

TOWN OF HAMILTON
BOARD OF SELECTMEN
MARCH 19, 2012

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, March 19, 2012 with Jennifer Scuteri, David Carey, Marc Johnson, Jeff Stinson and Jeff Hubbard present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena, and DPW Director John Tomasz also present.

Call to order

Chair Jennifer Scuteri called the meeting to order.

Accept minutes (March 5th Regular and Executive Session, March 12th, 2012)

Selectmen will accept at an upcoming Board meeting.

Public Comment (3 minutes on topics not already on agenda)

Sue Catera, 359 Lake Drive, Matthew and Deena Winston, 233 Lake Drive, and Josh Schatman, 166 Lake Drive, spoke on behalf of a group of Lake Drive residents about the Town's intention to sell Town-owned parcel Lot 6 on Assessor's map 54. This parcel is one of a number of excess Town-owned parcels that Town Meeting voted to sell in 2006. Catera had an informal petition containing 70 names of people interested in preserving the parcel under Town ownership.

Discussion was on resident interest in the Town keeping the property since many citizens including Wenham residents use the parcel and it has access to Pleasant Pond.

Selectmen Jennifer Scuteri and Marc Johnson along with Hamilton resident Margot Killoran had viewed property and decided due to limited parking in area and difficulty it would present to the general public to get a boat in and out that the Town should proceed with the sale. With the thought that an association of neighbors could buy it since it has a lot more value to the nearby residents versus the Town as a whole. Town officials had discussed calling the parcel "Idlewood Park" and designating two parking spaces for public use.

The Town is currently in the bid process for the property with a \$20,000 minimum bid and that process will be completed. Since it is a Town-owned parcel, abutters did not have to be notified of RFP process for sale of land. The Town has the right to accept or reject any bids and the Selectmen determine whether or not to approve a sale of Town-owned land.

Discussion with residents about possibility of another Town Meeting two-thirds vote that could reverse the first vote to sell the Town-owned parcel. Selectmen did not vote on this matter since it was not on the meeting agenda. The Board notified residents that an article asking for another vote on the parcel could be added to the ATM warrant but this does not bind future Town Meeting decisions on the parcel.

Town Manager's report

Town Manager Michael Lombardo reported that official trash bins are being distributed this week and will contain an information sheet, Q&As about the program, a ready reference brochure funded in part by DEP (with details about leaf and yard waste) and recycling trash bin sticker for use with residents' existing trash bins. The first full week of the program begins on April 5, 2012. Cardboard will be recycled although large quantities can be brought to the DPW yard on the third Saturday of each month.

Chairman/Selectmen reports

None.

Representative Brad Hill – Legislative Issues

Rep. Hill mentioned that bill on Town's Home Rule Petition for Hamilton Development Corporation would be going into study this week after legal notice runs in Thursday's newspaper.

Discussion about local aid relative to \$900 million of state funds with \$150 million going to pay for legal immigrant healthcare through Medicaid, reversions up to \$65 million making cuts whole in FY'12 local aid coming back to municipalities through local aid formula to be accepted through Town Meeting, Chapter 90 \$200 million statewide with no municipality bonding likely this year, and that general government aid (a.k.a. lottery funds) will be level funded.

Mention of state-owned land and P.I.L.O.T. that state pays municipalities where land is located. Chapter 70 will be level funded with \$150 million of extra dollars due to Education Reform Act with every school district in Commonwealth remaining at foundation level. Two-thirds of districts did not receive any more money.

He noted that lottery is unsustainable and that formula should be decreased in communities where student population has dropped. Regional school transportation reimbursement program has taken a hit. State was originally supposed to pay this expense.

Discussion about single community school districts using transportation fees (i.e., Beverly and Ipswich). Hill has an amendment to increase the regional transportation reimbursement budget line item and if communities do not receive 65% then they would be allowed to charge bus fees.

Discussion about SPED Circuit Breaker reimbursement last year being 30% to 40% and that Governor is proposing 72%, and school choice at \$5,000 per student where there is a possible FY'13 amendment to raise dollar amount that can be charged although some districts are losing money with kids leaving.

Discussion about unfunded liabilities such as Medicaid and healthcare, pensions, retirement and retiree healthcare (i.e., OPEB) drawing on tobacco trust. Marc Johnson offered to send Hill suggestions on this matter. Hill noted that there will be some state grants funded in the state budget.

Discussion clarified Community Preservation Act bill from Senator Tarr and that fee structure for funding CPA cannot be increased easily since CPA state funding comes from housing sales and housing market is not good. Hill asked Board for letter of support for bill. Hamilton is interested in freeing up some of the Town's CPA funds (i.e., revitalization of existing playgrounds) that could only be done if legislation is changed.

Action cannot be taken on bottle bill in proper timeframe so it is likely to go into a study, sponsors will amend to put into budget, but lagging economic recovery continues to impact retailers. Jeff Hubbard will provide Hill with list of \$1 million school mandates.

Designate Asbury Street as Purple Heart Trail

Jennifer Scuteri moved that Asbury Street as located in the Town of Hamilton be designated and known honorifically as a Purple Heart Trail in recognition and honor of the men and women wounded or killed in the line of their military duty. The Department of Public Works shall erect and maintain three suitable markers bearing this designation at or near the following locations: the intersection of Asbury Street and Bay Road (Patton Park), the intersection of Asbury Street and Highland Avenue and the Patton Homestead, 165 Asbury Street. Seconded by Jeff Stinson. VOTE: Unanimous.

