

**TOWN OF HAMILTON
BOARD OF SELECTMEN
JANUARY 18, 2011**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Tuesday, January 18, 2011 with William Bowler, Jennifer Scuteri, David Carey, Marc Johnson and Jeff Stinson present. Town Manager Michael Lombardo and Fire Chief Phil Stevens also present.

Town Manager's Report

Town Manager Michael Lombardo asked residents to shovel out snow by fire hydrants located near their homes. Fire Chief Phil Stevens said public employees had cleared most of Town's fire hydrants.

Lombardo and Police Chief Russell Stevens are working on old snow emergency policy to address resident parking on Town streets during snowstorms. A revised policy will be brought before voters at Special Town Meeting in fall.

Lombardo gave brief update on Michael Marchand litigation. He said it is almost a given that the court will accept a recently filed amendment to original complaint from Marchand. Limited discovery should continue for a maximum of eight weeks. A summary judgment date would likely take place this summer. The judge will then decide on case (i.e., whether or not to dismiss).

Jennifer Scuteri and Gretel Clark will accept award for Town's organic recycling program at upcoming Mass. Municipal Association awards ceremony.

One Day Liquor License – Community House

Gourmet Delights is catering three events at Community House requiring one-day liquor license approval by Board. TIPS-certified bartenders will be used and caterer is up-to-date on paying meals tax.

Scuteri entertained a motion to approve a one-day liquor license subject to notification to Town Manager Michael Lombardo that police detail will be at birthday party event with as many as 100 people on January 22 from 12 p.m. until 12 a.m. at Community House. Marc Johnson so moved. Jeff Stinson seconded motion. VOTE: Unanimous.

Scuteri entertained a motion to approve a one-day liquor license (malt and wine) for Essex Garden Club at Community House on February 2 from 5 p.m. to 12 a.m. for 40 to 60 people. William Bowler so moved. Johnson seconded motion. VOTE: Unanimous.

Scuteri entertained a motion to approve a one-day liquor license on February 12 from 6 p.m. to 12 a.m. with an expected attendance of 90 people for a birthday party to be held at Community House. All alcoholic beverages will be served. Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

Interim COA Director – Confirmation of Susan Carp

Seven people were interviewed and Susan Carp was named as interim COA director. She will work 40 hours a week for approximately \$15 an hour. Her responsibilities include overseeing senior van drivers and scheduling of van as well as working on by-laws and shared programming for COAs in Hamilton and Wenham. Lombardo said situation would be evaluated in six months.

Johnson moved that Board confirm appointment of Susan Carp as interim COA director. Bowler seconded motion. VOTE: Unanimous.

Community Survey

Lombardo is working with a company that can create a community survey to be done by residents online and through some hard copy to assess citizen preferences and priorities regarding Town services and how tax dollars should be spent. Trend data could be collected to understand if residents believe improvements are being made in Town government. Wenham residents could respond to a section of survey but only for joint programs.

Lombardo said reports and data would be compared to other jurisdictions. Selectmen will separately send suggestions to Lombardo about what they want included in survey. Community survey should be finalized in two to four weeks.

FY'12 Budget Status Update

Lombardo said there should be no increase in amount of Hamilton tax dollars slated for FY'12 school budget as compared to what Town had budgeted for schools this year. There could be a 6% to 10% cut in state local aid coming to Hamilton for FY'12.

Regional ECO

Board discussed whether or not to make a decision about joining regional ECO to be built by state in Middleton. Topics ranged from finding out what prompted decision by Amesbury, Beverly, Essex, Middleton, Topsfield and Wenham to agree to join regional dispatch center. Considerations for those communities could be increased dispatch service, lower costs, and reliable state funding.

Discussion focused on cost, level of service including state-of-the-art technology, political trend toward regionalization, management, funding, and use of Hamilton's public safety building.

Concerns Selectmen and Lombardo had about proposed regional ECO included lack of detailed information from the state especially on costs and it could take as long as two years before state has new facility built and operational.

