

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
MARCH 21, 2016**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, March 21, 2016 with Scott Maddern, Shawn Farrell, Jeff Hubbard, Bill Wilson, Marc Johnson present. Town Manager Michael Lombardo, COA Director Mary Beth Lawton, DPW Director Bill Redford, Town Moderator Jennifer Scuteri, CPC Chair Tom Catalano, Planning Board Chair Jeff Melick, Director of Planning and Inspections Patrick Reffett, Police Chief Russell Stevens also present.

**Call to order**

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

**Public Comment**

None.

**Chairman/Selectmen reports**

Marc Johnson spoke to civics team, and League of Women Voters candidate night. Jeff Hubbard described how the condition of the affordable housing complex on Railroad Avenue needs analysis relative to maintenance of the facility, and veterans' affairs budget of \$40,000 should be reviewed to understand if this is the best use of money, and he thanked Cheryl Booth, Hamilton Treasurer, who has been doing the accounting for the veterans' organization.

Shawn Farrell described how ZBA Chair Bill Bowler had spoken at Planning Board meeting relative to citizens' petition to change site plan review authority from the ZBA to the Planning Board and how he thought this action should occur as part of Phase II of rewrite of Town's zoning by-law. Farrell also mentioned site plan review for former Hungry Fox building, Phase I changes for zoning by-law should be ready in May, ANR for Beech Street subdivision, rain barrel program with purchase deadline of April 16, and updated community survey should be ready for launch soon.

Bill Wilson summarized HWRSD activities including: movie "Most Likely to Succeed" that ties into the school department's master plan, National Honor Society will offer childcare at Town Meeting, four candidates are being interviewed for position vacated by Dr. Celeste Bowler, the current tight school budget and future budget goals, interest

in bringing all HWRSD schools to Level 1 with MCAS, maintenance of district agreement relative to appropriation from the two supporting communities, analysis of HWRSD policies, and master plan as well as how student enrollment is declining.

Maddern noted meetings on preparation for Town Meeting, and how much open space the Town has. Also mentioned was the Hamilton Housing Authority since Town has given \$156,000 for affordable housing with some used for improvements at the Authority (i.e., ramps and finishing units).

### **Town Manager's Report**

Town Manager Michael Lombardo summarized how he will try to build relationship with Kate McGuire of the Hamilton Housing Authority. Also, the Affordable Housing Trust wants to revisit its Special Act relative to changes made at fall Town Meeting. The pool project is on track for summer. He mentioned that there are other options for veterans services (i.e., Beverly has an agent), and he will research.

### **Consent Agenda**

Maddern read the following items:

- Approval minutes February 13, 2016 – Joint BOS and FinCom Regular Session

Wilson moved to approve the Consent Agenda. Johnson seconded the motion. VOTE: Unanimous.

### **Agenda**

- Staff Presentation – COA Director, Mary Beth Lawton will provide a status update on the senior center and programs

Mary Beth Lawton explained how COA serves 1,843 seniors in Hamilton or 24% of total population. In addition to the COA director there is a part time 15-hour a week social services specialist (i.e., assistance with Medicare plan and Shine program). Two seniors on the tax abatement plan work on the COA monthly newsletter and trip coordination. There has been a 59% increase in the number of contacts to seniors in Town since 2012. The COA partners with public safety, health department, veteran affairs, and Acord food pantry. Town officials visit the COA to discuss government matters (i.e., role of Town Moderator). She provided a sheet with statistics about senior transportation from John Morris, President of Beauport Ambulance Service (i.e., more than 1,000 rides a year

and pick-up wait time is maximum of 12 minutes). Also noted was that 8,000 meals were served with Senior Care program as well as lunches provided at Senior Center.

Discussion ensued about how the balustrades have not been installed at the Senior Center because installation cost is more than CPA funding granted. Also, that the dormer needs to be painted. In addition, that the kitchen at the Senior Center is licensed by the Board of Health so only those on the license can use the kitchen (i.e., Senior Care). Lawton uses kitchen to make seniors popcorn or baked goods. In addition, plastic plates, not plastic utensils, are used when a large crowd is expected due to lack of dishwasher capacity.

Lawton is working with Kate McGuire (who is under contract to work three hours a week) about need to revitalize resident organization at the Housing Authority (i.e., add a TV to community room at Lamson Hall). Hubbard suggested a meeting could occur with the Affordable Housing Trust. It was noted that the organization assisted with three ramps at the Authority.

Also mentioned by Lawton was free tax preparation help at the library for seniors, candidates' night at the COA, button battery drop-off program, and knitting projects done for children with dolls in foster care.

- Warrant Hearing – Town Moderator, Jennifer Scuteri, will review and discuss the warrant articles for Town Meeting

Discussion ensued with Town Moderator Jennifer Scuteri regarding how she would address procedural issues at spring Town Meeting especially relative to Articles 1-1, 1-2, and 1-3, and that she would mention board and committee votes on articles when there was not unanimity. As well as how handouts would be distributed and format for slides. Also noted was that Lombardo would assist with breakfast, and Maddern, Farrell and FinCom Chair Rick Sprenkle would present reports.

