

**TOWN OF HAMILTON**  
**Board of Selectmen, Council on Aging, and Finance and Advisory Committee**  
**SEPTEMBER 15, 2014**

The Board of Selectmen met at Hamilton Town Hall at 7:05 p.m. on Monday, September 15, 2014 with Scott Maddern, David Neill, Marc Johnson, Jeff Hubbard, and Jennifer Scuteri present. Finance Committee members Chair Rick Sprenkle, Nancy Gerardi-Walsh, and Charles Chivakos, Police Chief Russell Stevens, Finance Director Deborah Nippes-Mena, and Council on Aging Director Marybeth Lawton also present.

**Call to order**

Scott Maddern called the BOS meeting to order at 7:05 p.m. Rick Sprenkle called the FinCom meeting to order at 7:07 p.m.

**Public Comment**

None.

**Town Manager's report**

Police Chief Russell Stevens described how the front steps at Town Hall would be reset in early October, bids for water main replacement project were opened this past Wednesday and roads to be worked on beginning at the end of October include Cunningham Drive, Garfield Avenue, Grant Avenue, Lois Street, Porter Lane, Railroad Avenue, Rust Street, Sunset Lane and Woodland Mead. Also, the Public Safety Department had a Public Safety Day this past Saturday with 200 attendees.

**Chairman/Selectmen reports**

Jennifer Scuteri described how Ryan Lennon is the new veteran's agent starting on October 1. Also, she reiterated that there is an exemption to the CPA surcharge for seniors over 60 with qualifying incomes as well as for low income families and the numbers for this have been updated which she will communicate to the Council on Aging. David Neill reported on recent meeting that he had with Jeff Hubbard and president as well as chief financial officer at Gordon Conwell Theological Seminary to discuss how the Town and Seminary could partner. Hamilton and the Seminary officials have agreed to brainstorm possible ideas (i.e., use of the Seminary's playing field).

Jeff Hubbard said he attended the recent walk through with Planning Board for proposed Patton Property condominium unit project. He noted that the housing development would be visible from Asbury Street and Patton Homestead. He suggested the Board have a discussion on the pros and cons of the project (i.e., layout) at an upcoming BOS meeting. He also announced new HWCAM informational program about current events on Wednesday nights at 8 p.m. and 11 a.m. on Saturday mornings called "Town line News" being hosted by Hubbard and Rob McKean where State Rep. Brad Hill was their first guest.

Marc Johnson reported on the Patton Property walk through mentioning that it was well attended by Town's board and committee members and there was good dialog with C.P. Berry developer about project proposal and site details (i.e., wetland line). He noted that there would be upcoming Planning Board hearings as part of the special permit process and opined that would be the venue rather than BOS meetings to provide input on the project. Hubbard reiterated his viewpoint about holding a discussion at a BOS meeting to weigh pros and cons and address community interest in the proposed project.

Maddern clarified that the Patton Property project is for individual homes versus condominiums and noted importance to the Town with potential land sale revenue and ongoing property tax revenue once the special permit process is completed, units are built and occupied. Also, that the FinCom is finalizing three-year financial forecast with new debt expense included and Wenham and HW School Committee officials have been notified to share details and to gain insight. The pool ad hoc working group met with Joint HW Recreation Board and there continues to be support for moving forward with a pool proposal request for ATM. Next steps are to schedule a joint meeting with BOS from the two towns. In addition, funding is in place for turf field development study. The COA is holding a ribbon cutting event on September 26. Also, the HDC will share its annual plan with BOS in October.

## **CONSENT AGENDA**

Maddern read items on Consent Agenda.

- Vote to approve **AFSCME – DPW Collective Bargaining Agreement**, as presented.
- Vote to approve **AFSCME – Dispatch Collective Bargaining Agreement** (tentative postponed to a later date).
- **Approve Minutes** – September 8, 2014 Regular Session

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

The motion was amended to approve the Consent Agenda to include August 27, 2014 Regular Session minutes rather than the September 8, 2014 Regular Session minutes. Johnson so moved. Neill seconded the motion. VOTE: 4-0-1 with Scuteri abstaining since she did not attend the August 27, 2014 BOS meeting.

## **AGENDA**

### **Council on Aging presentation and discussion of potential by-law changes**

COA Director Marybeth Lawton described how the COA by-law voted at the most recent ATM dates back to 1966. After a review of applicable by-laws from neighboring communities, the COA board identified the language from the Essex by-law as good for a revision change for the Town's COA by-law which was reviewed by the Town manager and Town counsel. Lawton summarized process for finding COA board members when there is an opening interested candidates attend COA board meetings, COA board votes for a candidate, and COA requests finalist write a letter to BOS for appointment by Selectmen.

