

TOWN OF HAMILTON  
BOARD OF SELECTMEN  
JULY 2, 2012

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, July 2, 2012 with David Neill, Marc Johnson, Jennifer Scuteri, Jeff Stinson and Jeff Hubbard present. Finance Director Deborah Nippes-Mena, DPW Director John Tomasz and Town Clerk Jane Wetson also present.

Call to order

Chair David Neill called the meeting to order.

Accept Minutes (June 4<sup>th</sup>, June 13<sup>th</sup>, June 18<sup>th</sup> and June 25<sup>th</sup>, 2012)

Board clerk Jeff Hubbard entertained a motion for the Selectmen to approve the June 4, 2012 minutes. Jennifer Scuteri so moved. Marc Johnson seconded motion. VOTE: Unanimous.

Hubbard entertained a motion for the Selectmen to approve the June 13, 2012 minutes. Scuteri so moved. Jeff Stinson seconded motion. VOTE: Unanimous.

Hubbard entertained a motion for the Selectmen to approve the June 18, 2012 minutes. Stinson so moved. Johnson seconded motion. VOTE: 4-0-1 with Scuteri abstaining since she did not attend.

Public Comment

Resident Jay Burnham read a prepared statement expressing his belief that community has lost confidence in Town Counsel Donna Brewer due to her involvement in the recently resolved Michael Marchand matter. He noted in his statement that reports from three investigators found her culpable.

Also, he stated that the Town manager's interest in reappointing Brewer to the position based on her reasonable fees and pro bono work was inappropriate. Burnham suggested that Brewer should be terminated and the Town should reconsider seeking bids for Town counsel services. Burnham provided written copies of his statement to the Board of Selectmen.

Resident Edwin Howard asked Board to stop the Town manager from selecting Town counsel and suggested analysis be done on how well Town Manager Michael Lombardo is doing his job.

Neill said the Board would take this under advisement and discuss it at a future Board of Selectmen meeting as an agenda item.

#### Accept gift to Patton Park Playground from Evelyn Shuman -- \$100

Neill entertained a motion to accept a donation from Evelyn Shuman in the amount of \$100 to be used for the Patton Park Playground project, and authorize the Board Chair to sign the corresponding Gift Acceptance Agreement form for the donation. Scuteri so moved. Hubbard seconded motion. VOTE: Unanimous.

Discussion was on how Town will honor Shuman for her many years of community service (i.e., work for Planning Board).

#### Board and Committee Reappointments

Finance Committee Chair John McWane discussed three candidates for two positions on the Finance Committee to be recommended by Selectmen and appointed by the Town moderator. Stinson, Lombardo and McWane will interview Scott Maddern, Richard Boroff and Rick Sprenkle.

Johnson mentioned review that is occurring of Town's boards and committees to identify if charge and mission has changed or should change for any and if any should be phased out. He noted that the Economic Development Committee would have a changed charge once it becomes the Hamilton Development Committee. Others that could have possible changed charges are: Agricultural Commission, Facilities Assessment Steering Committee, Hamilton Wenham Cultural Council and Recycling Committee.

Also addressed at the Selectmen's recent retreat was that some boards and committees have not met for quite some time so they would be asked to update Selectmen on status at an upcoming Board meeting. These committees could include: Budget Process Committee, Landfill Steering Committee, Patton Advisory Committee and EDC to HDC.

Discussion on Hamilton Foundation coordinator Loretta Cusick stepping down after seven years in the position. Elizabeth Burns has submitted an application

for the position; was approved for position through vote by Hamilton Foundation board and has started work.

Neill entertained a motion to appoint Elizabeth Burns as the coordinator to the Hamilton Foundation. Scuteri so moved. Stinson seconded motion. VOTE: Unanimous.

### Board Liaison Roles for FY13

Discussion ensued on Selectmen's liaison roles as a means to keep lines of communication open with Town's boards and committees and that some Selectmen liaisons are voting members of committees (i.e., Community Preservation Committee).

