

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

August 7, 2017

Members Present: Shawn Farrell, Allison Jenkins, Scott Maddern, and Bill Wilson (Chairman).

Town Manager: Michael Lombardo

This meeting was called to order at 7:03 pm.

Announcements

Bill Wilson described the current Board openings: one MBTA representative position.

Public Comment

Selectmen/Town Manager's Report

Scott Maddern noted the Asbury Grove History Tour. The tour was an effort to educate the community about the tabernacle, which was the largest wooden tabernacle in the country and on the National Register of Historic Places. Mr. Maddern discussed the Recreation Board meeting when the turf project was discussed. Mr. Maddern noted the activity at the Patton Park program, which was 40% larger than the previous summer with pool membership comprised of over 200 families.

Allison Jenkins mentioned new Town Hall hours when offices would close early on Fridays and be open until 7:00 pm on Monday nights. There would be a flow test at the high school for the sprinkler system which would cause discolored water. Pingree School and the high school were before the Planning Board for turf field approval. Ms. Jenkins thought it would be appropriate to broaden the application to include information that had been requested. Ms. Jenkins recalled that the cell tower was voted upon and did not receive a super majority to move forward. The Town Hall Committee met and would put an application for an Owner's Project Manager (OPM) to the Community Preservation Committee (CPC). The OPM and some of the studies would be funded at Fall Town Meeting. According to Ms. Jenkins, because the way the law was laid out, the committee could not do a lot without an OPM and the OPM could not do a lot until he knew if the building was structurally sound. The Committee would approach the CPC to determine eligibility first.

Shawn Farrell described the activities of the Conservation Commission to include the Request for Determination for a home on Echo Cove Road and discussion about a draft Conservation By-law amendment to allow for parallel approvals. There was also a request for removal of invasive species on Town property. Knotweed removal was discussed and noted that zoos wanted knotweed because giraffes loved it. The CPC would discuss the eligibility application from the Housing Authority to repair porches on housing in town, and for an OPM for Town Hall

restoration. The CPC could fund the historical preservation of Town Hall, but not the addition. The CPC was reviewing open grants and talking about signage to announce CPC projects.

Bill Wilson said the School Committee met to discuss their retreat, School Committee's goals, and the superintendent's goals. The School Committee was noted as being excited about the turf field. Out of 574 high students, 427 participated in a sporting event on the field. The School Budget was favorable by \$10,000. Mr. Wilson noted that the item to watch was tuitions, which were spiking by over \$500,000 due to special education and transportation. At \$5,000 per student, 17 students choiced out of the district, which was higher than in the past. One charter school placement cost \$16,000.

Bill Wilson struggled with the apportionment discussion because Wenham would only focus on enrollment when he felt it was a rare opportunity to look an outdated agreement. The Affordable Housing Trust (AHT) received a proposal for 20 senior units at Willow St. and 40 family units at Longmeadow Way. Harborlight was willing to work with the Town and the Longmeadow Study group. If Fall Town Meeting determined the Town had no use for Longmeadow as an affordable housing site, Harborlight would relinquish control. The affordable senior housing site at Willow Street was considered a smart growth solution that the AHT did not want coupled with Longmeadow as appeals at Longmeadow would prevent the project at Willow Street from being constructed. The AHT was reviewing town properties with discussion regarding Patton and the Public Safety Building. It was considered that the Town should wait to determine what plans the School Committee would have for the future of the Winthrop School.

Michael Lombardo announced new Town Hall hours could start August 15. Mr. Lombardo described the carbon monoxide levels building up in police vehicles and having CO2 monitors installed. Meeting minutes laws were changing to include that minutes should be posted within three meetings. Mr. Lombardo would meet with Ameresco to have a contract signed and if the project was not completed by April, it would be completed under the Smart Program.

The Board discussed changing Annual Town Meeting dates as Wenham had changed theirs. It was decided that due to parental obligations, the date would remain the same. Scott Maddern would determine sporting event dates. Michael Lombardo found the topics drove the attendance. Joint election results would be held until Wenham met.

