responses from household computers. He outlined the questions asked in the survey and response percentages including: what town responders live in – 73% Hamilton and 23% in Wenham, does family currently use pool facility – 40% do, 60% do

not, if improvements were made would you use the pool – 90% would, which programs do you participate in or use pool for: open swim – 90%, swim lessons – 60%, swim team – 40%, lap swim – 40%.

Also gauged was the community's interest in \$100 to \$200 family pool pass. Currently, families pay \$76 for a family pool pass before June 15 and \$96 after that date; or \$3 per person per visit or \$10 for a family per visit.

Timmons described how information gathered specified resident interest from most important: improved bathhouse, larger pool, deck space and family seating, and kiddie pool. He explained that the three recommendations specify new replacement bathhouse and life guard office, new 250 square foot kiddie pool, and replace decking with shade areas.

Timmons outlined the three pool options as: refurbish the existing pool, create a larger rectangular pool that meets junior swim competition length, and zero entry, L-shaped pool. He summarized how the first option meets most of the important values found in the community's responses but it does not meet competition size and if lap swim were dedicated there would be no open swim time and entry and exit is difficult other than use of ladders, ADA requires chairlift for the pool which is expensive. Option 2 rectangular pool meets all most important responses from community including competition length and could allow for two lanes dedicated to lap swim and concurrent activities and addresses access and chairlift. Option 3 meets all responses and allows a few concurrent activities; access including without a chairlift meeting ADA compliance; this would be the most expensive option.

He summarized potential costs for these options based in part on numbers being used for Belmont's pool project. He noted that consultant Weston & Samson had provided quotes of \$325,000 to refurbish existing pool, and for the new pool at \$80 per square foot of concrete a larger pool would cost \$650,000 to \$700,000 and for zero entry pool the cost is estimated at \$800,000. Timmons noted that he added a 10% contingency to cost estimate. He added if there is a larger pool then the cost of the bathhouse goes up since more showers and toilets are required depending on the number of swimmers.

Discussion ensued about how a pavilion center with ping pong and picnic tables for family to spend time at the park would be included as part of bathhouse and lifeguard office with an area for sick bathers. Timmons mentioned that this would include the filtration area in a centralized location. It was noted that a

pavilion could be used in the winter when ice skating occurs at Weaver Pond at the park. Lombardo noted that once a recommendation is determined for the pool there could be additional amenities that complement the pool such as shelter for storms. Hubbard said pool committee had addressed pavilion such as one located in Ipswich and add-ons could be determined from pool area to pond and would cost another \$150,000.

Mary from the pool committee said the presentation was a good starting point to understand what should be done with the pool (i.e., refurbish or start new). Steve Ozahowski from Recreation board suggested the pool work should be done right once by the Town. Discussion ensued about how the pool committee was not responsible for selecting one of the recommendations and that the Town officials would take over administration to develop more elaborate cost projections working with Recreation board and Selectmen in the next few weeks. Lombardo noted goal to get a warrant article on pool completed for fall Town Meeting.

Lombardo mentioned that septic costs for a new system would range from \$50,000 to \$100,000 depending upon if refurbishment is done or newly built system for up to \$100,000. Discussion ensued about Recreation board being responsible for Recreation Master Plan and that pool would fall under their purview. The pool committee has fulfilled its charge by fleshing out the options, doing the survey and community outreach. In addition, the CPC would be kept informed since a large percentage of CPA funding could be used for the pool.

Discussion addressed that there is a real possibility for the Town not to have the ability to continue using the existing pool in its present condition after this summer due to deterioration and that a pool season would be lost when moving forward with a solution.

Hubbard said he has a priority to move the pool forward successfully but he characterized the financial numbers presented today (i.e., Belmont pool numbers) as fuzzy. Johnson suggested that the pool committee presentation has given order of magnitude and that the Town could rely on RFP for specifics (i.e., financials), and the Recreation board can make a decision. Hubbard opined that some residents want a wood frame structure for pavilion similar to Crane beach bathhouse.

Lombardo said this can be structured in a well-positioned RFP (i.e., wood or block frame structure) and the administration can be handed off to the capable staff that electorate appointed in Hamilton's Town manager form of

government. Maddern thanked the pool committee as Lombardo did for all of the work it had done and said it is time to pass off the project to Town Hall staff. Neill, Scuteri and Johnson also thanked the committee and concurred that it is time for transition to Town officials to do analysis to advance the pool vote to STM. Hubbard reiterated that he and Wilson as two elected officials on the pool committee do not support information on pool recommendations as presented.

Johnson entertained a motion to accept pool committee's report and dissolve the pool committee. Scuteri so moved. Maddern seconded the motion. VOTE: 4-1 with Hubbard opposed.

Patton Homestead – review Patton Gift Advisory Committee membership and discuss charging the PGAC to make specific recommendations to the BOS on the future uses of the buildings and grounds

Discussion ensued about whether or not this committee should be dissolved since charge has been fulfilled and if the responsibility for the future use for the site should be the decision of Lombardo. Scuteri summarized that a revenue source is needed for the homestead and the talents found on the advisory committee remain beneficial to the Town. Johnson and Scuteri suggested that a FinCom person would augment the group to give a specific recommendation to the Selectmen.

Hubbard suggested a specific charge be given to the committee moving forward with a timeline and expectations based on public input. He added that a survey could be used to identify if a bed and breakfast was right for the site and what could be done to ensure the property is not a burden for the Town.

