

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
MAY 18, 2015**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, May 18, 2015 with Scott Maddern, Marc Johnson, Jeff Hubbard, Shawn Farrell, Bill Wilson present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena, and DPW Director Bill Redford also present.

**Call to order**

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

**Public Comment**

Tess Leary from HW Community House publicized Two Town celebration on Saturday, June 27, rain date June 28.

**Chairman/Selectmen reports**

Bill Wilson, BOS liaison to HWRSD, reported that Larry Swartz is the new HW School Committee chair and that board has scheduled a planning session, HWRHS Class of 2015 will graduate on June 7 at High School, candlelight services are on June 4. BOS has been invited to the graduation events. Shawn Farrell noted that that HW Recreation Department has completed RFQ for design of bath and services buildings at Patton Park with construction planned for fall. A turf field meeting was held and volunteer help is being sought to set up non-profit and assist with fundraising, benchmarks, and a presentation will be done in near future. He also mentioned upcoming CPC meeting that occurs on May 21, and CPC is going to complete an annual financial report by end of fiscal year.

Farrell reported on the Conservation Commission working with DPW Director Bill Redford regarding the reconstruction of the Bridge Street culvert, also Notice of Intent related to building a single family home and septic system at 470 Essex Street in a No Build, No Disturb Zone and public hearing was continued to June 24. In addition, the Commission would like to see more open space applications for CPA funding, and there is a project at Patton Park to expand and improve parking lot where state funds can be used until June 30, and Community House has decided to fundraise to match CPA grant. The Recreation Department has installed a fence and purchased bleachers for Patton Park baseball diamond and CM&D Construction Company has offered to

donate materials and construct new dugouts; the Recreation Department will purchase new benches once construction is completed. He noted that the CPC is keeping funds for pool project accruing interest as long as possible. Farrell provided an update on rain barrel program that will be piloted (\$79 each) by Great American Rain Barrel company and sales will be done through company's website, and pick up date in Hamilton is June 23 or 24.

Discussion ensued with Jeff Hubbard about pool building design that is in RFP and type of siding for buildings that will be reviewed by Planning Board. Hubbard reported on his role as veteran liaison and how he will assist in search for new veterans' director. He also spoke to recent police memorial held at Hamilton cemetery.

Maddern described walk with director of ECGA at Sagamore Hill relative to emerging open space opportunity, as liaison to Hamilton Housing Authority he is conversing with Bob Gray and CPA requests are expected from this organization.

### Town Manager's report

Town Manager Michael Lombardo described how he and Marc Johnson had met new Wenham Town Administrator Peter Lombardi. Also, that the BOS is invited to Memorial Day breakfast on Sunday morning at the American Legion post. In addition, he is hosting a picnic for staff on Thursday, June 4 so Town Hall will close at noon.

### **CONSENT AGENDA**

- **Appointments:** Joe Hughes to Hamilton Affordable Housing Trust for a term expiring June 30, 2016.
- **Approve Minutes:** May 9, 2015 – Work Session.

Maddern entertained a motion to approve the Consent Agenda. Hubbard so moved. Farrell seconded the motion. VOTE: Unanimous.

Farrell noted that a Safe Commerce Zone will be designated in a Public Safety Building parking lot space close to the building for people to do internet commerce and a camera will record any transactions.

### **BOND VOTES**

- **Vote to accept and sign general obligation bonds for \$7,142,000, a 20-year issue for water projects, closing of landfill and new fire truck approved by Town**

**Meeting and at the Town election. Vote to accept and sign grant aid anticipation notes for \$741,000 for the repair of the Bridge Street culvert.**

The Board moved and seconded the following 10 motions and then voted on them as a slate. There were no holds on any motions:

- 1. This motion is for the fire truck that is being financed for 13 years. Maddern entertained a motion that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$840,000 borrowing authorized by the vote of the Town passed October 20, 2014 (Article 2014/10 2-5) is hereby determined pursuant to G.L. c.44, §7(9) to be at least 13 years.

Johnson so moved. Farrell seconded the motion.

