

HAMILTON DEVELOPMENT CORPORATION

MINUTES OF MEETING

Memorial Room, Hamilton Town Hall, 577 Bay Road

May 29, 2019

Members Present: Rick Mitchell (President), Brian Stein, Anthony Nickas, Bill Gisness, and Tom Goodwin

Members Absent: None

Coordinator: Dorr Fox

Rick Mitchell opened the Hamilton Development Corporation (HDC) meeting at 7:33 a.m.

Warrant for Bills

Mr. Mitchell presented Warrant #HDC-1928 in the amount of \$4,760 for Coordinator Dorr Fox's time and other related salaries as well as the last mortgage payment for the current mortgage.

Brian Stein made a motion to approve Warrant #HDC-1928 for \$4,760. Tom Goodwin seconded the motion. The HDC voted unanimously (5-0) to approve the warrant.

Approve Minutes—May 22

A couple of small changes were needed because Mr. Mitchell and Mr. Goodwin were not present at the May 22 meeting but were listed as "present" in the heading.

Mr. Stein made a motion to approve the amended May 22 minutes. Mr. Goodwin seconded the motion. The HDC voted (3-0) to approve the minutes. *Mr. Mitchell and Mr. Goodwin did not vote as they were not present on May 22.

Downtown Improvements

The flower baskets are up. HDC members noticed them over the weekend. They are on both sides of the poles.

59/63 Willow Street

The “nuisance tree” work was started. Also, there is a fallen branch in the yard that Bill Gisness noted. Mr. Stein will advise the tree service co. to remove it.

Mr. Mitchell asked for an update on the tenant situation. Mr. Fox said the person had not made their payment as was promised and had not been in touch. The rent is four months behind. Mr. Fox applied the security deposit to the last month’s rent. Mr. Mitchell said the next step will be small claims court. Anthony Nickas recommended the HDC send one more letter advising the tenant that the next step is small claims court and to have the letter drafted by HDC attorney Kathleen O’Donnell. Mr. Fox will contact her.

The tenant is supposed to be moving out by the end of the weekend. Mr. Nickas said they should advise him the locks will be changed at that time. Mr. Stein and Mr. Gisness both have keys to the building. Mr. Gisness will give his keys to Mr. Mitchell. There haven’t been any responses to the Craig’s List ad yet.

Selection of Consultants

Mr. Mitchell said they would choose three consultants: architectural, civil engineering, and legal consultants. He suggested they all maintain their ranking sheets in case there is some question about how they arrived at their decisions.

Architectural Consultant:

Mr. Mitchell said he thought SV Design [Thaddeus Siemasko] was clearly the best architectural firm in terms of presentation. Mr. Nickas agreed, saying they would make a good presentation to the Planning Board. Mr. Goodwin said he had worked with them on two of his additions and liked them, as well. Mr. Mitchell noted Mr. Stein was recusing himself from the decision on the architect and hadn’t participated in any of the discussions because this is his field and he has worked for one of the candidates.

Mr. Goodwin made a motion that the HDC select **SV Design** to begin negotiations. Mr. Nickas seconded the motion. The HDC voted (4-0) to select SV Design. Mr. Stein did not vote. Savoi/Nolan Architects was the other firm interviewed, the HDC’s second choice.

Civil Engineering Consultant:

Mr. Mitchell said he thought Hancock Associates’ presentation was lacking in enthusiasm. He was not present for Charlie Wear’s pitch for Meridian Engineering (nor was Mr. Goodwin). Those who were present for Mr. Wear’s pitch said they preferred it to that of Hancock Associates. Mr. Gisness said aside from being the better presenter, Mr. Wear seemed more knowledgeable about the use they want.

Mr. Nickas made a motion that the HDC select **Meridian Engineering** to begin negotiations. Mr. Stein seconded the motion. The HDC voted (3-0) to approve the motion.

Mr. Goodwin and Mr. Mitchell did not vote because they were not present for Meridian's presentation. Hancock Associates was the HDC's second choice.

Legal Consultant Decision:

HDC members agreed both Jill Mann of Mann & Mann and Miranda Gooding of Glovsky & Glovsky would do a good job; however, they were leaning toward preferring Ms. Mann. Mr. Mitchell said Ms. Mann was the attorney at Canter Brook and he had seen her present while he was working on the Planning Board. Mr. Nickas said he thought Ms. Mann had more land use experience. They also liked that she had a good working relationship with Director of Planning & Inspections Patrick Reffett. Mr. Gisness thought she would be a good salesperson. Mr. Stein knows them both, has worked with Ms. Gooding, and said he found them both extremely competent. If they can't negotiate an agreement with one, they can pick the other.

Mr. Gisness made a motion to approve negotiations with **Attorney Jill Mann**. Mr. Nickas seconded the motion. The HDC voted (3-0) to select Ms. Mann. Mr. Mitchell and Mr. Goodwin did not vote as they were not present for Ms. Mann's presentation.

