

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
And  
FINANCE & ADVISORY COMMITTEE  
MAY 23, 2016**

The Board of Selectmen met with the Finance & Advisory Committee at Hamilton Town Hall at 7:00 p.m. on Monday, May 23, 2016 with Selectmen: Scott Maddern, Shawn Farrell, Jeff Hubbard, Bill Wilson, Allison Jenkins, and Finance Committee: Rick Sprenkle, David Wanger, Nick Tensen present. Town Manager Michael Lombardo, Finance Director Brian Connolly, Town Counsel Donna Brewer also present.

**Call to order**

Scott Maddern called the BOS meeting to order at 7:04 p.m. Rick Sprenkle called the FinCom meeting to order at 7:04 p.m.

**Public Comment**

None.

**Chairman/Selectmen reports**

Allison Jenkins provided update on recent police memorial, junior prom activity at Patton Park, and her attendance at annual procurement conference noting that communities are looking into aggregate electricity purchasing which Hamilton adopted at Town Meeting and could save \$30 per resident tax bill.

Shawn Farrell concurred about police memorial, and recommended residents attend the citizen police and fire academies. He noted that the Planning Board discussed policy regarding Chapter 40B and All Boards meeting to be hosted jointly with the Affordable Housing Trust (AHT) as well as by-laws rewrite. Also, that the CPC will be holding public hearing on May 24 at library and there is a CPC survey for residents. The Town wide survey received 1,000 responses and results will be compiled/discussed by BOS.

Jeff Hubbard mentioned upcoming Veteran's Affairs meeting, that the Memorial Day parade begins at Town Hall, and thanked A. P. Gardner post for coordinating these holiday events.

Bill Wilson summarized how the FinCom had discussed approach to FY'18 budget, there are open seats on that Committee, and it will meet with Wenham counterparts. Also, the HW School Committee had a workshop with expert consultant on that Committee's role. He noted that AHT had discussed size and scope of Longmeadow Way project at its recent meeting. In addition, that there is a concept summary for this Chapter 40B project and some of the AHT members do not support 108 units.

Maddern spoke to how Patton Homestead Board of Directors will be established and discussions about how to renovate the facility in preparation for events this summer. Also, that meetings have occurred relative to Longmeadow Way project and alternate sites in Town are being reviewed for affordable housing. In addition, that active duty personnel information is being collected for Memorial Day event. Also, Maddern met with some graduating seniors. He recognized Wenham Selectmen Chair John Clemenzi who was in attendance.

### Town Manager's report

Town Manager Michael Lombardo summarized how HW Library Director Jan Dempsey will provide an update at BOS June meeting. The list of candidates for his administrative assistant position is being compiled in preparation for setting up interviews. Tentative agreement has been reached with police and fire unions on contracts to start July 1. Responses from department heads on Personnel by-law rewrite are in and revisions started. The BOS goals workshop is scheduled 8 to 10 a.m. on June 4 at the public safety building. The auditors have been in for preliminary assessment. A second meeting with the Insurance Advisory Committee is on June 2 relative to changing insurance coverage, discussion about savings and conversion timing.

### **CONSENT AGENDA**

Maddern read the following:

- Approve a request from Sunday's in Patton Park to hang a banner at the Senior Center from Sunday, June 5 to Sunday, August 7, 2016
- Approve One-Day Liquor Licenses (Malt and Wine) requested by Fresh Food Catering LLC for public events at the Hamilton-Wenham Community House as follows:
  - Saturday, June 11, 2016, from 7:30 pm to 9:30 pm
  - Sunday, June 12, 2016, from 4:00 pm to 6:00 pm
  - Thursday, June 30, 2016, from 5:00 pm to 12:00 am

