

HAMILTON FINANCE AND ADVISORY COMMITTEE
Minutes of Meeting
April 18, 2018

Members Present: Darcy Dale, John Pruellage and David Wanger (Chairman)

Others Present: Marisa Batista (Finance Director) and Russ Steven (Immediate Town Manager).

This Hamilton Finance and Advisory Committee meeting was called to order at 7:00 pm at the Council on Aging Building.

Public Comments

2018 ATM Post-Mortem

Suggestions had been offered regarding the length of Town Meeting and voting procedures.

David Wanger said the Town Clerk showed 409 voters being registered, but when the budget article was introduced to merge 2-4 and 2-5, only 327 persons voted in the teller count, which accounted for only 80%. The calculation highlighted that 82 voters registered, but presumably either chose not to vote or their vote was not counted. One reason for the large delta was that people might have felt intimidated voting opposite of someone nearby with another reason being an error in counting. Mr. Wanger recalled the vote on the particular item was 184 yes and 143 no, which meant that 184 people determined the tax rate and budget for the entire town, subject to the assessors' valuations.

Russ Stevens said the Town Clerk had spoken with counterpart towns that used digital counter equipment but the Town Moderator needed to be contacted. David Wanger said he had e-mailed the Town Moderator with the numbers. The Town Moderator responded that people would vote if they wanted and that some were reluctant to vote. Mr. Wanger did think it was not a good way to govern. Chief Stevens thought it might be useful to do a study at another Town Meeting to determine how people who were attending due to a specific article, would affect the voting.

Chief Stevens did not think this was a model Town Meeting but studying a meeting with a more varied article selection, would prove helpful. Mr. Wanger hoped the electronic process was followed through as the FinCom had a clear interest to ensure the process worked as best as possible.

John Pruellage wanted to ensure citizen involvement and noted that only one sign indicated the election site. Russ Stevens offered solutions to signage in the future and recalled that Winthrop School did not want elections on their property.

David Wanger discussed the length of Town Meeting and the Citizen Petitions' effect on timing. Mr. Wanger described how resolutions could be achieved to minimize the need for Citizen Petitions. Mr. Wanger recalled the cell tower issue, noting the divisive internal issues within the Planning Board and the Board of Selectmen versus the Planning Board minority. Mr. Wanger suggested creating a confidential resolution process to minimize the need for Citizen Petitions.

John Pruellage agreed as Citizen Petitions were used during previous Town Meetings to resolve a dispute prior to Town Meeting. Mr. Pruellage added that some Citizen Petitions were only advisory, while others wanted the audience of the entire Town.

Russ Stevens recalled that the correct person needed to mediate the issues, which could be heard and resolved before Town Meeting. Marisa Batista said some residents did not want to go to the Selectmen but wanted to go directly to Town Meeting. David Wanger added that some residents might be reluctant to stand up to the Selectmen or speak to the Town Manager but if there was a neutral person or service to facilitate discussion, it might be worth consideration. Mr. Wanger offered to participate.

David Wanger recalled the Planning Board situation when four individuals who were the simple majority were versus three individuals who would have provided the super majority. At the Selectmen's meeting, the four simple majority members spoke disparagingly regarding the other three, which Mr. Wanger found to be undesirable. Russ Stevens noted the divide of Town Meeting and that having a change of Boards and Town Manager would be beneficial. Chief Stevens noted the growing pains of the town were painful.

Discussion regarding/with interim Town Manager, Russ Stevens and Town Manager selection process.

David Wanger said the FinCom was precluded from participating in other committees but wanted to be a part of the selection committee. Russ Stevens outlined the 16 step process, indicating that those on the selection committee needed to understand town government. Chief Stevens wanted to ensure transparency. Darcy Dale wanted to make sure someone would have a knowledge of the town and New England. Chief Stevens said that many towns were currently seeking a Town Administrator or Town Manager and added that eight years was a good run for a Town Manager.

In response to Darcy Dale's request that the Town Manager take direction from the Selectmen, Russ Stevens said the special act gave the Town Manager a lot of authority. Chief Stevens suggested the Board of Selectmen set up a meeting to do the proposal. Steven Delaney, who was the Town Administrator of Wenham from 2002 to 2009 had already submitted a resume.