Tim Olson said he was looking at GIS systems, which would be beneficial to the Town and would be efficient for communication. National Grid was present in town to complete hazard mitigation tree work. Bridge St. culvert work included negotiating their final payment. The pavement plan would provide a good tool to build a capital plan for paving projects. The roads would be rated 0 to 100 (perfect), creating a cost benefit scenario. The plan would be presented August 15, 2017. The draft offered a good idea of the costs and what the majority of the roads were rated and types of repairs needed. There was a placeholder in the plan for a Chapter 90 match. The BETA group did the assessment. 30 applicants applied for the truck driver laborer

position. Mr. Olson compiled a list of trees requested to be felled. Mayer Tree was the lowest quote. According to Mr. Olson, grading went well on Chebacco, Winthrop and Cutler Roads. Some rutting occurred due to rain, so the contactor would regrade and conduct another roll.

Regarding the Patton Homestead, Mr. Olson was trying to put together a parking lot solicitation for quotes and was negotiating a final scope of work with the designer who was looking at the property as a whole. The parking lot would be completed the following spring if a designer looked at the parcel as a master plan. Michael Lombardo wanted to have the parking lot completed sooner than later. Mr. Olson was looking at the Town Hall kitchen. The water main project would start the following week and continue into December with paving in spring 2018.

Tim Olson described the inoperative Casson well, which was repaired with positive results from 60 gallons per minutes (gpm) to over 200 gpm, indicating a successful cleaning of the well, pump and motor. There was a decline in wells due to stress, producing water at a slower rate. Idlewood well produced 80 gpm when it should be producing 150 gpm. Mr. Olson was talking with Dewberry about finalizing the scope of work for the plant upgrades. The media was ready to be shipped. The plant would remain in operation while work was done. Mr. Olson wanted to prioritize what was needed to produce high quality water.

Tim Olson said Dewberry needed to get the plant fixed to make it more manageable for the operators before searching for new well sites. Mr. Olson had talked about looking at Manchester and other sources rather than the Ipswich River Basin. The School Street well was producing a lot of water with minimal treatment to supplement the plant being offline and the Department would look for where another tank would help. Shawn Farrell noted that the numbers had not changed with consumption even with the conservation restriction. Mr. Olson added that there might be a few adjustments needed after the media was changed out.

Scott Maddern requested to release the executive session minutes regarding water and added that Ipswich River Watershed Association was not an ally of the Town of Hamilton. A visit to the water plant indicated a need to diversity outside the Ipswich River Basin into the North Coastal Basin. Mr. Maddern wanted the issue explained to the town and suggested drafting a presentation for Special Town Meeting. Allison Jenkins wanted the residents to understand it was not a regular water ban, but one due to the facility problem.

Tim Olson said he was planning on having the waste zero stickers for sale at the same place as the blue bags. The rate would be \$25.

Ed Howard recalled that a report recommended a \$2M fire protection system be located on Cilly's hill because the storage facility was in grave need of repair. The storage tank on Brown's hill was cleaned and found to be in better condition than expected according to Scott Maddern, who added that there was a declining number of fire calls.

Brian Stein said the Planning Board talked about the Willow Street Overlay District, Estate Overlay District and Marijuana ban By-laws, which would have a public hearing on September 5, 2017. The Cottage Housing By-law would be heard September 19, 2017. There was discussion as to whether a Nuisance By-law would be a Zoning By-law or a Town By-law. Michael Lombardo suggested putting the Marijuana Sales Ban By-law on the ballot in the spring.

Brian Stein gave the update that the cell tower was not approved by a supermajority. Mr. Stein wanted a sense as to how the process would go forward since the Town was the co-applicant with Varsity Wireless. Michael Lombardo said the Town would appeal the decision as there were technical errors in the decision. Scott Maddern asked if the Board would reconsider their vote to avoid Boards suing each other. Town Counsel was at the Planning Board meeting, advising the Board as voting occurred and the nay votes voted opposite what Town Counsel had advised.