- Friday, July 1, 2016, from 5:00 pm to 12:00 am
- Saturday, July 2, 2016, from 5:00 pm to 9:00 pm
- Approve One-Day Liquor Licenses (Malt and Wine) requested by Kevin and Ann Kelley of Winfield, IL, for a private event at the Pingree School, June 25, 2016, from 5:30 pm to 10:30 pm
- Approve a One-Day Liquor License (All Alcohol) requested by the Essex County Trail Association for a private event at 746 Highland Street on Saturday, June 18, 2016, from 6:00 pm to 10:00 pm
- Recommend to the Moderator appointment of Will Potter to the Finance and Advisory Committee
- Approve minutes from **April 11, 2016** – Joint BOS & FinCom; and **April 25, 2016** – Regular and Executive Session

Hubbard so moved. Farrell seconded the motion. VOTE: Unanimous.

## AGENDA

- Bond Refunding/Refinancing – Approve refinancing the 2005 Public Safety Bond issuance in the amount of \$2,935,000.

Discussion ensued with Brian Connolly, Finance Director, regarding advice from the Town's financial advisor to refinance the 2005 Public Safety Bond for a savings of \$216,000 for the remainder term of the bond. In FY'17 the projected savings is \$21,000 a year. The refinancing fee cost is estimated at \$20,000 and there is no premium for refunding. The final interest rate will be 1.9% for a savings of 1.4%.

Maddern read the following motion: I move that the Treasurer is authorized to provide for the sale and issuance of bonds under M.G.L. Chapter 44, Section 21A to refund all or any portion of remaining principal of redemption, premium and interest on the Town's general obligation bond dated September 15, 2005 and for this purpose the Treasurer is authorized to provide the preparation distribution preliminary official statement provided however no bonds shall be issued under this vote unless and until final interest rates and other terms of the refunding bonds are approved by the Board. Hubbard so moved. Wilson seconded the motion. VOTE: Unanimous.

- Discuss qualitative requests to the School Committee

Discussion with the Finance Committee addressed how now is the best time to present qualitative requests to the School Committee relative to district agreement

reconsideration, representation amongst elected officials (1 Hamilton member on the School Committee), and apportionment (split of spending between Hamilton and Wenham) and extending three-year rolling average timeframe.

It was noted that waiting until September to engage about the HWRSD budget was too late. Also there is interest in receiving budget information from a level funded and level service perspective in an effort to highlight budget priorities. The two towns could request that the HW School Committee do a dual budget approach. This approach could also be done for all departments in Hamilton.

Also relative to apportionment, Wenham's school budget costs are up due to increased enrollment and an override may be needed in that community. Discussion amongst school committee and Town officials had addressed establishing a baseline and number of years for the rolling average in a longer timeline (i.e., 3 to 5 year would reduce swings in school budget increases). A five year formula could be implemented over a two-year period going from 3 to 4 to 5 year rolling average. There was suggestion that the allocation for school costs could be done by households. This concept has been hashed out in the past.

Another topic to be addressed is OPEB liability for HWRSD and how this cost should be folded into the budget. A funding rate should be defined and action taken soon. Discussion was on need for new roof at the HW Regional High School and if solar project could be incorporated.

Many Selectmen concurred with idea of reviewing multiple HWRSD budget scenarios (i.e., what if analysis to identify priorities moving forward). Hubbard opined his political concern about how the HW School Committee should be deciding what school projects should be cut. Wilson suggested that budget metrics should be defined to track year over year and compared to like school districts. Also noted was need to understand what external funding sources other school districts are using (i.e., grants) and how they can be leveraged.

Also addressed was the 10% declining school enrollment in the last 10 years as the Town's demographic gets older (i.e., 25% of Town's population is elderly) and what promotion could be done (i.e., publicize school district) to encourage young families to move to Hamilton. Hubbard opined that there is housing stock but ongoing cost of living in Town is prohibitive due to taxes. Discussion was with resident Marc Johnson who suggested that regarding a fair apportionment formula utilities, administration,

and capital costs could be allocated by household numbers. All possible scenarios regarding school costs will be done in concert with Wenham.

