

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Town Hall Memorial Room, 577 Bay Road

January 13, 2020

Selectmen Present: Chair Jeff Hubbard, Rosemary Kennedy, Shawn Farrell, Darcy Dale, and William Olson

Selectmen Absent: None

Town Manager: Joe Domelowicz

Jeff Hubbard called the Board of Selectmen (BOS) meeting to order at 7:02 p.m. The Pledge of Allegiance was recited. The meeting room was full with about 40 attendees, many standing.

ANNOUNCEMENTS & BOARD OPENINGS

- The Council on Aging, Recreation Committee, Hamilton Historic District Commission (HHDC), Open Space Committee, and Conservation Commission each have one opening. The HHDC additionally has an opening for an alternate.

PUBLIC COMMENTS

Patti Miller, 8 Maple Ave., asked that the Asbury Grove seasonal water billing situation be placed on the next agenda.

Larry Sargent, 16 Ricker Circle, said there was a report from EBI Consulting working on behalf of Everest [Infrastructure Partners] regarding the cell tower issue and he had questions about it. He asked the BOS to review the material, which he said included disturbing facts, and wanted them to discuss it as a future agenda item.

Selectmen/Town Manager Reports

William Olson said the Planning Board had approved the Willow Street project, but there is no builder yet. The Attorney General responded there was no issue with the mix-use bylaw

change. The Town Hall Building Committee has been discussing ground water and structural issues pertaining to renovating Town Hall.

Rosemary Kennedy said that sadly, the Conservation Commission (ConCom)'s opening is due to the death of Bob Cronin; she offered condolences to his family. She said the ConCom's revised wetlands bylaw will hopefully be brought to Town Meeting this spring. The Commission has been discussing some cutting violations. She reported the Christmas tree bonfire went well and thanked the Fire, Police and Recreation Departments, as well as sponsors who donated prizes.

Shawn Farrell said the Recreation Committee meets tonight. The Rec Dept. is well into its winter program and looking ahead to summer, putting out job postings for lifeguards and camp counselors. Discussion of a scoreboard for Patton Park sponsored by the Little League may be a future BOS agenda item. The Community Preservation Committee (CPC) met Jan. 9 and talked about open grants, which he listed. Discussion of a grant request for the Town Hall renovation didn't come up, but is expected. The CPC's state match will be 14%, although more money will be coming due to a State surplus also being allocated. CPC funds total about \$531K. Interim School Superintendent Dr. Julie Kukenberger attended the CPC meeting for a "meet and greet" (first time anyone from the Schools has done this) and she expressed her wish to advance the turf field cause. She expressed Title IX concerns, wants equal footing for male and female sports. The Wenham CPC would like to meet informally with the Hamilton CPC and they are arranging it. The Town needs call firefighters. He turned the floor over to Fire Chief Ray Brunet, who said they've gotten some applicants. Lastly, Mr. Farrell said the HHDC met with the Town Hall Building Committee regarding the renovation. The HHDC is also working on Historic District guidelines.

Mr. Olson added that the school superintendent screening committee will be announced Jan. 22.

Darcy Dale reported the BOS met with the School Committee and voted in a new Hamilton School Committee member: Mr. Tai Pryjma. She said she would like to see better "rules of engagement" for addressing emails that come to the Town, with them funneling through the Town Manager. It is against open meeting law for BOS members to respond when emails are sent to the whole board. She said a recent article says some towns are realizing they need to have a person devoted to handling this task. She will be speaking with the Hamilton-Wenham Mothers' Club about civic lives and how Hamilton governs itself, Jan. 22 from 7:30-9 p.m. at Town Hall.

Mr. Hubbard said the Town Hall Building Committee completed a lot of work and has been able to accommodate the HHDC's design concerns. They opted to keep the staircase and upstairs stage. Next step is to hear from the architects. He gave a shout-out to Ms. Kennedy, Town Manager Assistant Michellelee Carroll, and Chief Brunet for their work on the bonfire event.

