

TOWN OF HAMILTON
BOARD OF SELECTMEN
JULY 25, 2011

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, July 25, 2011 with Jeff Hubbard, Jeff Stinson, Jennifer Scuteri, David Carey and Marc Johnson present. Town Manager Michael Lombardo and Town Clerk Jane Wetson also present.

Accept minutes (May 13, June 20, June 29 and July 11, 2011 Regular Session)

Board clerk Jeff Hubbard entertained a motion to approve the Board of Selectmen regular session meeting minutes for May 13, 2011. Jeff Stinson so moved. Marc Johnson seconded motion. VOTE: 4-0-1 with Hubbard abstaining since he had not been elected to the Board at the time the meeting was held.

Hubbard entertained a motion to approve the Board of Selectmen regular session meeting minutes for July 11, 2011. Jennifer Scuteri so moved. Stinson seconded motion. VOTE: Unanimous.

Hubbard moved for the Board of Selectmen to approve its regular session meeting minutes for June 29, 2011. Stinson seconded motion. VOTE: Unanimous.

Hubbard moved for the Board of Selectmen to approve the regular session meeting minutes for June 20, 2011. Stinson seconded motion. VOTE: Unanimous.

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

None.

Town Manager's report

Town Manager Michael Lombardo reported that a summer intern has started working for the Town on the asset management system creating spreadsheets for the capital improvement program. The Town's staff will begin identifying capital improvement projects followed by a work session to discuss priorities and develop strategies for funding capital equipment and infrastructure projects. This will be applied to the budget process in the fall and in subsequent years.

For the next several weeks in concert with a consultant organizational review is being done with staff interviews conducted to develop a strategy for evaluating the organization. Ways to make the organization more efficient relative to structure and processes will be identified.

Electrical work being done at Patton Park is nearing completion as electrical transformer has been brought to the site.

Upgrades are being done at the former Hamilton Public Library building (i.e., air conditioning). Acord Food Pantry sharing the back room at the facility is working well. Lombardo mentioned that Planning Coordinator Marcie Ricker has proposed holding a contest/public event to rename the building (i.e., possibly after a historical figure).

GIS relationship with former vendor concluded. Town staff would like to work with a different vendor to keep the GIS map and data current. Lombardo wants to ensure GIS tool developed has multiple uses (i.e., ability to provide a broad array of information in response to database queries). Once more information is available on proposed tool, a presentation will be made to illustrate whether or not there is value warranting the continued investment in GIS mapping.

Lombardo mentioned that the windows at Town Hall are being refurbished and restored. Energy savings in the building should be greatly enhanced.

Chairman/Selectmen reports

Scuteri recently attended meeting with Lombardo, Wenham Town Administrator Jeff Chelgren, Wenham Selectman Patrick Wilson, HWRSD Committee Chair Alex McCloughan and Interim Superintendent of Schools Peter Gray to discuss need for more collaboration during budget process, and next steps now that operational audit is complete.

Also, if the Budget Process Committee charge can be changed to have a quantitative responsibility to review the budget, define Town and school budget information for communities and provide a response to operational audit. The regional School Committee needs to meet and discuss these recommendations.

Lombardo and Chelgren met with Gray to discuss details on these suggestions as well as the proposal for joint facility maintenance for the two towns and the schools. The DPW directors in both towns are being consulted. Lombardo said

Gray is still concerned about the custodial funding since it is already in the school budget. Gray wants to understand the relationship, details and structure of collaborative facility maintenance solution. Also noted was the intent to have at least one BPC meeting this summer.

Hubbard mentioned that the Council on Aging is content to share the space at the former Hamilton Public Library building and would continue to do so in the future if they occupied another space.

Johnson described the effectiveness of preventative road maintenance done in Park City, Utah. Discussion was about achievable process that could be done annually in Town to keep Hamilton's roads in good shape including using Chapter 90 funding. Town Clerk Jane Wetson referenced the past multiple year road maintenance project where Town spent \$188,000 annually for 12 years.

Jane Wetson – Town Clerk

Town Clerk Jane Wetson described how busy last year was for her department with five elections and how the success of the events was due to the support of the poll workers and her assistant Andrea Carlson.

Wetson is working with state due to mandates of federal census and state law, where a small neighborhood currently in Precinct 1 located from Railroad Avenue to Lois Street to Linden Street would move into Precinct 3 since Precinct 1 has grown in population density. Letters will be sent to residents affected by the change. She said precincts typically contain 4,000 residents maximum.

