

TOWN OF HAMILTON
BOARD OF SELECTMEN
AUGUST 15, 2011

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, August 15, 2011 with Jeff Hubbard, Jeff Stinson, Jennifer Scuteri, David Carey and Marc Johnson present. Town Manager Michael Lombardo, DPW Director John Tomasz and Finance Director Deborah Nippes-Mena also present.

Accept minutes (July 12, July 25 and August 1, 2011 (Regular Session) and July 25, 2011 (Executive Session)

Jeff Hubbard entertained a motion for the Board of Selectmen to accept the regular session meeting minutes for July 12, July 25, and August 1, 2011 and the executive session meeting minutes for July 25, 2011. Jennifer Scuteri so moved. Jeff Stinson seconded motion. VOTE: Unanimous. Note: Marc Johnson did not attend August 1, 2011 meeting.

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

Edwin Howard recommended that the Town's local government should make use of the American Legion hall for meetings since Hamilton's Community Preservation Act funds were used for a new heating system in the building. Selectmen agreed that a discussion with citizens to communicate Board actions would be held in the near future at the Legion, possibly on October 5.

Howard said he recently learned from the Board of Health meeting minutes that ongoing emergency management planning is underway in Town by health department personnel and that the public could be made aware of this at the proposed meeting. Another topic he wanted addressed was what entities in Town were eligible to use former Hamilton public library building for meetings.

Town Manager's report

Town Manager Michael Lombardo noted that there had been problems with the telephone system at Town Hall last week so voicemail messages may not have been received from residents. He suggested citizens call back if they had not received a reply to voicemail messages from Town employees.

Lombardo referenced a letter sent to Hamilton households regarding fundraising by Fire Department engine company to complete dormer space at public safety building. Neither he nor Fire Chief Phil Stevens had vetted the letter before it was mailed to residents. Also, if any donations were made to the cause and a thank you for a gift is not received, Chief Stevens should be contacted. Town officials are trying to ensure there is a paper trail associated with process.

Town manager also noted that it is likely that Selectmen would lift the mandatory water ban at the Board's meeting on Thursday since the stream flow in the Ipswich River has been high enough to warrant this action.

Lombardo provided status update on the Marchand lawsuit saying mediation discussions with attorneys have concluded. The process of motion for summary judgment has begun, based on depositions and facts, and is expected to take months to complete. He mentioned that some of the case could go to trial it depends upon strength of arguments.

Discussion about Town's website and keeping information updated and current. Lombardo explained that new IT service for local government is being considered and website maintenance could be included.

Chairman/Selectmen reports

Stinson noted that National Grid has started process of taking down double telephone poles in Town.

Hubbard mentioned fire station 5 mile road race on August 27 and that downtown festival will occur in October. Planning Board Coordinator Marcie Ricker is organizing a downtown beautification contest with local merchants that will be judged by Selectmen and prizes will be given. Selectmen will walk a downtown route designated by Ricker on Monday, August 22.

John Tomasz – Department of Public Works

DPW Director John Tomasz described major projects his department is working on in Hamilton. Road repair using Chapter 90 funds (Town has \$500,000 of Chapter 90 funding) is being done on Gregory Island Road. New lights at Patton Park will be placed on permanent power so they can be controlled remotely. A \$1 million dollar Bridge Street project, that includes a FEMA grant, has multiple components such as replacement of high pressure gas lines. Culvert work is

being done on Howard and Linden Streets. Bids have come in for \$2 million project to close Town landfill they include: engineering design specifications, post closure monitoring as well as consideration of using an anaerobic digester at dump site although costs need to be analyzed.

Also done by public works department was improvements at former Hamilton public library building, paid for with CPA funds, including installation of air conditioning units, and replacement of windows, roof, trim, carpeting, flooring, and heating. Bookcases have been dismantled. The second floor of this building will be used for storage. In addition, work was done outside building.

ESCO project is nearly done. Town Hall windows are being refurbished and replaced and painting will be done on interior trim. All work at Town Hall is being paid for with CPA funding. In September, Boston Architectural College students may do a facilities study.

Merged ground maintenance work between Hamilton, Wenham and HWRSD is going well and Middle School/High School grounds in particular are more open and cleaner. For the \$26,000 contract with the schools, \$10,000 has been spent to date. The blinking traffic light at the High School will be activated in two weeks.

Tomasz read some compliance language to the Board relative to the water capital improvement grant from Department of Environmental Protection. Water plant will be rated at Tier 2 rather than Tier 3 to improve staffing requirements.

Crosswalk and line painting is being done as well as inventory of reflectivity of signs for compliance. Capital projects will be discussed to prioritize in budgeting.

Sean Timmons – Geese Management

Recreation Director Sean Timmons said analysis is being done to determine cost of addressing geese issue at Patton Park (i.e., use of trained border collies to harass but not harm geese to encourage birds to seek another location). Many representatives from Hamilton's youth sports leagues that were in attendance expressed interest in a solution to geese problem.

Discussion was also about long term solution at Patton Park that could include resident dogs being allowed at the park on a limited basis and installation of green fence to make it difficult for the geese to land on pond.

Lombardo and Timmons will work out details and report back to Board so a decision can be made. When use of collies was investigated a few years ago cost estimate was between \$2,000 and \$3,000 for four weeks.

Discussion was on need to repair Town pool at Patton Park that was built and paid for by American Legion in 1960s. Lombardo said both geese management and swimming pool repair or replacement (this could increase use of asset) would be addressed as part of recreation master plan.