ECTA Trail Maintenance Agreement for Donovan Fields

The Board will discuss this at an upcoming Selectmen's meeting.

Appoint Veterans Graves Officer

Scuteri entertained a motion to appoint Greg McKenna as Veterans Grave Officer until June 30, 2012. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Appoint Planning Board Alternate

Scuteri entertained a motion to appoint Ronald Rizzotti, Jr. as Planning Board Alternate until June 30, 2012. Hubbard so moved. Stinson seconded motion. VOTE: Unanimous.

One Day Liquor License –HW Community House 3/22/12

Scuteri entertained a motion to approve a one day liquor license for the HW Community House on March 22, 2012 from 7 to 10 p.m. Stinson so moved. Johnson seconded motion. VOTE: Unanimous.

One Day Liquor License –HW Community House 3/24/12

Scuteri entertained a motion to approve a one day liquor license for the HW Community House on March 24, 2012 from 3 to 10 p.m. Johnson so moved. Hubbard seconded motion. VOTE: Unanimous.

Water Bill Dispute – Policy Discussion

Lombardo and DPW Director John Tomasz described a situation where a resident's water bill had been estimated for four quarters in one year's time due to broken municipal meter reader that has since been repaired.

The resident received an actual meter-read bill in the fifth quarter that revealed an additional 40 gallons of water usage per day in the past four quarters. So Town billed for the yearlong overage, according to policy at \$7 per 1,000 gallons for the total of approximately 15,000 gallons of water use. Since that time, the Town has offered the resident an abatement by reducing the overuse charge to \$4 per 1,000 gallons representing a \$63.80 reduction on a \$97 bill to \$37.50.

Discussion about letter from Town that resident received containing suggestion of possible causes of additional water usage (i.e., pool, plumbing, garden). Also discussed was whether or not the reduction in charge for water used as determined by meter reading was a fair compromise. Board thought process was followed according to policy especially since the water consumed was registered on the resident's water meter. Scuteri invited the resident to formally ask for an abatement that could be discussed with the Selectmen.

Sign Intermunicipal Agreement for shared COA Director

Discussion about modest budget increase to COA Director's budget. Input is needed from senior community about a merged COA director, as well as a three-year business plan would be required to incorporate additional staff to assist with programming. A successor agreement can be used.

Scuteri entertained a motion to authorize Town Manager Michael Lombardo to sign an intermunicipal agreement between Hamilton and Wenham for the COA Director for a term ending on June 30, 2013. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Lombardo will provide an update on this matter at the Board's working session next week.

Approve application for Green Communities Grant

This grant could help with energy efficiency controls at the school facilities to reduce energy bills.

Scuteri entertained a motion approving Town Manager Michael Lombardo applying for Green Communities Grant. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Approve participation in the Solarize Massachusetts program

Participation in this program will not cost the Town as it takes a leadership role as a Green Community and gives Hamilton and Wenham homeowners an opportunity to work with providers of solar PV. This program is being marketed by the state.

Scuteri entertained a motion to authorize Selectman David Carey to submit the proposal on the Town's behalf to participate in the Solarize Massachusetts program. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Review Warrant Articles

Scuteri mentioned recommendations from operational audit of the HW Regional School District that was completed September 2010 and that push back should be done with the HW Regional School Committee since benchmarking is needed and the operational audit should be supported. It was noted that there is no longer any funding for further operational audit work.

Discussion was about the HWRSD needing to comply with the requests from Finance Committee chairs in Hamilton and Wenham for a thorough FY'13 school district budget with actual numbers that is clearly defined by school and gives details on SPED costs.

Discussion about adding a placeholder for a public Idlewood Park at the Lot 6 parcel on Lake Drive currently owned by the Town.

Discussion about citizen petition for sidewalk on Essex Street and whether or not CPA funds would be applicable and that money would not be used from the Town's Free Cash for this purpose.

Discussion about if CPA funds are going to be used for Discover Hamilton trail easement where Town would be co-holder of the easement with Essex County Trails Association (ECTA) that would be responsible for maintenance. Also, that the trails should be maintained in such a way to be as accessible as possible and must provide full public access.

Discussion about prioritization of needed water distribution system repairs based on age of pipes carrying water in Town's system (i.e., pipes in downtown Hamilton are typically 70-years-old and older). Also mentioned was low cost financing possibilities, and opportunity to tap into state revolving fund, available to the Town based on intended improvements.

Discussion on CPA funds not being available for downtown improvements and possible use of Meals Tax revenue for this purpose. Merchants will provide feedback on this proposal.

Scuteri entertained a motion to include the vote to reconsider the Town Meeting decision in 2006 to sell (Town-owned land) Map 54, Lot 6 otherwise known as "The Wall". Hubbard so moved. Stinson seconded motion. VOTE: Unanimous.

Discussion about taking appropriation transfer for two CPC projects to a Combined Town Hall combined design and engineering off of ATM warrant. A presentation could be done on this at STM.

Close Town Meeting Warrant

Scuteri entertained a motion to close the Town Meeting Warrant for the ATM to occur on May 12, 2012. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Other business

Next BOS meeting is March 26.

Scuteri entertained a motion for the Board to adjourn at 9:45 p.m. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____

Clerk