Jenkins mentioned that when parents are evaluating schools for their children, the private schools appear to do a better job providing opportunities for students to be shadowed for a day. She noted that HWRSD is not doing a good job opening doors for residents evaluating schools while protecting the district's students. Wilson concurred and suggested open houses at the public school would be a possibility for parent evaluation of the district's schools. Resident Fred Mills described how the City of Peabody had presented information to realtors (i.e., school system specifications) including feedback from parents. Sprenkle and Maddern will draft a summary of this discussion for moving forward on the topic.

- Longmeadow Way – Review draft agenda for All-Boards meeting scheduled for Wednesday, May 25, 2016 at 6:30 pm at the MRMS Multi-purpose Room

Discussion summarized agenda for the event where Town officials concurred on the content. Planning Board Chair Jeff Melick will moderate the meeting and Town Counsel Donna Brewer will be available to answer legal questions. AHT Chair Fred Mills noted that information will be provided relative to what the Town can and cannot control regarding Chapter 40B developments. Harborlight Community Partners representative Andrew DeFranza will attend to answer questions about the proposed development. All part of dialog with abutters who have expressed concern about effects on them and the entire community.

The Town currently has 3.2% of affordable housing stock and a number of units will sunset in 10 years bring the percentage down to 2.5%. Hamilton is shy of the 10% requirement for affordable housing by 218 units. If the Town had regular progress (i.e., 14 or so affordable units per year) it would have a safe harbor number associated with its five year Housing Production Plan where Hamilton is in year three. Hamilton has built seven affordable units in the last seven years. Hubbard noted that only urban areas versus suburban areas have achieved 10% affordable housing. Wenham is at 8% and still is vulnerable to a Chapter 40B development. Hamilton is vulnerable to Chapter 40A and B housing projects (i.e., another developer could come in before Harborlight). The Town wide discussion of Longmeadow Way has created awareness outside of Hamilton that the Town has only 3.2% affordable housing and there is a significant amount of land for sale.

It was noted that the AHT had voted that a 108 unit Chapter 40B project is too big. The Town protects itself by planning and permits count toward the percentage. A number of people in Town are looking at alternate sites in Hamilton for affordable housing. Also mentioned was how the City of Newton is at 10% and its housing trust works to maintain that and has partnerships with a number of developers (this was suggested for Hamilton). It was reiterated that the 30 year deed restriction on Annie's Way properties is coming off 2021. The 2010 federal census data is used to define housing units as adjusted by the state. Also noted was how seasonal units are at Asbury Grove and Chebacco Lake. Jenkins opined about whether or not these should be counted as well as how the housing units at GCTS should be counted.

Discussion occurred about the AHT vote about the number of proposed units for Longmeadow Way (4 for, 3 against, and 1 abstention). Also addressed was how the Town's Special Counsel had reviewed the Planning Board comprehensive permit policy and development guideline which that board is trying to follow although a developer is not legally required to follow, and it has not been voted on by the BOS. Hubbard opined that the Selectmen should let the community know where the Board stands on the policy. It was noted that the AHT and Planning Board hosting the meeting are following the policy. The Conservation Commission will attend this meeting. The Board of Health and HW School Committee will not be attending the meeting. The Council on Aging and Hamilton Housing Authority are aware of the project and will attend.

- Discuss and prioritize Phase II Zoning Bylaw revisions

All comments from Selectmen will be sent to Maddern so they can be consolidated.

- Liaison Assignments and Code of Conduct – Discuss liaison assignments and code of conduct and consider changes and any action relative thereto.

The Selectmen recently received their liaison role assignments as did the FinCom so one list will be created as a compilation between both boards. Discussion was on Code of Conduct that the BOS had voted on and adopted a few years ago based on information it had reviewed from other towns on how the Board conducts itself relative to its members, Town employees and the public. The FinCom agreed to come up with a similar code of conduct.