Allison Jenkins said there was a need for the cell tower but some members felt strongly that the cemetery should be looked at, which was deed restricted and not an option. Patton Park was deed restricted by the Myopia sale for playground and recreation use only. Varsity Wireless said the Chebacco landfill was not an option as there was no coverage in the areas where gaps occurred. Ms. Jenkins thought there was enough technical information to meet the criteria. The Board was given clear guidance and they still chose to vote nay even though the Board of Selectmen clearly stated that this was where they wanted the cell tower. Bill Wilson said he believed the decision would be overturned and he hoped to save time and money by coming to an agreement.

Brian Stein said the Board was unaware as to the deed restrictions of the cemetery and Patton Park. Allison Jenkins responded that the application was for a specific location. The applicant provided 12 other sites most of which were private and did not want to lease their land for cell towers. There were no other viable options. Bill Wilson said there were only two locations to fill the coverage gap. Scott Maddern suggested approaching those against it to make it clear what their position was. Mr. Stein referred to the Federal Communications Act indicating that if there was a significant lack of coverage, the application would be difficult to turn down.

Rick Mitchell said certain members of the Board decided to disregard the facts and vote emotionally but didn't accomplish what the law required. Mr. Mitchell asked the Board of Selectmen to become firmer by coming to the Board and be specific about what they see as the issue and that the Town would take an adversarial position.

Bill Wilson suggested that since there was new information, the Board might want to change its vote. Brian Stein said Town Counsel could not represent either side and the Planning Board did not have a budget so the Board of Selectmen would need to vote a budget to fund the case. Shawn suggested a joint meeting to align the Board of Selectmen and Planning Board goals.

Consent Agenda

Approve the appointment of Janel Curry as an Associate Planning Board member, term expiring in 2019.

Approve the appointment of Christopher Shepard as an Associate Planning Board member, term expiring in 2019.

One day liquor license requested by the Community House for a wedding on Sunday, August 13, 2017 from 3:00 pm. until 8:00 pm.

One day Liquor License requested by Henry's Food for a buffet luncheon on Saturday, September 2, 2017 from 1:00 pm. until 5:00 pm.

Motion made to accept the Consent Agenda by Scott Maddern.

Shawn Farrell seconded.

Vote: Unanimous in favor.

Agenda

Historic Society Plaque. The Hamilton Historic Society requested the approval of the placement of a plaque on Town land at Chebacco Lake to read: "On February 28, 1910 on Chebacco Lake, an aircraft designed by W. Starling Burgess and piloted by Augustus Herring made the first controlled, sustained flight of a powered, heavier-than-air aircraft in New England." Ray Whipple had provided the information. The Town DPW would place the boulder with a bronze plaque near the parking area on a knoll.

Motion to approve the plaque as read at Chebacco Lake by Scott Maddern.

Allison Jenkins seconded.

Vote: Unanimous in favor.

Patton Homestead. Discussion ensued regarding the structure of staffing and governance at the Patton Homestead. Michael Lombardo reported that the employee would start as a part time employee and after fund raising, would become full time. The job description was agreed upon and labor counsel would be contacted for proper language. There would be supplementary material to the job description. The position would exclude benefits but if it were necessary to offer them within the first three to six months, Mr. Lombardo would consider it. The employee would report to Patrick Reffett for day to day issues, but to Mr. Lombardo for larger issues. Scott Maddern suggested Chief Stevens as an alternative. The position would be posted by August 15, 2017.

The Board discussed having the parking lot installed quickly. The net revenue to date was over \$1.2M with annual net revenue being \$85,000. The Total net gain was close to \$1M. Scott Maddern suggested appending the minutes so everyone would have the information. Marc

Johnson said the recommendation for the Homestead Inc. had been summarized and listed on the Town's website and on the public record. It was relevant that the Selectmen spoke with a single voice. Bill Wilson didn't see the need. Mr. Maddern said he had heard comments about the gift without a total understanding that there was financial attributes of the property. Marc Johnson said someone at the AHT meeting said the Patton Estate was losing money. It was reported that 1000 people were at Wenham Military History Day. After the future employee focused on fundraising and grants, an incredible opportunity would exist. In response to Mr. Wilson's question if an event could be held at the property currently, Michael Lombardo responded that it would need to be held outside as the bathrooms needed renovations. Mr. Lombardo added that it was a public property that everyone could access.