Review of FY18 Third Quarter results

Marisa Batista had a reserve fund transfer request to pay the Town Manager's payout agreement. David Wanger wanted to see the termination agreement. A transfer for in state travel to professional employment was also discussed. John Pruellage said the severance amount was greater than what would have been budgeted for the fourth quarter, which would come out of the FinCom reserve. Ms. Batista said she had looked at the Town Manager's salary line item and calculated the end of the year to determine the difference. As it was a six month's payout with only three months in the end of the year, the item needed three months' time as well as vacation payout, and comp time. The difference was \$57,000, which was listed. The Town Manager's salary account was at zero, so when the Town hired an interim Town Manager, it would be need to be reviewed.

According to Russ Stevens, the Town Manager's contract included a six month payout. David Wanger asked to see the contract. Marisa Batista said the termination agreement agreed with the contract. Mr. Wanger asked how comp time was calculated. Ms. Batista responded that it was based on his hourly rate and was determined between the Board of Selectmen and the Town Manager. Michael Lombardo had prepared a spreadsheet where he tracked his comp time. The Selectmen only paid for the previous 90 days of comp time. When Mr. Lombardo took his leave of absence, he used sick time. Mr. Lombardo was not pension retirement eligible.

Motion made by John Pruellage to authorize the signature for the account transfer related to \$100 for in state travel.

Darcy Dale seconded.

Vote: Unanimous in favor.

John Pruellage stated there was \$42,000 after the transfer, which would cover an interim Town Manager. David Wanger wanted to see more information regarding the comp time, even though the termination agreement had been made and Michael Lombardo had been paid. Mr. Wanger wondered about the personnel policy and the issuance of comp time records, which were used to determine that the Town owed Mr. Lombardo \$7,565. According to Russ Stevens, Mr. Lombardo had more than 103 hours but was paid 103 at the regular rate for work completed beyond the normal work week. Mr. Lombardo was exempt from FLSA unless it was in his contract. Chief Stevens did not think he would be able to obtain the information that David Wanger was looking for but reiterated that the Board of Selectmen had already agreed to the terms. Chief Stevens added that unless comp time was specified in one's contract or if the Selectmen decided to pay it upon severance, no comp time would be paid. Chief Stevens added that most managers didn't attend night meetings or weekend emergencies. Chief Stevens recalled that Mr. Lombardo did not like managers accruing comp time but preferred they take comp time off. There was something in the personnel policies that indicated it had to be used within 90 days. Mr. Wanger referred to the time recording questions of the Town Clerk and agreed that vacation and six months' severance were established, but wanted more information regarding comp time.

according to Mr. Wanger.

An area of concern was the steeple's capacity for one more cell provider. The Seminary said there was capacity for current technology but others said the new technology could not be accommodated there. Income was derived by the lease of cell tower space and it should be explored if the income could go to the Town. Russ Stevens wanted the Committee to be mindful that the public safety department had an antennae there that Gordon Conwell did not charge them for. Darcy Dale responded that it was to their benefit as public safety was a frequent visitor to the campus. Chief Stevens would go to MA Chiefs to see if other public safety departments paid for antenna locations. There was a repeater tower at Pingree School, who did not charge for the location.

David Wanger recalled that residents believed there was Town owned land in the Gordon Conwell area, which could be devoted to a cell tower. Mr. Wanger also wondered about the land being sold on Bridge St. at Miles River Road when the land could have been donated to the Town for affordable housing.

The FinCom wanted to continue to explore shared services and shared costs with Wenham. Financial pressures were currently difficult enough in Wenham that they might be more receptive than in the past. Darcy Dale recalled that Wenham tried to get out of regional school agreement to go with Essex to the Manchester Regional system. Ms. Dale said they did the same thing with the ECO center. Russ Stevens responded that Wenham might be bringing dispatch back to town as they did not save as much as they originally thought. Topsfield had also expressed an inquiry if their costs increased.

