

TOWN OF HAMILTON  
BOARD OF SELECTMEN  
DECEMBER 5, 2011

Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, December 5, 2011 with Jennifer Scuteri, David Carey, Marc Johnson, Jeff Stinson, and Jeff Hubbard present. Town Manager Michael Lombardo also present.

Accept minutes (October 25, November 14, November 21, November 28, November 29, 2011

Board clerk Jeff Hubbard entertained a motion for Board to approve November 14, 2011 regular session minutes. Jennifer Scuteri so moved. David Carey seconded motion. VOTE: 3-0-1, Marc Johnson recused himself because he was not present at that meeting.

Hubbard entertained a motion for Board to approve October 25, 2011 regular session minutes. Scuteri so moved. Carey seconded motion. VOTE: 3-0-1, Johnson recused himself because he was not present at that meeting.

Board did not have a quorum to vote on November 14, and November 21, 2011 regular session minutes since Jeff Stinson had not arrived at meeting when vote was taken and Board review was not complete on November 28 and 29, 2011 meeting minutes.

Public Comment

None.

Town Manager's report

Town Manager Michael Lombardo has been holding budget meetings with department heads and budget requests are being kept small this year. Operational budget will incorporate Capital Improvement Plan infrastructure and capital equipment structure. Draft budget hearings will be held on a Saturday morning or one to two nights where prioritization will be done.

Chairman/Selectmen reports

To raise revenue for Town, Selectmen are focusing on preparing for sale four or five parcels of Town-owned land of which a few might have buildable lots.

Gift of land to Town

Lombardo has been working with longtime resident Joanne Patton and her representatives on Mrs. Patton's proposal to give Town her house and 27 acres of land on Asbury Street. Property has river access.

Discussion about gift agreement and decision for Hamilton to receive gift has to go to Annual Town Meeting. Commitment letter from Mrs. Patton outlines gift with conditions including that land would be used for passive and active recreation (i.e., possibility for playing fields). Gift would be cost neutral and not a burden to Hamilton. Green Meadows farm located on property would continue to operate.

There is also additional housing on property besides historic house that could potentially generate revenue that would support cost to maintain property.

Lombardo suggested Board discuss details of gift agreement and nuances of Mrs. Patton's proposal in an upcoming Selectmen's working session. Discussion would focus on scenarios and how to reach consensus as well as general public access and use. Recreation Department and Conservation Commission would be included in discussion.

Selectmen expressed appreciation for proposal from Mrs. Patton and agreed that this is an extraordinary opportunity for Hamilton.

Sign Easement for Septic System at 69 Willow Street

Discussion about septic system being located under parking lot adjacent to 69 Willow Street property and how there is flexibility as to where curb cuts could be situated for parking lot, either on Willow Street or Railroad Avenue.

Construction is complete at 69 Willow Street site so stripes for parking spaces will be painted to maximize number of vehicles without congestion.

Scuteri entertained a motion for Board to approve signing Easement for Sanitary Waste Disposal System and accompanying Easement Plan for septic system at 69 Willow Street pursuant to vote of Fall Special Town Meeting on October 17, 2009, Article 2009/10 5-6.

Appoint Stacy Carpenter to Conservation Commission

Scuteri entertained a motion to appoint Stacy Carpenter to Conservation Commission for a term to expire on June 30, 2012. Carey so moved. Hubbard seconded motion. VOTE: Unanimous.

One Day Liquor License –Community House –December 10, 2011

Discussion was on need to consult Police Chief Russell Stevens about police detail at events with more than 100 people. He is most concerned during fundraisers when there is a transient population drinking alcohol. Melissa Elmer at Community House consults with Stevens.

Scuteri entertained a motion for Board to approve a One Day Liquor License for Hamilton Wenham Community House for an event on December 10, 2011 with condition that Elmer speak to Assistant to Town Manager Chris Lindberg and Police Chief Russell Stevens regarding event with 100 people expected to attend. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

One Day Liquor License –Community House –December 18, 2011

Scuteri entertained a motion for Board to approve a One Day Liquor License for Hamilton Wenham Community House for an event on December 18, 2011. Johnson so moved. Hubbard seconded motion. VOTE: Unanimous.

Liquor License Renewals

Scuteri entertained a motion for Board to approve all alcohol liquor licenses for 2012 for: 15 Walnut, Black Cow, Weathervane Tavern, Myopia Hunt Club and American Legion. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Scuteri entertained a motion for Board to approve package store all alcohol liquor licenses for 2012 for: Harrigan's and Community Package Store. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Scuteri entertained a motion for Board to approve package store malt and wine licenses for 2012 for: Hungry Fox, Hamilton Convenience Store and Crosby's Marketplace. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Board noted that during year it had not received any complaints about establishments holding liquor licenses.