Personnel Policies. Michael Lombardo asked for potential changes to be sent to him to incorporate into the second reading.

Solid Waste and Recycling,

Michael Lombardo had distributed information regarding the changes in solid waste, which was increasing while recycling was not decreasing. Organic waste was declining. Mr. Lombardo said recycling could be costing money, but lately the Town was getting credit on it. Hiltz had a scale for composting material, but Casella did not weigh the material. Brick Ends Farm indicated that the volume was down. Mr. Lombardo was concerned that solid waste tonnage was on the rise when it had been declining for several years. Bill Wilson thought the sticker program would help. Scott Maddern suggested a graphic presentation to explain the differences. Mr. Wilson said percentages would help as well. Allison Jenkins noted that the overall tonnage was consistent but there was a shift in where the tonnage was going. Mr. Lombardo noted that year after year composting in the summer months declined. Mr. Lombardo said the Town was not at the point of going back to every other week trash pick up. Shawn Farrell suggested educating the public.

Review of open projects and create a tracking process to facilitate follow up, prioritization and ultimate close of projects. Bill Wilson wanted to create a tracking system to close things out and asked how the Board could fold this into goals and objectives for Michael Lombardo. Scott Maddern said he and Allison Jenkins had discussed tools to determine goals and objectives including an Excel form web based tool that would allow for updates only, so as not to violate the open meeting law. There were two views including a post it board and calendar to the Trello program, according to Mr. Maddern. Excel would be harder and someone would need to be the editor. Mr. Maddern volunteered to create an initial draft view to determine if Trello was practical to use.

Flags and flagpole. The flagpole would be installed soon with a new flag for Memorial Day. Scott Maddern talked to Greg McKenna about what needed to be done as the 100 flags were owned by Legion.

Special Town Meeting dates and warrant articles. Typically, the date was the first Saturday of October, but this year that would fall on Columbus Day weekend. Two dates were considered November 4 and October 28, 2017. Anabela Batista would check on the location availability.

Marisa Batista had a list of financial articles that would go to Town Counsel for a draft warrant. Scott Maddern noted the Town By-law changes would include the Conservation Commission By-law, while the Zoning By-law changes would include Cottage Housing. The Patton Fund Special Act and water plant needed to be considered, according to Michael Lombardo. There might be a Nuisance By-law and marijuana sales ban. There would be CPC funding approvals. Bill Wilson recalled that he had met with David Wanger who wanted the FinCom to be able to review the articles or Citizens' Petitions in a timely fashion. The Board would invite the moderator in with the former moderator for a discussion.

Consideration of topics for future meetings. The Joint FinCom meeting topics would include the three year forecast and capital improvement program. The schools had to come in with 3%, allowing Wenham to avoid an override. If the school had a capital plan, they could update the Town at Special Town Meeting.

Marisa Batista had sent out Munis reports with a Quarterly Financial Report due soon. The Town Water Enterprise Fund had a favorability. Rates were set up to accrue for general capital expenses such as a truck replacement.

Allison Jenkins wanted to discuss one day liquor and catering license approvals on a future agenda, to consider having the Town Manager approve them with the Board receiving a monthly list of approvals. A schedule would be put together for financial policies. Patrick Reffett would be providing a fee schedule to increase building permit fees with the Selectmen approving the change.

Adjournment

Motion to adjourn made by Scott Maddern.
Seconded by Allison Jenkins.
Vote: Unanimous in favor to adjourn at 9:33 pm.

Prepared by:

Marcie Ricker
Marcie Ricker

[Signature] 8/21/17
Attest Date