Discussion ensued about the feasibility study for B&B for the site, and what skills Lombardo needs to generate an RFP relative to use options (i.e., playing fields, river access, and 12 houses). Lombardo needs to know what the Town wants to target to structure the RFP, housing versus homestead. He suggested importance of what the primary focus is going to be homestead driving site or housing and play fields driving site. Hubbard opined that committee could present three options and outline related revenue: B&B at homestead, housing or selling property.

Scuteri said the housing could generate revenue to make the improvements in the homestead to accommodate B&B since the feasibility study revealed a significant amount of capital is needed and is not likely accomplished through

RFP. Maddern said he supports moving faster on homestead B&B, river access, wants Town to get going on the housing and fields, and he will talk to FinCom as liaison to find a member to serve on committee.

Discussion ensued about defining a specific charge for the committee to work with Lombardo to structure RFP that includes options such as housing, restaurant, event center. Town officials emphasized importance of considering goal for whole property as a self-sustaining asset.

Conform **Board of Selectmen** organizational structure to Town By-laws and to M.G.L. c. 40 Section 21

Discussion ensued about which Selectman would run the Board meetings when Chair Johnson was out of Town since review of the Town's by-laws had revealed that the Board was not suppose to have a vice chair who assumed this role in the past. No action was taken relative to whether or not the Board would continue with the vice chair position.

Consider dates for **Fall Special Town Meeting**

Discussion ensued about importance of date for Fall Special Town Meeting relative to when schools would need a debt ballot question for capital projects, impact on tax recap and third quarter tax billing. Lombardo said he was not ready to make a date recommendation, especially if Town officials are interested in a November or December date, until he meets with HWRSD officials and receives input from Town Clerk Jane Wetson.

Discussion also addressed what STM warrant placeholders are being considered such as water budget and need to raise water rates, Patton Park pool, and building infrastructure funding. Lombardo noted the HWRSD needs both towns' approval for capital funding.

Discuss action plans and priorities that will have emerged from the earlier in the day **Downtown Walk**

Lombardo explained that he would review list of action items that resulted from downtown walk this evening with Hanlon. He noted that some of the items such as stripping would be addressed with ease while others might be budgetary items and thus far none of these are accommodated in the budget so additional appropriation is likely needed. He suggested that a Board working session be

scheduled to assess what can be accomplished. Lombardo said he would rough out the details with staff. Hubbard suggested if the downtown were improved to be clean and attractive and had additions such as a bakery it would raise the quality of life in Hamilton and raise real estate value. Johnson noted that items identified on walk were stripping, sidewalks and weeds needing removal. Hubbard said the downtown is not a panacea for revenue generation but noted that once the septic issues are resolved downtown then the building owners could make improvements. He added that work could be done with HDC to use some meals tax funds for banners and lighting in the downtown.

Discussion ensued about how some of the items identified from the walk would be dealt with on a regular basis with budget and maintenance plan. Johnson noted that locating the one-way sign on Railroad Avenue closer to Bay Road should be done this year. Hubbard mentioned that the issues identified during the walk existed last year as well especially general maintenance of weeds and painting the road. Neill concurred with Hubbard that fine tuning needs to be done in Town.

Discussion addressed how Lombardo would find out who owns triangle of land with sundial near the Community Package store, that contest Marcie Ricker held in past with merchants with flower boxes was successful, that some towns have a clean up day and that in many jurisdictions businesses are responsible for the area in front of their stores. Lombardo reiterated that he would analyze what it will take from a budget standpoint to accomplish the projects identified during the walk. He needs time to meet with DPW to understand what capacity is available to do projects, and what legally can be done. Scuteri suggested a community cleanup day could be organized.

Approve and sign an **emergency funds transfer** for repairs to the Plateau Well

Finance Director Deborah Nippes-Mena said the Plateau Well is off system and when it is redeveloped it would produce 200,000 gallons a day. A contract for the redevelopment work needs to be funded. She noted that the Finance & Advisory Committee would be voting on the transfer request for \$10,000 for the Plateau Well plan on Monday. The Selectmen vote on the transfer in their role as the water board.

Maddern moved to approve the transfer of \$10,000 from the emergency fund for the Plateau Well redevelopment and authorize the chair of the Water Enterprise

Board (Johnson) to sign it. Scuteri seconded the motion. VOTE: 4-1 with Hubbard opposed since the FinCom had not voted yet on this transfer.

Set date for next Board of Selectmen meeting

The next Board meeting will be held on July 29.

NEW BUSINESS

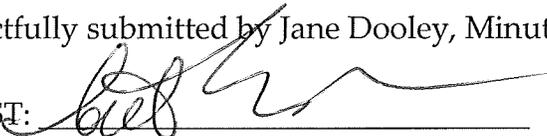
Consideration of topics for discussion at future Selectmen's meetings

Discussion ensued about need to recap what was learned from Pirie Property right of first refusal experience, that there is a need to focus on actions the Town could take to keep 55 to 65 age group and empty nesters from leaving Hamilton, housing at Patton Homestead property, what could be done to educate public in Hamilton about what is affordable housing and housing that is affordable, revisit Board retreat results and prioritize goals, and start developing a back up plan relative to future use of landfill site as an alternative to anaerobic digester.

Johnson entertained a motion at 9:21 p.m. to adjourn the meeting. Hubbard so moved. Scuteri seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:



Clerk