

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
MARCH 21, 2011**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, March 21, 2011 with David Carey, William Bowler, Jennifer Scuteri, Marc Johnson and Jeff Stinson present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena, DPW Director John Tomasz, Finance Committee chair John McWane and Community Preservation Committee chair Tom Catalano also present.

**Accept minutes – Regular Session: (February 22, March 1, March 7, 2011)**

Jennifer Scuteri asked that the March 1, 2011 regular session minutes be put on hold. Board members had received a guideline for meeting minutes that they will review to decide how to handle when inaccurate information is presented at a Board of Selectmen meeting.

David Carey entertained a motion for the Board to accept the March 7, 2011 regular session Board of Selectmen minutes. William Bowler so moved. Jeff Stinson seconded motion. VOTE: Unanimous.

Carey entertained a motion to approve the February 22, 2011 regular session Board of Selectmen minutes. Bowler so moved. Stinson seconded motion. VOTE: 3-0-2. Scuteri and Marc Johnson abstained since they did not attend meeting.

**Public Comment**

Resident Bob Gray noted that a condensed version of the operational audit report for the schools was available in hard copy and on the Enough Is Enough website.

**Town Manager's report**

Town Manager Michael Lombardo thanked the First Church in Wenham for a \$1,000 recycling grant, mentioned that the lights at Patton Park are being installed in the most cost-efficient and quickest way to connect electrical system to National Grid, the granite steps under construction at Town Hall should be completed by week's end, the sale of the Town-owned land at Hatfield Road was finalized for \$181,500.00, and a grants request was filed with MIIA for \$10,000 for

a tree assessment in Hamilton and Wenham regarding tree canopy in right of way and need for pruning. Any tree work to be done by Town personnel would be done within standard operating procedures and risk parameters.

Also mentioned by Lombardo was that Open Meeting Law training would be provided for Hamilton's boards and committees so members can learn the requirements of the law.

In addition, a resident survey is going to be implemented soon on the Town's website. A random sample (25%) of Hamilton households will receive postcards asking them to go online and answer questions about the operation of the Town.

In response to a request to move the Town elections from the Winthrop School, Lombardo and Town Clerk Jane Wetson toured municipal buildings to find a new voting location. It was decided that the old Hamilton public library building was best suited for the purpose but that modest improvements such as a second egress were necessary. It would cost approximately \$2,000 to pay for the improvements.

**Pay As You Throw (PAYT) recycling presentation**

Presentation by Marc Johnson on Town's consideration of trash pickup in Hamilton paid for entirely by residents rather than through 5% of property taxes in a full-fledged Pay As You Throw program. Currently, Hamilton's PAYT program gives residents one free barrel and additional solid waste disposal bags costing \$1.75 each.

The Town's pilot organic recycling program is being used by as many as 577 residents at an annual cost of \$75 and \$29 fee for plastic bin, both paid by each household. This program was originally presented to the Selectmen as having no expense for the Town but due to an insufficient number of participants to sustain the program a \$6,000 subsidy was required. Wenham paid the subsidy, according to Gretel Clark of the Recycling Committee.

Organic waste will no longer be disposed of at landfills or at incinerators in a couple of years. Lombardo mentioned that to address this future development, an anaerobic digester at the Chebacco Road landfill to manage organic waste is under discussion by Town officials.

A full-fledged PAYT program would have a roughly \$203 per household yearly cost and would include approximately \$30,000 annual Town administrative costs associated with the program even if citizens pay individually for trash pickup. There are many pricing scenarios, but among one being considered additional bag cost under this scenario would be approximately \$0.75 for small bags and \$1.50 for large bags.

If Hamilton residents paid individually for trash disposal it would enable the Town to reduce its budget by approximately \$400,000 a year. Annual savings would not be redirected to other programs, according to Lombardo.

Carolyn Dann from the Department of Environmental Protection said 132 of the 351 municipalities in the state use some form of a PAYT program, 90 charge an annual fee for transfer station use and four have reverted back to more traditional solid waste disposal.