- 2. Maddern entertained a motion that the sale of the \$7,142,000 General Obligation Municipal Purpose Loan of 2015 Bonds of the Town dated May 21, 2015 (the "Bonds"), to Robert W. Baird & Co., Inc. at the price of \$7,455,478.41 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on May 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2016	\$422,000	2.00%	2024	\$405,000	3.00 %
2017	415,000	3.00	2025	405,000	3.00
2018	415,000	3.00	2026	405,000	2.50
2019	415,000	3.00	2027	405,000	2.50
2020	415,000	3.00	2030	995,000	2.65
2021	410,000	3.00	2033	735,000	3.00
2022	405,000	4.00	2035	490,000	3.125
2023	405,000	4.00			

Johnson so moved. Wilson seconded the motion.

Discussion ensued about average interest rate of 2.4% over the 13 year term of the bond, and there were eight bidders for the bond with an interest rate from 2.42% to a high of 2.68%. Also mentioned was the AAA rating for the Town of Hamilton. The premium will help pay for the cost of the issuance and remainder is set aside to help pay for debt and interest and is amortized over the life of the loan. The bond includes \$840,000 for the fire truck, \$1,302,000 for the landfill, and \$5 million for the water infrastructure (Phase I). BANs were used and to keep issuance cost down and the items were combined into one bond. Each item has its own debt schedule (i.e., fire truck debt will be paid off on June 30, 2027, landfill completed on June 30, 2030 and last payment will be \$80,252, water distribution debt borrowing will be paid for with service charge). Discussion ensued about vendors sizing bond issuance for discrete borrowers based on what is being financed. The important factor is low interest rate of 2.42% over the life of the bond. Also noted is that there are not balloon payments but schedule illustrates for 2030 until 2033, \$995,000 will be paid at 2.65% over three years.

Discussion addressed how the BOS is voting to accept how the obligation payment is going to occur to Robert W. Baird & Co., which is underwriting \$7-plus million in debt. The schedule represents how the principle will be paid to match blend of investors.

3. Maddern entertained a motion that the Bonds maturing on May 15, 2030, May 15, 2033, and May 15, 2035 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due May 15, 2030

<u>Year</u>	<u>Amount</u>
2028	\$335,000
2029	330,000
2030*	330,000

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\*Final Maturity

Term Bond due May 15, 2033

<u>Year</u>	<u>Amount</u>
2031	\$245,000
2032	245,000
2033*	245,000

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\*Final Maturity

Term Bond due May 15, 2035

<u>Year</u>	<u>Amount</u>
2034	\$245,000
2035*	245,000

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\*Final Maturity

Hubbard so moved. Johnson seconded the motion.

- This motion is for 75% of reconstruction of Bridge Street culvert costs. Maddern entertained a motion to approve the sale of a \$741,000 0.55 percent General Obligation Grant Aid Anticipation Note of the Town dated May 21, 2015, and payable May 20, 2016 (the "Note"), to Century Bank at par and accrued interest.

Farrell so moved. Johnson seconded the motion.

5. Maddern entertained a motion that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 1, 2015, and a final Official Statement dated May 12, 2015 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted dated May 12, 2015 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Johnson so moved. Wilson seconded the motion.

Discussion ensued about how Bond Counsel and auditors vetted that valid claims were made when the Town sold these bonds.

6. Maddern entertained a motion that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 28, 2015, and a final Official Statement dated May 12, 2015, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Johnson so moved. Farrell seconded the motion.

Discussion confirmed that Bond Counsel and auditors vetted that valid claims were made when the Town sold these bonds.

7. Maddern entertained a motion that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Johnson so moved. Hubbard seconded the motion.

Discussion was about how the Town cannot prepay and can only refinance after 10 years.

8. Maddern entertained a motion that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which

undertakings shall be incorporated by reference in the Bonds and Note, as applicable, for the benefit of the holders of the Bonds and Note from time to time.

Johnson so moved. Hubbard seconded the motion.

9. Maddern entertained a motion that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes.

Johnson so moved. Wilson seconded the motion.

10. Maddern entertained a motion that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Johnson so moved. Hubbard seconded the motion.