Discussion ensued about Town Counsel's advice on language that should be used in the by-law for consistency with appointment process across other Town boards. Specifically if there is an opening before a term is expired the Selectmen would appoint someone to complete the unexpired term. The current by-law language states that the Selectmen have the right to appoint up to four members on the seven-member board including the chair without input from the COA board. Scuteri suggested amended by-law specify which board it is referring to BOS or COA.

Discussion addressed how the proposed amended by-law to the 1966 by-law language adopted in 2014 would need BOS approval to put on the ATM warrant for Town Meeting vote. Also discussed was how existing COA by-law had defined if COA board would propose by-laws and amendments to be adopted by COA, that COA board would choose and vote for chair, and how BOS does appointments.

Johnson moved to include this new by-law language on the STM warrant with the proviso that the governance regarding amendments supplied by Town counsel be included and that Town counsel work with COA on clean-up of Article 7 of the by-law. Neill seconded the motion. Discussion ensued with Hubbard about language needed

for three year terms and annual election of chair, vice chair, treasurer and secretary. Lawton noted that according to law the COA is proscribed from doing any fund raising so there is no need for a treasurer position and she will discuss this issue with Town counsel. Discussion reiterated the process of COA selecting a finalist candidate (especially when a COA board member can no longer serve), board vote on the finalist and a letter recommending his/her appointment to COA board goes to Selectmen for appointment. Also, that this is pursuant to adoption at Town Meeting. VOTE: Unanimous.

**Review of Warrant and close Warrant**

**Section 1: Article 1-1: Reports, Procedures:** Discussion ensued about reports to be given at STM that were reviewed with Town Moderator Bruce Ramsey that will consist of a 3-year financial forecast including CIP summary by FinCom Chair Rick Sprenkle, and invitation to State Rep. Brad Hill or Senator Bruce Tarr to give a legislative update. Ramsey had said he did not think it was appropriate yet for plastic and Styrofoam proposed banning in Hamilton report. Also mentioned was importance of Town Manager Michael Lombardo giving a report (i.e., Patton Property information) but this had not yet been discussed with Ramsey.

**Section 2: Article 2-1: Financial Actions: Compensation/Classification Table,** relative to AFSCME DPW collective bargaining agreement that was ratified, however, the dispatch collective bargaining agreement will be ready for Board ratification at the Selectmen's September 29<sup>th</sup> meeting. Neill moved that Article 2-1 be put on the warrant. Johnson seconded the motion. Discussion was on how the Board and FinCom cannot make a recommendation on this motion until the dispatch contract is ratified next week. The number of employees that are affected by this change in the table are 13 DPW and 4 ECO (pending contract ratification). VOTE: Unanimous.

**Article 2-2: General Fund Appropriation Transfer:** Maddern entertained a motion to put this article on the warrant. Johnson so moved. Neill seconded the motion. Discussion ensued about \$70,000 in budgetary increases (\$50,000 to backfill FinCom reserve relative to match for street light grant, and \$20,000 for facilities technician to go to fulltime position) that will be done within the budget with money that is presently in the Unclassified category (insurances, retirement and transfers to other funds). Town Meeting needs to vote to transfer funds from here to the General Government category. The FinCom has recommended favorable action. Johnson reiterated the motion for the Selectmen to approve Article 2-2 as written and recommend favorable action on the article. Discussion addressed how Article 2-3 is asking for \$70,600 total with the

difference in funding through local receipts. Also, how the facilities technician manages the maintenance of public buildings and Collins Center report had recommended this position go full time and it will be 100% funded through budget. VOTE: Unanimous.

**Article 2-3: Amendments to Annual Appropriations:** Discussion ensued about already mentioned items, and budgetary request increase for the Protection of Persons & Property \$1,100 to salaries for new dispatch contracts that has been ratified by the ECO but is waiting for Selectmen ratification. The majority of the funding for this contract was appropriated at ATM, the difference represents consolidation of dispatch certification and longevity into base pay which makes payroll easier relative to overtime calculations and FLSA. Also included in the warrant article is increase in wages for DPW contract for highway and park, increase in cemetery salaries related to new DPW contract, and contractual change for COA in expenses to support newsletter printing. All items in this article are funded within the budget through Unclassified transfer or local receipts and there will be no impact on the projected tax rate. Discussion ensued about how advertising is no longer allowed for the COA newsletter although other funding mechanisms are being investigated. The FinCom has recommended favorable action on this warrant article.