One Day Liquor License –Gourmet Delights Catering

Scuteri entertained a motion to grant a One Day Liquor license to Gourmet Delights Catering for an event to occur at the Community House on August 19, 2011. Stinson so moved. Johnson seconded motion. VOTE: Unanimous.

One Day Liquor License –Gourmet Delights Catering

Scuteri entertained a motion to grant a One Day Liquor license to Gourmet Delights Catering for an event to occur at the Community House on August 20, 2011. Johnson so moved. Stinson seconded motion. VOTE: Unanimous.

One Day Liquor License –Gourmet Delights Catering

Scuteri entertained a motion to grant a One Day Liquor license to Gourmet Delights Catering for an event to occur at the Community House on September 3, 2011. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

One Day Liquor License –Gourmet Delights Catering

Scuteri entertained a motion to grant a One Day Liquor license to Gourmet Delights Catering for an event to occur at the Community House on September 10, 2011. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

For any events where more than 100 participants are expected, Community House works with Hamilton Police Department regarding a police detail.

Application for Sunday Entertainment License – 15 Walnut

Lombardo said police and fire chiefs had reviewed application and supported extending weekday entertainment license at 15 Walnut to Sundays.

Discussion with Hubbard who thought information on Sunday entertainment license application should be provided to abutting neighbors but purview of state law for this type of application does not require abutter notification. Town officials have not received any complaints from neighbors about existing entertainment that occurs at restaurant.

Johnson noted that entertainment license for food establishment expires at end of calendar year so this would allow time for any complaints relative to Sunday entertainment to become known by Board during that period.

Discussion with 15 Walnut restaurant owner if he requested a change to existing liquor license to serve alcohol before noon on Sundays, this would require a Town Meeting vote to change Town bylaw. Lombardo agreed to talk to Town Counsel Donna Brewer about consideration of an alcohol bylaw change at Special Town Meeting. He will let Town counsel rule on whether or not abutter notification is needed relative to discussion about moving timing to serve alcohol on Sunday up by two hours.

Scuteri entertained a motion to grant a Sunday entertainment license to 15 Walnut from August 15 to December 31, 2011 with the following conditions:

1. Entertainment to be confined to the two areas designated on Exhibit 1 of Appendix A to the existing weekday entertainment license;
2. Hours of entertainment on Sunday will be from (applicant is requesting 10:30 a.m. to 10:00 p.m.);
3. No alcohol is to be served until 12:00 noon on Sundays;
4. Pending approval of the Massachusetts Department of Public Safety.

Johnson so moved. Hubbard seconded motion. VOTE: Unanimous.

One Day Liquor License – North Shore Bartending Services – Sept. 3, 2011

Scuteri entertained a motion to grant a One Day Liquor license to Melissa Albano for a wedding at Pingree School on September 3, 2011, alcohol to be served by North Shore Bartending Service. Johnson so moved. Stinson seconded motion. VOTE: Unanimous.

Open Warrant for Special Town Meeting on October 22, 2011

Scuteri entertained a motion to open the Warrant for a Special Town Meeting to be held on October 22, 2011 at 9:00 a.m. in the auditorium of the Hamilton-Wenham High School. Hubbard so moved. Stinson seconded motion. VOTE: Unanimous.

Discuss proposed Warrant articles and timeline

Proposed Warrant articles for Special Town Meeting are financial except for alcohol bylaw change. Financial articles address authorization to create a revolving account for Board of Health for reimbursements from insurance carriers for flu vaccine inoculations, increase in water distribution on Hatfield Road, transfer and appropriation of funds to waste enterprise account, transfer of retained earnings from waste enterprise to support organic curbside recycling program, appropriation transfer from highway to cemetery for salaries, and appropriation of matching funds for water capital improvement grant approved at Annual Town Meeting in May.

Budget Process Committee charge

Board and Wenham Selectmen will discuss charge of Budget Process Committee at a joint meeting on August 23. At this meeting citizen representative to BPC will be appointed.

Lombardo recently discussed BPC charge with Wenham Town Administrator Jeff Chelgren and Interim Superintendent of Schools Peter Gray. It was agreed that BPC charge should emphasize current financial planning as well as what is required in five years. Discussion was about BPC being more proactive as part of three entities (two towns and HWRSD) collaborative process.

Discussion about next steps including involvement from regional School Committee with other entities in team approach requested by voters. Lombardo noted that there is no evidence to date that regional school district has begun 2013 budget process.

Discussion was about need for HWRSD to use tax dollars as efficiently as possible to support public education. Other regional school districts were analyzed in comparison and Scuteri noted that Acton-Boxborough offers multiple foreign languages to students and has much lower athletic fees than

Hamilton-Wenham. Board members emphasized the need for a strong treasurer in the school department who would have a business perspective similar to a CFO when managing the school budget.

Old Library naming process

Discussion about having contest to name former Hamilton public library building and that winning name would be announced at Special Town Meeting. Lombardo said strategy will be developed and perhaps a monetary prize could be provided by a benevolent society in Town. Scuteri suggested that every Town board and committee should be required to submit a name.

Bylaw review process

Discussion was about Board's review of Town bylaws to understand how they are being implemented in Hamilton and if any potential changes might be necessary. As part of the discussion, it was noted in these tough economic times, Town officials are working closely with some homeowners to develop payment plans for property tax bills.

Liaison updates

Scuteri has been communicating with Open Space Committee regarding amount of open space in Hamilton and how this could be impacted when some large properties in Town might be sold sometime in near future.

Discussion was on practicality of constructing a moveable building with CPA funds to house Model T Engine One fire truck at public safety building site.

Other business

Next Selectmen's meeting is Monday, September 6. Scuteri moved to adjourn open session at 9:36 p.m. Stinson seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____

Clerk