Maddern asked the Board to vote on the 10 motions that were moved and seconded in the slate. VOTE: Unanimous.

## AGENDA

- **Land Acquisition Policy -- Introduction**

Johnson kicked off Land Acquisition Policy discussion and noted that land use boards would be weighing in on the BOS created policy that addresses purposes for which the Town might acquire land including open space, water supply protection, recreation or municipal uses. The reason for the policy is to have transparency on land issues and advance planning to reduce uncertainty and acrimony when a parcel becomes available. A priority list will be created that includes Chapter 60 rights which will be analyzed to understand if they meet purposes why Town would want to acquire land. The structure will provide a mechanism for non-Chapter 60 properties to be introduced in a land acquisition discussion. Interests in land could be Conservation Restriction,

agricultural agreement, easement, and it would be identified whether or not the Town would decide to own the land outright.

The policy sets up procedures related to a list of properties where a property owner notifies the Selectmen or Town Manager about interest in selling land or a portion of a property, or the Town receives Chapter 61 notice. The intent is to create a mechanism for the Town to consider a property that may be of acquisition interest. A short term group would be organized to establish criteria (i.e., open space with trails versus open space that is landlocked, wildlife corridor) so the BOS and other boards can establish priorities.

The policy was drafted by Johnson and former Selectman David Neill. A draft copy was given to the Board, Conservation Commission Chair Richard Luongo, and Planning Board Chair Jeff Melick asking for input which would likely be provided at future meetings.

Discussion ensued about whether or not this policy should be a Planning Board responsibility due to water and recreation consequences as well as impact to Recreation Department and DPW. Elements of land use do not require Planning Board management but there would be involvement from that board when the Town acquires land. Statutorily Chapter 61 right of first refusal falls to BOS not Planning Board and land acquisition is through Selectmen and Town Meeting. Hubbard opined that the independently elected Planning Board takes lead role in planning which includes land acquisition. Johnson concurred with Lombardo that Mass. General Law does not specify a role for Planning Board relative to Chapter 60. Hubbard commented that he would like to hear from Planning Board on such a policy that deals with water supply protection, recreation or municipal purposes. Johnson articulated that municipal purposes could include need for DPW yard and need to identify property for snow staging. Lombardo said the policy could provide for a commercial purpose relative to municipal use.

Wilson noted that the Selectmen create policy and Planning Board could provide input on criteria. Currently the BOS does not have a policy on land acquisition and feedback from Pirie land acquisition discussion was that the Town needs to have a plan in place long before a Chapter 60 property is up for sale, and intent/uses for land, and how this cannot happen in a 90-day window. Ipswich has a good land acquisition policy that was used as a starting point for the Board. Farrell agreed with the importance of getting input from Conservation Commission and Planning Board beyond the specifics associated with Chapter 60 properties. Discussion addressed how the policy would help with evaluation of an available property compared to other properties based on

priorities (i.e., water protection) and after BOS review of the policy reflect the direction of the Town regarding potential land acquisition using a team approach with other Hamilton boards.

- **Set date of next Selectmen meeting**

The next Selectmen's meeting will be held on June 1, a joint FinCom meeting will be held with Wenham on June 2.

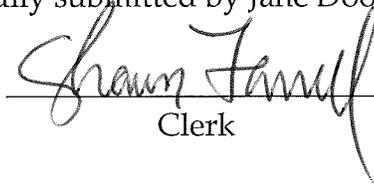
**NEW BUSINESS**

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

Lombardo will compile a list of existing Town policies for Board review so there can be a determination if they should be prioritized or evaluated by a subcommittee. Also mentioned was if a representative from the Community House should come to a Board meeting to describe its mission. The Board will continue to work on its goals, hear from ECGA about a significant open space land acquisition, and six month evaluation of Town Manager. Discussion was on whether or not the Town should consider raising the CPA surcharge from 2% to 3% which will be addressed at CPC hearing on May 21. Maddern entertained a motion for the Board to adjourn at 8:15 p.m. Farrell so moved. Hubbard seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:

  
Clerk