Board members agreed to the following liaison roles: Board of Assessors – Stinson, Board of Health – Neill and Stinson, Capital Management Committee – Johnson, Chebacco Woods – Hubbard, CPC – Scuteri, Conservation Commission – Johnson, Council on Aging – Stinson and Scuteri, EDC – Hubbard, Fin Com – Neill, Affordable Housing Trust – Johnson, Hamilton Foundation – Scuteri, HWCAM – Stinson, HW Cultural Council – Hubbard and Neill, HW Library Trustees – Neill, HW Recreation – Hubbard, HW School Committee – Stinson, Hubbard and Neill, Historic District Commission – Hubbard, Facilities Assessment Steering Committee – Johnson, Landfill Steering Committee – Hubbard, (Lombardo and DPW Director John Tomasz will be taking more active role), Open Space Committee – Hubbard, P.I.L.O.T. Committee – Scuteri and Neill, Planning Board – Johnson, Recycling Committee – Scuteri, Veteran Services – Stinson and Zoning Board of Appeals – Neill. It was noted that there are already assigned representatives for MAPC and MBTA.

### End of Fiscal Year Financial Transactions

Finance Director Deborah Nippes-Mena summarized how major appropriation transfers are allowed in the last 15 weeks of a fiscal year and explained what the two transfer requests were for that the Finance Committee had approved and required Selectmen's approval.

Neill entertained a motion to transfer \$2,000 from General Government – Town Manager Expense to Health & Human Services – Council on Aging Expense for Senior Care Inc. and authorize the Board Chair to sign the corresponding transfer request. Hubbard so moved. Scuteri seconded motion. VOTE: Unanimous.

Nippes-Mena explained details of second transfer request that included retroactive cola of 2% to non-union employees. She noted that cola increases for union employees would be addressed at Special Town Meeting once union contract negotiations are resolved.

DPW Director John Tomasz explained how \$30,000 in transfer request was for wage and salaries for 1,600 labor hours in highway where the budget planned as far back as 17 months ago was exceeded but he noted that the water department budget was \$30,000 under budget.

Discussion ensued about one water break, hydrant flushing and cemetery work done this year as well as a lot more highway maintenance that was done with brush clearing and work at schools where \$187,000 was spent budgeted for highway and \$196,000 was spent this year.

Also mentioned was that there was a mild winter allowing for more grounds maintenance by Town's public works employees and that snow removal budget was down \$85,000 that would flow to free cash. Town officials noted that daytime snow removal could not be charged to this budget number with the exception of vehicle repair or gasoline.

Discussion ensued about snow removal money being budgeted for off hours work and that deficit spending is typically used with Selectmen approval. Funds to pay for deficit are raised through free cash or included in tax levy limit for following year.

In response to Hubbard, Nippes-Mena and Tomasz said about how half of snow removal fleet is contractors, that budget can absorb run over for part time help at park in salary line, that Town was reimbursed for all employee hours worked as part of virtual DPW and that grounds have never looked better throughout Hamilton, Wenham and the school sites. Nippes-Mena reiterated that hours worked was reallocated from water enterprise to highway. The reallocation of funds from other expenses is to balance the Highway department so Town is not over budget.

Neill suggested in the future that focus should be on VDPW and he questioned whether the HWRSD assessment was less since HWRSD has reimbursed the municipalities for grounds maintenance. Town officials agreed that there is a better product being provided for less money. Tomasz acknowledged that there is wear and tear on municipal equipment and said this would be considered.

Neill entertained a motion to transfer \$51,624 from Unclassified to Department of Public Works, General Government and Health & Human Services for Wage & Salary as per the attached slate and authorize the Board Chair to sign the corresponding transfer request. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Scuteri suggested that Town could reinstitute having department heads give reports to Board at Selectmen's meetings. Neill explained to members how Board has to re-sign Conservation Restriction for Donovan property to comply with state paperwork format requirement.

Date for Special Town Meeting

Discussion ensued about HWRSD and debt borrowing regarding MSBA funds and Cutler School roof expense relative to Special Town Meeting date scheduled a year ago for Saturday, October 20, 2012. HWRSD may not be able to meet August 1 deadline to get debt exclusion question on November election ballot.

Nippes-Mena and Town Clerk Jane Wetson discussed details with Selectmen including if a second election was required to be held it would cost the Town \$8,000. Also that an additional STM would cost as much as \$500. All relative to potential for separate election ballot for debt exclusion question on school roof and the reduction of the HWRSD appropriation by the amount that is surplus in the HWRSD's Excess & Deficiency fund certification.

Discussion was on if there will be any financial warrant articles at STM that may need to be addressed on election ballot. Also, that STM schedule is based on when warrant is created, printed and distributed to residents. Neill recommended that Town officials follow the suggested schedule noting that Board would possibly open the STM warrant at the Selectmen's July 9 meeting. Scuteri mentioned that the warrant would be closed on September 10.

Neill entertained a motion for the Board to adjourn at 8:35 p.m. Stinson so moved. Scuteri seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

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

Clerk