

**TOWN OF HAMILTON
BOARD OF SELECTMEN
MARCH 8, 2010**

The Board of Selectmen met at the Hamilton Town Hall at 7:00 p.m. on Monday, March 8, 2010 with David Carey, William Bowler and Jennifer Scuteri present. Finance Director Deborah Nippes-Mena, DPW Director John Tomasz, and Town Administrator Candace Wheeler also present.

Marchand case update

Discovery is ongoing in the Marchand litigation case. Depositions will occur with 12 individuals, become part of the record and the process will take until June. Until this process is completed, there is not usually a settlement for a case.

The plaintiff's attorney Michael Sacco has argued to receive more documents that the Town is holding under attorney client privilege. MIA Defense Attorney Doug Louison is deciding whether or not to release those documents.

Overview of Town Manager candidate interviews

The Board interviewed three finalists for Town manager on Friday, March 5 and Saturday, March 6. Candidates were questioned about their people management skills, background or interest in regionalization and what they foresee as plans for the future in Hamilton including business development. Also discussed was what the candidates thought they could get done for the Town during a three to four year contract period. Candidates were told that the Town's goals are to reduce costs, increase revenue, manage people and risk as well as the Town's assets and improve services.

List of community priorities to provide to Town Manager candidates

Meeting attendees said skills to interact with the community including Town officials and the School Committee were important. Also, that the Town manager would have to be persuasive when dealing with a disparate group of people in Hamilton. The Town manager will have authority that the Town administrator did not have so this person should not micromanage Hamilton's local government.

The Selectmen are going to meet individually with each candidate before the Board convenes on Thursday, March 11 at 5 p.m. to decide which person should be offered the Town manager's job.

Organics – Intermunicipal Agreement

Discussion was on an intermunicipal agreement between Hamilton and Wenham for a volunteer organic waste program to be done with New England Solid Waste Incorporated. A pilot year is proposed for the program that will not require the use of municipal funds. Program participants will pay \$29 for bins and these funds will go into the Town's waste enterprise fund. They will also pay a \$75 annual fee for organic waste pickup. The program will be implemented if Wenham also signs the intermunicipal agreement.

David Carey entertained a motion to approve and sign the intermunicipal agreement between the towns of Hamilton and Wenham for a pilot curbside organic waste program. William Bowler so moved. Jennifer Scuteri seconded the motion. VOTE: Unanimous.

Award contract for media replacement at water treatment plant

The Town received five bids to upgrade the water treatment plant and the low bid came in at \$253,491. This is \$30,000 under budget. A letter will be sent to the contractor stating that the Town needs to receive the insurance and bonds in one week's time. The Town's water should be much better as a result of the upgrade. The notice of award will be signed tonight and contract signed next week.

Carey entertained a motion to sign the notice of award for North Atlantic Coastal Region Constructors. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Comcast Memo of Understanding

Comcast will install and maintain a fiber link that will replace a deteriorating metal cable that goes from the Hamilton-Wenham Regional High School to the head end station in Beverly. This is the main trunk line coming down Route 1A and should improve the local cable television transmission signal.

Carey entertained a motion to sign a memorandum of understanding regarding the construction of the Comcast fiber link, dated March 8, 2010. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Declare that damage from storm 2/25/10 – 2/27/10 created emergency

The Board had previously signed a letter to the Department of Revenue asking for approval to deficit spend related to costs (\$80,000) the Town incurred with clean up after the recent wind storm.

Carey entertained a motion to declare an emergency that occurred from February 25 to 27. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Exempt certain volunteers from state Ethics Commission required online training

Town counsel has approved the Town Clerk's proposal to exempt short-term volunteers who work at the library, schools and seasonally in Hamilton from the state Ethics Commission online training requirements.

Carey entertained a motion to exempt certain Town workers and employees from the training requirement of the State Ethics Commission mandatory education and training. Bowler so moved. Scuteri seconded the motion. VOTE: Unanimous.

Draft of proposed warrant for Annual Town Meeting

Discussion on how it is less expensive for the Town to hold Annual Town Meeting at the regional high school rather than Winthrop Elementary School. A draft warrant has been created including standard financial items and some zoning and planning articles.

The Community Preservation Committee article will be discussed on March 10, the Finance Committee votes the FY'10 budget on March 17, the School Committee will vote on the school budget on March 31 and the warrant will be voted and closed on April 5. Residents will get the warrant in the mail a week before the ATM on May 8. The Town election is May 20 and two new Selectmen will be sworn in on that date and join the five-member board.

Choose date for Special Town Meeting

Saturday, October 30 was chosen as the date for Special Town Meeting in the fall.

Determine which Selectman will attend Common Cause award ceremony

Scuteri agreed to attend.

Carey entertained a motion to go into executive session at 8:09 p.m. not to return to open session for the purpose of discussing strategy for the Marchand litigation case. Bowler so moved. Scuteri seconded the motion. The roll call vote was unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____
Clerk