Town officials reviewed Article 2-1: Prior Year Bills, Article 2-2: Compensation/Classification Table which is part of Consent vote, Article 2-3: General Town Department Appropriations where Superintendent of Schools Michael Harvey will present a report. Jack Lawrence, 105 Rock Maple, inquired about impact of declining enrollment on curriculum.

In addition, Article 2-4: Water Enterprise Budget which is part of Consent vote, Article 2-5: Waste Reduction Enterprise Budget also part of the Consent vote and it was noted

that this enterprise budget needs to become self-funding or moved back into the general budget, and Article 2-6: Annual Financial Actions which is part of Consent vote.

For Article 2-7: Community Preservation Budget, Farrell moved to recommend favorable action, Wilson seconded the motion. Discussion ensued with Tom Catalano about how the CPC had voted unanimously on all but one CPA eligible project contained in the warrant article. Also, that CPA funds are finite looking ahead relative to potential Town Hall renovation project and long term capital planning. In addition, how the CPA state match relative to the surcharge can be impacted due to more cities and towns adopting CPA. VOTE: 4-1 with Hubbard opposed.

Town officials reviewed Article 2-8: Annual Authorization of Revolving Funds, Article 2-9: Hamilton Development Corporation, Article 2-10: OPEB Trust Fund, Article 2-11: Patton Homestead Fund where Carin Kale and Lombardo will present information, Article 3-1: Rewrite of Zoning By-law and there will be a motion to take no action, and Article 3-2: Amendment to Senior Housing Zoning By-law.

For Article 3-3: Citizens' Petition – Site Plan Review to Planning Board, Scuteri will work with Bill Dery and Gretel Clark, 823 Bay Road, who will speak to the amendment. Discussion was on Planning Board's favorable vote to support article and how compliance with statute is to hold public hearings which was done. However, the AG may not approve the article language even if Town Meeting votes in favor of the article. Town Counsel Donna Brewer will opine on the matter. It was noted that this matter of site plan review authority will be addressed in Phase II of the zoning by-law rewrite. Also, that comments on appeal process for site plan review will be presented in writing from the consultant assisting the Town with the zoning by-law rewrite. Jeff Melick, Planning Board Chair, noted that 95% of towns in the Commonwealth have Planning Boards with site plan review authority. The Selectmen decided not to vote the Board's position on the article at this meeting.

Also addressed was the Article 4-1: Amend Council on Aging By-law which is part of the consent vote, Article 5-1: Transfer Open Space to Conservation Commission, Article 5-2: Community Aggregation of Electrical Load, where BOS discussed with Jack Lawrence, 105 Rock Maple, potential discount on electricity for the community residents where a utility will not be created and residents can opt out and stay with National Grid, Article 5-3: Lease of Land for Cell Towers, and Article 6-1: Free Cash Application.

- Patton Homestead – Bill Redford and Patrick Reffett will discuss facilities improvement plan and next steps

Discussion was on report the Town received as the result of the cultural grant that Hamilton had received. It identified programs/systems that had to be replaced at the Homestead and defined recommendations for now until the end of FY'17 including work in the barn and stable. The intent is to make the Homestead available for events. The Board of Health has determined that the house septic system would support a 50-person event. The septic system for the stable is not functioning. Moving forward the Town will contract with someone to manage events at the property. It is estimated that it could cost \$95,000 to do maintenance and clean out on the barn, stable, create gravel parking lot and to remove the pool.

In response to Susan Lawrence, 105 Rock Maple, as well as Selectmen Johnson and Farrell, Town officials explained that an architect would have to be hired to narrow down what repairs are required and present an unbiased assessment of expected repairs not ADA access to the house. General facilities work budget from the Town has been used some for repairs at the site by the DPW. One bathroom in the house will be identified for work for ADA compliance. In addition, some minor electrical work needs to be done. Also noted is intent to have separate access for archives area and to improve security. The site plan review process would be used for any proposed work (i.e., gravel parking lot) to be paid for through \$250,000 set aside from sale of land on the property. Some of the proposed work could qualify under the matching grant the Patton Homestead Incorporators are seeking.

The facility report will be provided to Selectmen. Redford explained that Town officials are analyzing what work presented in the report needs to be done now. Wilson noted that the use for the facility should be known before spending funds. Hubbard opined about his concern that the Town is spending money on an asset where there are no plans for its use, and that it would take a number of events (i.e., 300) with 50 people in attendance to bring in substantial self-sustaining revenue. He also opined that the Town has spent \$180,000 for annual expense for four years and \$360,000 has been lost in property taxes. He suggested a conversation should occur on selling the property and that if ADA compliance including sprinklers is done this could lower the property value for a future interested individual property owner. Redford said he was not aware of dollar amounts cited relative to expenses but mentioned that the cedar roof is the first priority regardless of whether or not the Town decides to consider selling the house.