Wenham has agreed to go to Middleton dispatch center opting out of regional dispatch agreement with Hamilton as lead town. Lombardo is discussing with Wenham town administrator Jeff Chelgren timeline on cessation of joint agreement based on built-in schedule and move to Middleton facility being dependent upon construction completion.

If Hamilton provides dispatch service independently from Wenham, there would be loss of revenue from Wenham and 911 state grants for a regional system since there would only be one community served by local ECO.

Bowler expressed concern about how Town plans to pay an additional \$250,000 annually to provide dispatch service going it alone without Wenham and 911 grant funding. It is thought Hamilton's annual cost for dispatch service would go down if it joined the regional ECO at \$16.26 per capita.

There was discrepancy between Board members about facts related to cost of operating local ECO and Wenham's share as well as savings with regional ECO.

Discussion was on neighboring towns approached to join Hamilton's dispatch system but no interest to date. Some Selectmen thought this should be revisited. Wenham has Lombardo's analysis information on regional ECO.

Scuteri entertained a motion to table decision about whether or not to join regional ECO to before Annual Town Meeting or until Town manager informs

Board of a substantive change (i.e., another community wants to join Hamilton's system). Stinson so moved. Johnson seconded the motion. VOTE: 4-1-0 with Bowler opposed.

Discussion of Open Meeting Law and Reporting Media

Discussion was with reporting media (Bobby Gates from Patch news website) about Open Meeting Law in regard to when Board minutes should be made available to public. Specifically, when a request for minutes is received, after the minutes are written should they be distributed immediately or within 10 days in draft or approved form.

Both Lombardo and Gates had reviewed law and consulted with state agencies for an assessment on OML minute release requirements in response to a request.

The Board was interested in complying with OML and thought the minutes should be created in a timely manner and approved within 10 days then released. If minutes and draft reports (i.e., operational audit) are not privileged by an exemption (i.e., deliberative process for policy development that could be tainted if report was prematurely disclosed. Town Counsel Donna Brewer has said draft budget documents qualify under this exemption).

Scuteri as chair should review old executive session minutes to see if any could be released at this time.

BOS Goals and Objectives – Revenue

Selectmen continued their discussion on goals and objectives to bring revenue into Hamilton and assigned teams of Board members to work together.

Areas reviewed included proposed senior housing development at Canterbrook Farms, cost of landfill closing and future development as well as Chapter 43D economic incentive, expansion of commercial overlay district, personal property tax for home businesses, P.I.L.O.T programs especially with Pingree School, locating list of tax title properties that Town approved for sale at annual Town Meeting a few years ago (in ATM meeting minutes in Town clerk's office – when Jim Bryant was Selectmen chair and Steve Kenney was DPW director), Green grant and assessment of solar use at Miles River Middle School and Hamilton-Wenham Regional High School as well as Hamilton public safety building, state

grants for recreational space, Town fees including one-day liquor license, organic recycling program, and excise tax collection.

Accept Minutes: Regular and Executive Session: January 10, 2011

The vote was postponed.

Other business – schedule next BOS meeting

Bowler, Stinson and Scuteri will correspond via email about seminar attendance at upcoming MMA conference.

Selectmen will meet again on Monday, January 24. The Board will also attend a joint meeting on January 27 about the operational audit for the schools.

Scuteri entertained a motion to appoint Fred Mills to Hamilton Municipal Affordable Housing Trust for a three-year term ending June 30, 2013. Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

Scuteri entertained a motion to appoint Peter Britton to Hamilton Municipal Affordable Housing Trust for a three-year term ending June 30, 2013. Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

Discussion was on potentially disbanding Affordable Housing Trust Committee.

The Recreation Director's position will be posted because Melissa Roy is not coming back from maternity leave.

Scuteri entertained a motion to adjourn at 9:45 p.m. Bowler so moved. Stinson seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____
Clerk