Darcy Dale spoke about Vicky Masoni and the grants available for solar. A solar expert had conducted a criteria and costs of solar possibilities and rewards. The solar project at the Chebacco landfill would generate \$20,000 per year. Russ Stevens thought it was more and added that DEP was waiting for the capping certification. Chief Stevens said he would put solar panels on the back of the public safety building.

The public safety building was discussed. The second floor was usable and four bunk rooms were rented to Beaufort Ambulance. There was no ADA access or elevator so the area could only be used for employees. Bathrooms were framed but not plumbed. While Darcy Dale wanted to bring back the ambulance service based on a 166 page study, Russ Stevens responded that it did not generate much money. Ms. Dale said there were 500 to 600 ambulance runs per year but Chief Stevens said many of the runs did not include trips to the hospital. Ms. Dale said EMTs did all the preparation and waited for the ambulance to transport, but Chief Stevens said the police were always the first to arrive. Chief Stevens said Beauport Ambulance's contract indicated that they could be no more than five minutes from a call. Ms. Dale disagreed. Chief Stevens also pointed to liability insurance as an added cost. Chief Stevens suggested watching Wenham and their ambulance venture to balance the costs for staffing an ambulance for transport versus the benefits. Chief Stevens said call firefighters would eventually be gone and more full time cross trained staff would be needed. Chief Stevens said Beauport also provided senior busing for free.

David Wanger wanted to have opportunities, such as breakfast with a couple of Selectmen as well as meeting quarterly in an effort to develop more interchange. Shawn Farrell had been voted Chairman of the Selectmen and liaison roles would be determined. Mr. Wanger wanted to meet with Mr. Farrell and hoped for frequent open communication with him. Mr. Wanger asked for a list of committees and departments to ensure that all department liaisons were being met.

Developing relationships with the School Committee were discussed. David Wanger recalled e-mailing Gene Lee who never responded. Mr. Wanger thought it was important to have the School Committee understand that an increase of 5.7% for the Schools while the .01% increase for the Town was inequitable. Russ Stevens recalled that for the last nine years, the department heads had budgeted tightly. Office supplies were increasing more than budgets. Town employees received a 2% COLA while School employees received a 3 to 3.5% COLA. Chief Stevens thought the defeat of the \$2.6M ask might put the School on notice.

David Wanger discussed the Planning Board dispute regarding the cell tower, noting the Town's sentiment to pay both lawyers. Mr. Wanger said the Town's litigation was a sham, which the Town would pay for. If the motion were rejected by the court, it would be settled with litigation costs according to the dispositions of Articles 5-1 and 5-2. Mr. Wanger wondered what occurred to cause the dispute and why the special permit was denied. Mr. Wanger wanted to understand

the three opposing voters' intentions. Mr. Wanger said the topic spilled over to the FinCom because of the positions of the Town Manager and Selectmen. Russ Stevens suggested waiting for the judge to decide. Mr. Wanger added that lessons learned would translate into the path forward. Darcy Dale and Marisa Batista agreed that there was no mechanism to pay the legal fees of the three opposing voters. The goal was to achieve cell coverage in town with creative solutions and mediate the Board to deter animosity. Mr. Wanger pointed to the resolution with Rosemary Kennedy and the Zoning By-law as a template for resolution.

Russ Stevens discussed Bob Patton and a host agreement as attorneys were working on the prospect. Chief Stevens suggested discussing the situation later.

Future discussion and presentation of MMA Finance Committee Handbook topics.

Committee Member Comments/Reports

Darcy Dale would contact Vicky Masoni to generate alternate energy income because the Town could not keep cutting the budget.

Review and approval of any available minutes

Russ Stevens wanted boards to do better having minutes approved. The Town Clerk should keep them all on record.

Determine/Discuss agenda for next meeting.

Other Topics Not Reasonably Anticipated as Determined by the Chairman.

Adjournment

John Pruellage made motion to adjourn the meeting.

Seconded by Darcy Dale.

Vote Unanimous to adjourn at 9:36 pm.

Prepared by:



Marcie Ricker

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Attest

Date

5/17/08