Maddern suggested that signage would be useful on the site to guide the public about where to access the property. He concurred with the loss of property tax but noted the \$1.3 million received from selling portion of land on the property. The charge for the Incorporators has a five year plan including the definition of uses. Hubbard opined that this is a breakeven transaction with \$1.2 million from sale of property, \$180,000 went to affordable housing, house requires \$1 million in repairs, and new property tax will cover cost of manager for events, and this property is a financial burden to the Town. Lombardo noted events would cover the cost of event management. Hubbard opined that \$38,000 spent currently annually would not be sufficient the cost would be as much as \$50,000 for maintenance. The Town did receive \$50,000 in building permit fees from C. P. Berry as part of the Patton Ridge development.

Peter Britton, 466 Highland Street, commended the Patton Homestead Committee for its deliberations. He is favorable about the Patton property and suggested the hospitality industry should be cultivated to understand the best uses (i.e., hotel tax, and \$50,000 weddings) for the site. Susan Lawrence, 105 Rock Maple, stated that historic houses need continual money and noted that many events are required to support a homestead. She suggested that consideration should be given to anyone interested in using the buildings. Maddern said the Incorporators will determine what the Town wants to do and look at alternatives.

- Phase II Zoning By-law Revisions – Discussion regarding principles for the next phase of zoning by-law revisions

Discussion ensued with Director of Planning and Inspections Patrick Reffett about working group on zoning by-law revisions, transfer of development rights, and development of landscape criteria for compliance, language revisions, flexible housing cluster housing, great estate overlay approach, assisted living fitting into demographics and financial incentive, and rethinking of parking requirement especially downtown.

Farrell concurred that landscaping design could be tied into the Town's design guidelines. Also, zoning dimensions for the business district that should be considered (i.e., setbacks from property line). In addition, evaluation of uses (i.e., bank proposed for garden center location).

Reffett explained that in Phase I people were cautious and wanted to focus on a clean-up of the existing by-law to make it legal, workable, and legible. On the Town's website is a diagnostic that the Town's zoning attorney has prepared to review the existing by-law identifying problematic areas that need attention.

The senior housing section is being pared down from 18 pages and has more review processes than it needs so it is being revised to be more manageable with less narrative. Wilson offered to rank the process and list of problematic areas and respond to Reffett.

Discussion ensued on possibility of a permitting fee for bed and breakfast use. This approach could bring new life to a lot of the magnificent structures in Hamilton. The zoning would make this viable for many properties to have a second life.

Hubbard opined about the Town's expectation for development relative to what was done in Amesbury with its Cumberland Farms building versus Hamilton's. The landscape material in Amesbury is more mature and provides a blocking screen. Likewise, Hubbard offered to provide feedback on the process list that Wilson offered to rank.

Reffett noted that Planning Board, Zoning Board of Appeals, Board of Health have not weighed in on the process list. This would occur as part of the discussion of licensing versus zoning. Also, a Phase II formulation process is envisioned for the Planning Board where public hearings will be held.

Johnson mentioned that the Town has large old homes with large acreage and suggested incentives for future uses could be given as an alternative to these estates becoming subdivisions. In addition 24% of the Town's population is elderly and when they want to downsize out of their properties there are no existing solutions for them to stay in Town. In part due to the price point for new construction senior housing (i.e., Patton Ridge and Boulders are not affordable). The Town needs to deal with allowing more density and more units per acres. Affordable, all senior housing would be cottage housing, townhouses, apartments or condominiums, as a solution for local seniors to stay in Town. Phase II can address affordable, moderately priced housing as not a risk to the community but a benefit. The BOS could show leadership to other Town boards.

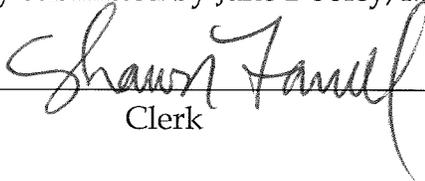
### **New Business**

The Selectmen's next meetings are on April 2 at the MRMS at 8:00 a.m., April 11 and April 25 at Town Hall. Maddern welcomed two of his new neighbors who were attending the meeting.

Maddern entertained a motion to enter into Executive Session, pursuant to M.G.L. Chapter 30A, Section 21(a)(2), to conduct a strategy session in preparation for collective bargaining with non-union personnel; M.G.L. Chapter 30A, Section 21 (3) to discuss

strategy with respect to collective bargaining with AFSCME Council 93 AFL CIO, Administrative Staff, Unit A, Hamilton Firefighters Local 3250, and Hamilton Police Benevolent Association, Inc. unions; and Town Manager as an open meeting may have a detrimental effect on the bargaining position of the Town as I so declare and not to return to open session at 9:40 p.m. Farrell so moved. Johnson seconded the motion. Roll call vote: Johnson, yes, Hubbard, yes, Wilson, yes, Farrell, yes, Maddern, yes.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:   
Clerk