Johnson moved for the Selectmen to recommend favorable action on Article 2-3. Scuteri seconded the motion. Discussion addressed how Article 2-3 includes: \$70,000 to replace \$50,000 in FinCom reserve for \$50,000 LED grant match and 50% of salary for maintenance technician from 20 hours a week to 40 hours a week, in addition, the Town is requesting budgetary increases for ECO salaries \$1,100, DPW highway and park contract \$7,280, salaries in cemetery for DPW contract \$7,718, and COA expenses for newsletter printing \$3,600. No money was budgeted at ATM for the DPW contract. Money was budgeted for ECO contract. Also noted was the match amount was not known for LED grant when the grant was applied for in May. VOTE: Unanimous.

**Article 2-4: Community Preservation Committee Budget:** The CPC has approved under Open Space and Recreation \$15,000 for work to be done on the big baseball diamond at Patton Park, Historic Preservation \$10,000 to repair wheels on cannons at Patton Park, and transfer \$7,119.56 from FY'13 appropriation for Senior Center building for replacing the rail at this building. Scuteri noted that the CPC is getting excess money back into the Town's CPA fund from Patton property and Donovan field. Also, the CPC has tabled discussion of \$200,000 for preservation of documents as part of preparation for ATM to get input from coalition on how to handle long term records. Rick Sprenkle entertained a motion for the Finance and Advisory Committee to recommend favorable action on Article 2-4. Charles Chivakos so moved. Nancy Gerardi-Walsh seconded the

motion. VOTE: Unanimous. Maddern entertained a motion for the Selectmen to put Article 2-4 on the warrant and to recommend favorable action on the article. Scuteri so moved. Johnson seconded the motion. VOTE: Unanimous.

**Section 3: No Planning/Zoning Actions**

**Section 4: Article 4-1: Council on Aging By-law:** Selectmen have agreed to put this article on the warrant. The Board of Selectmen and the Finance and Advisory Committee will make recommendations at either the next BOS meeting on September 29 or at Special Town Meeting.

**Section 5: and Section 6: No Other Appropriations and Actions or Closing Financial Actions.**

Discussion ensued with Hubbard opining that STM is being held primarily for 13 DPW employees for contract budget increase of \$15,998 and he questioned having the meeting for this small amount especially relative to call to action for residents to attend the meeting. Johnson noted that there were items originally on the warrant including from Planning Board, Zoning Board and CPC but as the Town got closer to the STM date the warrant is smaller than anticipated. He added that the opportunity to dialog with citizens was valuable especially through the reports. Finance Director Deborah Nippes-Mena described how the FinCom reserve was more than half gone in July and importance of replenishing it before ATM for unforeseen expenses, as well as timing in fall for baseball diamond work. Neill concurred about validity of questioning whether or not to hold STM but noted importance of enacting pay now rather than in April retroactively for new union contracts. Scuteri opined about how there were more substantial items addressed at prior Special Town Meetings adopting by-laws, getting green grants, adopting the Meals Tax, and operational audit but the negative undercurrent in Town is impacting what actions are being taken in Hamilton. Maddern agreed with need for STM to address union contracts and encouraged residents to attend STM on October 6.

Maddern entertained a motion to close the warrant. Scuteri so moved. Neill seconded the motion. VOTE: Unanimous.

Lawton described how on October 24, the COA is holding its first Harvest Health Fair for seniors and their families which will include food tastings from local food establishments.

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

The next Board of Selectmen's meetings will be held on September 29 as well as October 14, 20, and 22.

**NEW BUSINESS**

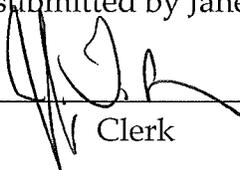
**Consideration of topics for discussion at future Selectmen's meetings**

Discussion ensued where the Board plans to work on full list already defined at prior BOS meetings. Hubbard repeated his interest in discussion on proposed condominium project at the Patton property. He also suggested there should be a discussion about downtown properties (i.e., funding from Meals Tax for holiday lights and decorations).

The Finance and Advisory Committee stayed in session. Maddern entertained a motion for the Board of Selectmen to adjourn at 8:31 p.m. Johnson so moved. Neill seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

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



Clerk