Maddern entertained a motion for the Board of Selectmen to accept the Code of Conduct. Wilson so moved. Farrell seconded the motion. VOTE: 4-0-1 with Hubbard abstaining since he is not in favor of this Code of Conduct since he believes the

Selectmen report to the residents of Town that voted for them. The Code of Conduct will be signed by the Board.

- Board and Committee Appointments – receive current list and discuss process for appointing/reappointing members to various boards and committees

The Board members in their liaison roles will contact individuals where reappointments will occur for the new fiscal year to assess their interest in reappointment.

- Receive Citizen's Petition for Special Town Meeting and refer to the Planning Board for Public Hearings; set date for Special Town Meeting

A citizen (Bill Dery) has provided signatures to the Town Clerk and requested a Special Town Meeting to change the site plan review from the Zoning Board of Appeals to the Planning Board. By law the Board has to refer this citizen's petition to the Planning Board within 14 days of receipt to hold public hearings. Town Counsel Donna Brewer advised that a Special Town Meeting has to be scheduled within 45 calendar days of receipt of the citizen's petition (i.e., by July 5, and warrant open, articles accepted and posted June 20).

Brewer opined that the Board had time to set the date for Special Town Meeting if there is enough time between the end of June and the Board's next meeting. The Town Clerk cannot certify the citizen's petition signatures until a date for Special Town Meeting is set. Brewer added that the Planning Board cannot hold its public hearing until two weeks have passed after publishing notice of the hearing in the newspaper and notifying abutters. After the close of the public hearing 21 days have to pass and report made at Town Meeting in order for Town Meeting to vote.

Maddern entertained a motion to set the Special Town Meeting date on July 5 at 7 p.m. Hubbard so moved. Wilson seconded the motion. VOTE: Unanimous.

Discussion was on how it will cost the Town as much as \$6,000 to hold a Special Town Meeting and citizen's petition group wants to move forward before fall Town Meeting is held with a separate Town Meeting. Also discussed was what is the threshold for number of signatures for a Special Town Meeting (i.e., 10 signatures) and if additional warrant articles can be added.

Maddern entertained a motion to open the warrant for the Special Town Meeting on July 5, 2016 at 7 p.m. Farrell so moved. Wilson seconded the motion. VOTE:

Unanimous. Lombardo will create schedule for the Special Town Meeting including warrant hearing date.

Maddern read the following May 19, 2016 letter from the Town Moderator Jennifer Scuteri: RE: Citizen's petition to change site plan review (See attached to these minutes).

Hubbard opined that he thinks the Town Moderator comes very close to crossing the line in terms of roles and responsibilities that he does not believe is the Town Moderator's responsibility to determine whether or not there is validity to a citizen's petition. She should make sure the meeting happens and happens fairly. He expressed concern to hear a Town Moderator get involved in the level of detail the Board just heard.

Maddern entertained a motion to refer the citizen's petition for site plan review to the Planning Board for a public hearing. Hubbard so moved. Jenkins seconded the motion. VOTE: Unanimous.

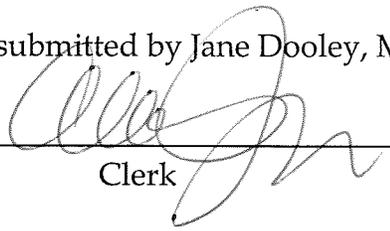
#### **NEW BUSINESS**

Discussion addressed how future topics could include implementation of an employee survey, a policy on citizen's petition, rank policies to be addressed (i.e., personnel and financial), document policies from other Town boards and committees, create a binder for new board members with specifics about what is required in those roles, analysis of Town wide survey data, and summary response from the Town regarding the Senate bill on comprehensive zoning and land use.

Maddern entertained a motion for the BOS to adjourn at 9:02 p.m. Hubbard so moved. Wilson seconded the motion. VOTE: Unanimous. Sprenkle entertained a motion for the Finance & Advisory Committee to adjourn at 9:02 p.m. David Wanger so moved. Nick Tensen seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

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

  
Clerk