Next steps are to write a letter to the consultants who were their top choices and a letter to those not selected thanking them for their time, etc. In the letter to the runners-up they will state that if for some reason the HDC is unsuccessful in negotiating with their first choice, they will contact the second.

Mr. Mitchell proposed just one or two of them handle the negotiations. He will put together an outline of what he thinks the negotiation should consist of and circulate it for their additions/corrections. Mr. Nickas volunteered to be involved in the negotiation process along with Mr. Mitchell.

The HDC discussed asking for a fixed fee if possible. If not fixed then perhaps a "Not to Exceed" amount. Mr. Nickas said the consultants were in a position to submit a draft engagement letter. Mr. Gisness thinks they should be able to get a range plus the hourly rate. Mr. Fox recommended they write up a summary of who they interviewed and who was selected.

Discussion of Associate Members to the HDC

The HDC currently has two Associate Member applicants: Angela Arvanites, who owns A Monogram Shop, and Chad Smith, a real estate broker and president of the Hamilton Wenham Rotary Club. The HDC's idea is to appoint the two now as Associate Members who could become full voting members if someone were to leave the board or had to recuse him/herself.

The HDC can only have five voting members. Mr. Nickas asked if the Planning Board had associate members. Mr. Stein said yes, and they can vote when one of the voting members misses two meetings.

The HDC discussed that Mr. Goodwin and Mr. Gisness were the most likely ones to be leaving the board in the future. Both Mr. Goodwin and Mr. Gisness expressed that they would want to see the Willow Street project through the site plan approval process. Mr. Mitchell commented it could be a slow process.

Mr. Mitchell said he thought that procedurally, they would need to submit the names of the two new members to the Board of Selectmen (BOS) for review and approval. They need to get clear on how that works. Mr. Fox asked if they wanted him to send an email to Ms. O'Donnell to inquire. Mr. Mitchell said, no, he will find out, craft it, and then they can send that to the attorney to confirm. Mr. Mitchell will put something together and email it to Mr. Fox. Then they can finalize it with Ms. O'Donnell and give it to the Town Manager to give to the BOS.

The HDC discussed the qualifications of the two proposed new members and said each would be an asset to the HDC.

Budget

Mr. Nickas said he started working on the budget and needs just a bit more information from Mr. Fox. He wanted to know whether the HDC wanted to use their line of credit as the source for the permitting work. The others said no. They have \$180K of free cash they can use. Mr. Nickas will put in \$80K-\$90K as a placeholder. Mr. Gisness asked if there were any repairs they needed to do to the building. They said no.

New/Old Business

The HDC had a follow-up discussion on the downtowns vendors' Street Fair. Food vendors, including the beer truck, had backed out. Apparently the health agent was the issue. Mr. Fox explained that Bobbie of the Board of Health, who works with several towns, requires everyone to be certified a month in advance of the event. Also there is a \$25 fee. It is a program called Serve Safe for people who serve food on site to make sure they do it appropriately. Mr. Fox said the Town is aware of the problem and has agreed to add staff the next time so they can better get through the process. Mr. Nickas wanted to know if this process were outlined somewhere or if it were just what she did. Mr. Stein wanted to know what happens in other towns as this can't be unique to Hamilton. The HDC thought having to be certified a month in advance seemed too early. Mr. Mitchell said he thought they should have a discussion about this with Town Manager Joe Domelowicz.

Mr. Mitchell asked when the next meeting of the downtown business group was going to be. Mr. Fox didn't know but said he would find out. Mr. Mitchell said he would like to get their feedback.

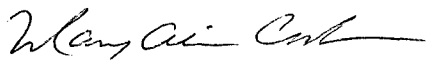
Mr. Gisness suggested having another email go out thanking the business owners for their participation in the Street Fair and discussing other things the HDC was doing. Mr. Fox thought that the next email might deal with the new website. Mr. Mitchell said they might want to bring them in and present the website design, either to attend their meeting or invite them to the HDC's. Mr. Fox didn't want to take credit for the Street Fair since it was a group effort and the HDC was just one part of the group. Mr. Mitchell mentioned he might like to attend the next meeting. Mr. Fox said there are two groups, a larger group and a smaller, core, group. He will find out when the next meeting is.

Mary Alice Cookson suggested that when the website page is live, it can be used as a tool for communication that might be more immediate than sending an email. Mr. Mitchell said the website will need to be approved by the HDC first and it would be good to present the page to the business group first and solicit their feedback, and also to present it to the BOS. Mr. Fox will set up a meeting with the business owners to solicit their feedback on both the website page and the Street Fair. Also he will more formally respond to the Associate Member applicants so they know what is happening and what the next step in the process will be.

Adjournment

Mr. Stein made a motion to adjourn the meeting at 8:30 a.m. Mr. Nickas seconded the motion. The HDC voted unanimously (5-0) to adjourn the meeting.

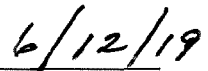
Prepared by:



Mary Alice Cookson



Attest



Date