Wetson has been the elected Town Clerk for seven years and she reports to the people and confers with the Town manager. Her office sends out a welcome packet with information for new residents (i.e., rubbish pickup schedule). The clerk's department office hours are on same schedule as Town Hall.

Hamilton has an average number of registered voters and voter registration has gone up. How many residents vote depends upon what issues are addressed during elections and Town Meetings. Discussion on how information for elections and Town Meetings is publicized.

Wetson said a firm in Vermont is in the process of restoring the 1851 historical map she discovered in the Town vault. Discussion about the sensitivity used by the clerk's department not to disperse demographic information about residents.

Also mentioned was anticipation of response from Attorney General's office about the Town's by-laws including the Special Act to be acted upon by the Legislature.

Wetson manages the Open Meeting Law training and Ethics Law Compliance with relevant individuals serving the Town (i.e., employees and committee members). Lombardo said the state has been invited to provide OML training in Hamilton but personnel was only available during the day. He is working with Town Counsel Donna Brewer on this matter.

Declare mandatory water restrictions

Due to the recent extreme heat and small amount of rain the stream flow monitored in the Ipswich River has triggered a mandatory water restriction, effective July 23, limiting non-essential water use from 8 a.m. to 8 p.m. and banning all mechanical outside watering (all sprinkler systems) as defined by the Department of Environmental Protection regulations.

David Carey noted that historical records on the Ipswich River stream flow at this time of year reveal that the water level has always been low. Hamilton draws its water supply from groundwater aquifers versus the river's surface water.

Scuteri entertained a motion to declare mandatory water restrictions limiting non-essential water use and banning all mechanical outside watering. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

One Day Liquor License –Hope for Horses

Due to inclement weather the Hope for Horses organization was unable to hold its event on June 23 and again on rain date of July 3.

Scuteri entertained a motion to approve the application for a One Day Liquor License to Hope for Horses for the Myopia Polo event on July 31, 2011. Johnson so moved. Hubbard seconded motion. VOTE: Unanimous.

Appoint poll workers

Scuteri entertained a motion to appoint the poll workers as listed in the worksheet provided to the Selectmen from July 31, 2011 to July 31, 2012. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Chapter 70 Litigation

Lombardo referred to the recent citizen presentation about Chapter 70 litigation. He is asking the Town to approve using \$10,000 from the Town's legal budget for Hamilton to enter into an agreement to participate in the litigation. He noted that the funds are available barring the Town enters into any other litigation. The \$10,000 would be kept in reserve until such time that other municipalities agree to take part in the Chapter 70 litigation.

Residents Lynnette Fallon and Tracey Mayor are two of the citizens driving the proposed Chapter 70 litigation and they reiterated that a Massachusetts non-profit has been formed as part of the effort to challenge the constitutionality of Chapter 70. A presentation on this issue was made to the North Shore Coalition. Other forums will be pursued to provide information to interested parties in other jurisdictions to move this forward.

Scuteri entertained a motion to authorize Town Manager Michael Lombardo to enter into an agreement for the purpose of filing Chapter 70 litigation, the amount of legal fees not to exceed \$10,000. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Update Selectmen retreat

Discussion on Board plans to review by-laws, update Selectmen goals and responsibilities, participate in school budget process, drive sale of tax-title acquired Town-owned land, keep up-to-date on Planning Board reaching consensus on engineering of Canterbrook senior housing project, oversee further implementation of operational audit, receive better budget information, keep an eye on CMC and virtual DPW savings, analyze unfunded state mandates, investigate possibility of anaerobic digester at landfill, understand shift where some Hamilton properties are selling for more than assessed values (conservation restrictions can increase assessed value of house and surrounding property), buoy up Hamilton merchants by buying locally, support cottage by-law, better utilize MBTA parking lot, expand liaison role with Town's boards

and committees and receive presentations from committee members at Selectmen's meetings.

Board Liaison roles and responsibilities

Will discuss at next Selectmen's meeting.

Other business

Next Selectmen's meeting is Monday, August 1.

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

Scuteri entertained a motion to adjourn open session at 8:29 p.m. to go into Executive Session pursuant to M.G.L. c.39, Section 23B(3) for the purpose of discussing Union and Non-Union Contract Negotiations, not to return to regular session. (If this were discussed in open session, it would compromise the Town's strategy). Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____

Clerk