#### Common Victualler License Renewals

Scuteri entertained a motion for Board to approve common victualler licenses for 2012 for: American Legion, Black Cow, Daniella's Pizza, Dunkin Donuts, Crosby's, Hamilton Convenience Store, Hamilton House of Pizza, Hungry Fox, Jumbo House, Myopia Hunt Club, Weathervane Tavern, Hamilton Wenham Community House, 15 Walnut, Green Meadows Farm. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

#### Entertainment License Renewals

Abutter will speak with Lombardo about American Legion having live music at hall on School Street when establishment only has license for jukebox.

Scuteri entertained a motion for Board to approve entertainment licenses for 2012 for: American Legion and 15 Walnut. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

#### Amusement License Renewals

Scuteri entertained a motion for Board to approve amusement license for 2012 for American Legion for video games. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

#### Class II License Renewals

Police Chief Russell Stevens has visited couple of Class II license holders' properties to explain Hamilton's bylaw about not storing cars for sale on their properties. Some have received a letter from Town on matter including property at corner of Asbury and Willow Street stating if properties are not cleaned up by a certain period of time, citations will be issued.

Lombardo said enforcement process is underway so he did not believe there was any reason for Board not to issue Class II licenses. Complaints were received about onsite storage at 203 Highland Street last summer; situation is better now.

Scuteri entertained a motion for Board to approve Class II licenses for 2012 for: Hamilton Enterprises, A&M Motors and Mike's Auto. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

#### Sign DOR Form LA5 Tax Classification

Scuteri entertained a motion for Board to sign DOR Form LA5 Tax Certification. Johnson so moved. Hubbard seconded motion. VOTE: Unanimous.

#### Annual vote to set Senior Tax Exemption age qualifications

Town has 44 approved applicants for Senior Tax Exemption. This year \$9,000 was allocated for this program as give back of approximately \$225 to senior-qualifying taxpayers. Give back number could increase if Verizon lawsuit settlement is resolved to as much as \$500 per approved applicant.

A letter from Town will be sent this week to households with residents of a certain age to notify them how to approach Assessors on Senior Tax Exemption.

Scuteri entertained a motion for Board to set age qualification for Senior Tax Exemption for FY2013 at age 70 as determined annually by Board of Selectmen pursuant to Special Act. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

#### Board attendance at MMA annual meeting in January

Selectmen will notify Lindberg about their interest in attend MMA annual meeting in January.

#### Vote to supplement SMART program

Discussion with Bill Dery, Mike Massimi, Duke Seaver, and Elaine Appel about their dissatisfaction with proposed SMART program where they want weekly solid waste trash pickup included. Some of these residents had been involved in a citizen's petition seeking a Town Meeting vote on change in Town's trash removal program.

Hubbard and Stinson expressed support for proposed SMART program and finding savings in Town budget but concurred with residents about wanting weekly rubbish disposal. Hubbard thought SMART program proposal should go before Town Meeting.

Johnson described greater savings with bi-weekly trash pickup for as much as \$100,000 a year (if new recycling bins are not purchased, state grant received for compost barrels) versus \$10,000 a year with weekly trash pickup similar to trash pickup model that Wenham adopted.

Discussion about how SMART program was a way for Hamilton to control costs and that Town has not had to cut services or municipal staff.

Discussion was about supplementing SMART program by allowing residents to dispose of solid waste during alternate week to when Town pays for and picks up free barrel of solid waste by purchasing and using blue bags. Residents discontent with SMART program characterized PAYT solution as a de facto tax.

Resident and Planning Board member Rick Mitchell emphasized Board and Town's fiduciary responsibility in proposing SMART program as Hamilton faces increasingly more difficult budget challenges (i.e., loss of Myopia Hunt Club property taxes now that it has filed under Chapter land provisions).

Scuteri entertained a motion to move to the question to vote to supplement SMART program. Johnson so moved. Stinson seconded motion. VOTE: Unanimous.

Scuteri entertained a motion to approve a supplement to SMART program with an every other week blue bag Pay As You Throw solid waste trash pickup program in addition to weekly recycling and composting program to be offered on off weeks. Johnson so moved. Carey seconded motion. VOTE: 3-2-0. Scuteri, Johnson, Carey in favor, Hubbard and Stinson opposed.

Discussion with Seaver about how weekly recycling saves money due to automation and that recyclables and organics are collected on the same truck.

Lombardo mentioned that there would be future discussion to address whether or not there are enough families participating in the PAYT week to pay for additional week of solid waste pickup.

Other business

Selectmen will hold a working session on December 12 to discussion Mrs. Patton's gift agreement.

Scuteri entertained a motion for Board to adjourn at 9:27 p.m. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

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

Clerk