

TOWN OF HAMILTON  
BOARD OF SELECTMEN  
JULY 11, 2011

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, July 11, 2011 with Jeff Hubbard, Jeff Stinson, Jennifer Scuteri and Marc Johnson present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena and DPW Director John Tomasz also present.

Accept minutes (May 13, May 25 and June 20, 2011 Regular Session)

All draft minutes completed but none available at meeting to approve.

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

None.

Town Manager's report

Town Manager Michael Lombardo will give the Board an update at the July 25, 2011 Selectmen's meeting.

Chairman/Selectmen reports

Discussion was on need to be prepared for joint meeting with Wenham tomorrow night relative to dialogue about items including operational audit, collaborative DPW effort, and charge of Budget Process Committee.

Lindle Willnow –Board of Health Chair

Lindle Willnow, Board of Health Chair, updated Board about activities health board has addressed in the last year. Kim Paskalis, public health nurse, was hired and she is focused on emergency preparedness, mutual aid agreement with other public health nurses, materials for emergency shelters and flu clinics.

The health department is working with Commonwealth Medicine to seek reimbursement from insurance providers for flu vaccinations given to non-Medicare recipients. The Town pays for flu inoculations for municipal and school

employees. Plans are in place to ensure safe storage of flu vaccine that includes H1N1 and traditional influenza in one dose.

Hamilton has received grant to fund tobacco control compliance checks at local retail establishments. There have been no violations in Town in the last year.

Also addressed by the health board were the benefits of smoke free housing and this information was provided to the Hamilton Housing Authority.

Hamilton has continued its membership in the Northeast Mosquito Control District where larvacide is applied to catch basins in Town. Discussion about the effectiveness due to large amount of open space in Hamilton, catch basins are located close to where residents live. There are two mosquito traps in Town that the District monitors and tests mosquitoes. None tested have been found to be carriers of Eastern Equine Encephalitis or West Nile Virus. So no spraying has been scheduled.

Willnow noted that the DPW can set beaver traps. However, there has not been any health hazard related to flooding that would warrant this action.

Roberta Cody is doing food establishment inspections for the Town. Board of Health is reviewing the fee structure for food establishment permits. Issues at the Acord Food Pantry are being addressed at the newly constructed site and more frequent inspections are being done at the Asbury Grove Coffee Shop. Health department typically issues a food permit when Town approves one-day liquor license requests.

The health department is coordinating with the water department and upgrades to the water treatment plant have improved the quality of the Town's water. A recent water quality report revealed no high levels of coliform.

Willnow said complaints of odor at Brick Ends Farm composting facility have been attended to as well as the number of sea gulls seen at Cutler School has reduced. The Board of Health worked with Brick Ends Farm regarding a potable well application in concert with the farm's neighbors Canterbrook Farm and a well permit was granted for an irrigation rather than potable well.

Hamilton's Health Agent Leslie Whelan is handling most of the local upgrade approvals for septic systems. The Board of Health reviews plans for more complex local upgrade approvals. Discussion about the number of Title 5

inspections, septic system replacements and new systems built in Hamilton during the last year.

### Chapter 70 Litigation/Presentation

Representatives of the Tax Reform for Education non-profit entity including Tracey Mayor, Anne Meeks and Roger Keubel spoke about the effort made in the last few years to prepare to bring a lawsuit to the state to change the framework of Massachusetts General Laws Chapter 70. This lawsuit claims that the Chapter 70 public school funding system is unconstitutional.

Massachusetts requires Hamilton and Wenham to pay 80% of the state-mandated funding for the Hamilton Wenham Regional School District. The HWRSD gets less than half of the amount of state funding provided to the average school district in the state. HWRSD spends above the state-mandated minimum. If this spending were reduced the school funding burden and high tax rates in the HWRSD communities would not change since 20.8% of the HWRSD foundation budget comes from the state.

The goal of the non-profit group is to change how the schools in the state are funded (including less dependence upon property taxes) since there is a huge disparity amongst cities and towns. State Representative Brad Hill has told the group that the only way any change can occur in how schools are funded is if litigation on the matter is pursued with the state. Bills related to changing the Chapter 70 formula have not moved forward in the Legislature.

A correlation between property values and income amongst residents in a community was discussed. The group noted that the tax burden related to school funding typically hits the elderly living on a fixed income who own a house with a high valuation the hardest. Another contributing factor in a community is if the income to property value is high then there is usually a high property tax rate in place to provide money for the schools.

The group is actively seeking funding for the litigation and is hoping to work with 30 other communities in a similar situation as Hamilton and Wenham regarding Chapter 70 school funding. It is estimated that the cost of the litigation could be as high as \$300,000. The non-profit representatives asked the Town officials to consider contributing \$6,000 to raise the amount of funds from the Town toward the effort to \$10,000. Town Manager Michael Lombardo will

investigate where this funding could come from and report at the next Selectmen's meeting.

If this disparity were corrected to provide a solution that seems fair and reasonable, Jeff Stinson thought it could foster cooperation amongst different groups in Town that historically have been at odds about school funding.

#### Municipal Relief Transfers

Jennifer Scuteri entertained a motion to approve the transfer of \$18,287.79 from the emergency fund to account line repair and maintenance of water treatment plant. Stinson so moved. Jeff Hubbard seconded motion. VOTE: 4-0.

Scuteri entertained a motion to transfer \$4,415.18 to account line cemetery permanent wages. Marc Johnson so moved. Stinson seconded motion. VOTE: 4-0.

Scuteri entertained a motion to transfer \$5,982.09 to account line cemetery permanent wages from building permanent wages. Johnson so moved. Stinson seconded motion. VOTE: 4-0.

Scuteri entertained a motion to transfer \$14,184.17 to cemetery permanent wages from utilities. Johnson so moved. Stinson seconded motion. VOTE: 4-0.

Discussion was on double utility poles in Town that Stinson is trying to resolve with National Grid and Verizon.

#### Update on Selectmen retreat

Lombardo will create a list of topics related to Board's retreat and report at Selectmen's July 25 meeting.

#### Review charge of Budget Process Committee

Discussion on conversations about reviewing charge of Budget Process Committee and other responsibilities to possibly include, i.e., operational audit. Hamilton, Wenham and Hamilton Wenham Regional School Committee would have to agree how to move forward. HWRSC has not met to discuss this.

Also discussed were budget examples from cohorts including line item budgets and that benchmarking is done in other similar communities. These practices

could facilitate the transparency of the budget, especially for the schools, that is communicated to the residents.

Lombardo said he is accustomed to developing budgets at a staff level rather than with committees but he is working with the existing form of government. He thought the Budget Process Committee was the mechanism to help bring disparate groups together. Lombardo noted that municipal staff looks at the overall finance for the Town to provide services. He said it would be helpful to have knowledge about budget trends especially if the cohort is not changing.

Scuteri said they should identify the problems, get the budget numbers and ask questions earlier. She described research that she participated in regarding E&D percentages for cohort schools, the HWRS D was found to be average and that should have been communicated to the voters.

Selectmen agreed that better information is needed sooner and buy-in from the School Committee is essential.

Update Selectmen Goals

These will be discussed when Dave Carey is available.

Other business

Next Selectmen's meeting is Monday, July 25.

Executive Session pursuant to M.G.L. c.39, Section 23B(3) – Union and Non-Union Contract Negotiations

An executive session will be held at a subsequent Selectmen's meeting.

Scuteri entertained a motion to adjourn at 8:51 p.m. Stinson so moved. Hubbard seconded motion. VOTE: 4-0.

Respectfully submitted by Jane Dooley, Minutes Secretary

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

Clerk