Lombardo said a white paper on PAYT is being developed now. He noted that the Selectmen could make the decision about what trash pickup methodology is used in Town without Town Meeting approval. Selectmen thought a change to a full-blown PAYT program would require time to educate the community with vetted numbers at Town Meeting and other local forums with a vote likely at Special Town Meeting in the fall.

**Discuss cultural event with HW Cultural Council**

Katie Moran from the Hamilton-Wenham Cultural Council said there would be \$8,500 available to be dispersed from the state to the council for use in 2012; proposals are due in October.

She'll meet with Lombardo to flesh out details on cultural events that could occur in Town such as farmer's markets and/or street festivals with visual and performing arts and crafts that focus on the uniqueness of the communities. Lombardo is working on the logistics for these events with Planning Board Coordinator Marcie Ricker. Carey said the intent is to have these events occur somewhere between Pingree and Patton parks in Hamilton and Wenham.

**Application for One-Day Liquor License – Gourmet Delights Catering**

Scuteri entertained a motion to grant a One-Day Liquor License to Gourmet Delights Catering for April 2, 10 to 4 p.m. at the Community House of Hamilton-

Wenham (for a birthday party with all TIPS-certified bartenders). Johnson so moved. Bowler seconded motion. VOTE: Unanimous.

Scuteri entertained a motion to grant a One-Day Liquor License to Gourmet Delights Catering for April 17, 2 to 11:30 p.m. at the Community House of Hamilton-Wenham (for a wedding with 85 people). Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

**Community Preservation Committee discussion on FY'12 recommendations**

Tom Catalano described the following list of Community Preservation Act FY'12 recommendations for Annual Town Meeting:

1. Patton Park Cannon Wheel Restoration: \$2,300, Historic Preservation as proposed by DPW Park Staff;
2. American Legion Heating System Upgrade: \$42,200, Historic Preservation as proposed by American Legion,
3. Restoration of Essex County Map: \$10, 925, Historic Preservation as proposed by Town Clerk Jane Wetson,
4. Old Library Preservation: \$26,950, Historic Preservation as proposed by DPW for painting, roofing and ADA accessibility,
5. Hamilton Municipal Affordable Housing Trust: \$125,000, Community Housing as proposed by MAHT for acquisition of affordable housing restrictions on existing homes in Town that qualify for affordable housing in exchange for funds for home improvements,
6. Discover Hamilton Trail: \$25,000, Recreation as proposed by Essex County Trails Association for deed research and acquisition of easements to create trails and maps,
7. Donovan Bond Payment: \$56,837.50, Open Space to fund FY'12 bond payment for Donovan open space acquisition,
8. CPA Administration: \$25,000, 5% of revenues for administration cost for annual Community Preservation Coalition membership and salary for part-time CPC Coordinator position.

Discussion on lack of formal decision on future use of former Hamilton public library building although Council on Aging and Hamilton-Wenham Recreation use it extensively.

Also, that the Town owns the American Legion building, and that there should be assurance that pedestrians and bicyclists as well as equestrians can use the Hamilton trail network.

In regard to the proposal by the MAHT, Johnson expressed his concern about deed restrictions only benefiting existing property owners and not surviving ownership changes.

Catalano mentioned that the Town is ready to move ahead with the construction of the Model T building in a location by the former Hamilton public library building but the structure could be easily moved if necessary.

**Request from Community Preservation Committee for temporary signage**

Scuteri entertained a motion to approve placement of temporary signs by the Community Preservation Committee at Community Preservation Act-sponsored projects. Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

**Accept resignations of Ann Cleveland and William Jenkins from Council on Aging committee**

Scuteri entertained a motion to accept resignations of Ann Cleveland and William Jenkins from Council on Aging committee. Bowler so moved. Stinson seconded motion. VOTE: Unanimous.

**Appoint Betty Gray and Emily Cook to Council on Aging committee**

Scuteri entertained a motion to appoint Betty Gray and Emily Cook to Council on Aging committee until June 30, 2011. Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

**Gift Acceptance Agreement – High Tech Electrical Contractors, Inc.**

Scuteri entertained a motion to accept a gift from High Tech Electrical Contractors, Inc. with a value of \$4,000.00 for the installation of light poles at

Patton Park to include setting the poles onto the concrete bases. Stinson so moved. Bowler seconded motion. VOTE: Unanimous.

**Budget update**

John McWane said \$275,000 overcharge error found in this fiscal year's budget was corrected by putting money back into FY'12 budget. He noted that the cherry sheet and local receipt dollars are down. The meals tax revenue will be shifted from the General Fund into the Stabilization Fund.

Discussion on \$300,000 in revenue paid by residents to regional school district in the last three years for full day kindergarten fee. This money will likely be used to reduce the FY'12 school budget rather than be added to the school department's reserve fund. This still requires a vote by the Hamilton-Wenham Regional School Committee. Selectmen were in favor of the money being used to reduce the school budget.

The school district had under spent last fiscal year's budget by \$981,000 partly due to spending was not up to 2.5% (some will be used towards the \$600,000 out-of-district SPED costs) and \$300,000 was set aside to pay unemployment for laid off teachers last year but staff cuts did not occur.

Also discussed was the school district's intention to add four teachers next school year that would be funded with savings identified in the operational audit. Lombardo expressed concern that savings might not be found to fund these positions.

School Committee will vote on the final school budget on March 31. Hamilton's Finance Committee is meeting this Thursday to finalize Town budget. The full impact on the FY'12 Town budget is the tax levy will go up \$182,000, less than 1%. A thorough explanation of the Town's budget will be given at the Selectmen's meeting next week.

**Discuss disposition of land obtained by Town for Tax Title**

Lombardo said under the tax title process if a parcel is held as a tax title property the Board of Selectmen can dispose of it without having to go to Town Meeting for approval.

**Review draft of Town Meeting warrant**

Board briefly discussed Town Meeting warrant articles including possibility of advisory vote on Home Rule petition promoted by multiple communities to the Legislature regarding reforming health insurance plan design to separate it from collective bargaining.

Scuteri entertained a motion to add health plan design, with similar language to what Topsfield used, as a warrant article. Bowler so moved. Johnson seconded motion. VOTE: Unanimous.

A placeholder will be added on the Annual Town Meeting warrant in case there are any tax title properties for review.

**Close Warrant**

Scuteri entertained a motion to close the warrant for the May 14, 2011 Annual Town Meeting. Bowler so moved. Johnson seconded motion. VOTE: Unanimous.

**Discuss thermal imaging with HW Green**

Carey said Hamilton Wenham Green is promoting a company that would do thermal imaging to identify heat loss for all homes in Town at no cost and it would rank the buildings. The homes with the highest heat loss would receive a post card from HW Green (production/ mailing cost could be \$1,000) explaining how to get a free utility audit, grant money for insulating and possibly financing.

North Shore contractors could receive a listing of multiple homes suffering from heat loss. If this resulted in a large enough volume of insulation work for the contractors, homeowners could realize reduced costs. Board discussed homeowner privacy/legality concern and thought this could squelch proposal.

**Discuss Board Policies and Media Relations**

Scuteri discussed with Stinson, media training the Board previously underwent with Jeff Nutting, Franklin town administrator, and the Board's policy regarding media relations.

She said that interactions with the press should be done by team approach with Town manager or Board chair as the Selectmen's representative. This wasn't done when Stinson was recently quoted in a local newspaper article.

Stinson disagreed. He mentioned his First Amendment rights and freedom of speech on a topic he felt strongly about. He told Scuteri he would have preferred a phone call from her to discuss the situation personally rather than in the public forum of the Selectmen's meeting.

Scuteri said she has talked to Stinson a number of times about the Board's policy regarding media relations and he is not following procedure.

**Discuss all open Board and Committee positions**

There are multiple boards with vacancies where volunteers are needed to serve including: Finance Committee (2), Hamilton Wenham cable television committee, Veteran's Grave officers (2), Open Space Committee and Conservation Commission.

Lombardo suggested that if the Town could not find enough members for committees, the number of members required should be reconsidered.

**Other business**

Scuteri asked Carey to find out if there would be a discount offered to Hamilton and Wenham residents for the adult education classes at Pingree School.

The Board's next meeting is on Monday, March 28.

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

Respectfully submitted by Jane Dooley, Minutes Secretary

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

Clerk