Town Manager Joe Domelowicz's report will be posted online. He reminded the boards to take the State's ethics online training and turn in the certificate to the Town Clerk by Jan. 20. The nomination period for elected officers is open and papers are due Feb. 20 with March 9 as the withdrawal deadline. Openings include the BOS, Planning Board, Town Moderator, and Town Clerk. The Presidential Primary will be held March 3 with early voting Feb. 24-28. On Jan. 15, National Grid will have a planned outage for three roads. E-Waste disposal will be Jan. 18 at the Department of Public Works (DPW) yard; only checks are accepted. The joint Inspectional Services program IMA [Inter-Municipal Agreement] is up and the BOS will be asked to vote Jan. 27 to extend the contract. The current language calls for a vote to be taken by Jan. 15 or the program automatically terminates. They need to amend this.

CONSENT AGENDA

- Approve Minutes—Nov. 18, 2019 BOS meeting.
- Approve use of Patton Park for June 20, 2020 event
- Accept resignation from HHDC member

Mr. Farrell made a motion to approve the Consent Agenda. Ms. Dale seconded the motion. The BOS voted unanimously (5-0) to approve the Consent Agenda.

The BOS discussed that the HHDC resignation was from Margaret Meahl.

Fiscal Audit Exit Conference—Discussion

Auditor Jim Piotrowski of CLA (CliffordLarsonAllen) presented his report. Agenda items included: Terms of Engagement, Executive Summary, Financial Highlights, and Management Letter. He said the Town's financial statements were fairly represented and there weren't any matters reported significant enough to warrant a communication with the Board. What they did report on in the Management Letter was identifying best practices and recommendations to improve financial controls with 6 comments made. Four were recurring. They concerned the Veterans' Memorial Pool; Information Technology; Cash Receipts (moving collection over to the Treasurer's Office); Risk Assessment and Monitoring. Two were informational. They concerned Fiduciary Activities and Lease Accounting & Financial Reporting. He called attention to Page 7 and said overall the Town has maintained a healthy balance in its General Fund of the percentage of Unassigned Fund Balance to Expenditures and Transfers out.

Mr. Farrell had some questions on specifics and commented that overall the audit was sound and the Town Manager, Finance staff, and Finance and Advisory Committee (FinCom) had done their jobs well.

Mr. Olson noted that last year there were eight comments and this year there were six, which meant they were moving in the right direction.

Ms. Kennedy asked when they could look at the Management Letter. She was told it had been emailed out about a month ago. Mr. Domelowicz said he would get her a copy.

Mr. Olson asked where the BOS was in reviewing Financial Policies. The response was that two are done and four still need to be reviewed.

Sharon Road Report on Pilot Closure—Discussion and Vote

Police Chief Russell Stevens recapped what had been done since February when residents had reached out with concerns about traffic volume on Sharon Road. He discussed the stats from the traffic study. An average of 1,000 vehicles traveled through there within a 10-day window with the average speed slightly below 25 mph. He said four people had sent in letters of opposition to the pilot road closing. He noted they've had three accidents in the area of Sharon Road and 12 enforcement activities for speeding within the last five years. He said there weren't any definitive answers about whether the road closing had improved things. He said the closing had stopped traffic going through there and that it had inconvenienced some, including some residents. When asked by Ms. Dale for his opinion, he said he couldn't really offer one at this point. He assumes that now, since drivers have been educated about the road closing, the only people driving there now are those who live there.

Mr. Olson asked the Chief if he thought they had closed the right end of the road. He said he wasn't sure because close calls aren't reported, although he had been told there were some close calls when pulling out onto Highland Street.

William Searson, 14 Bradford Road, told his story of a close call when pulling out and having to reverse quickly. He urged them to keep the Asbury St. exit open rather than the Highland St. one. He cited that cars coming on Highland are going 40 mph while cars on Asbury are generally going 30 mph.

Lorri Kulhavy, 246 Highland St., said she had noticed increased erratic driving on Highland St. and has seen cars trying to pass on the double yellow. While the move to close the road has relieved some traffic volume, she said it had created safety issues on Highland St., which gets backed up when school lets out so people can't back out of their driveways. She wants the whole area to be looked at. Also, she said her sister had noticed more squealing tires.

Danielle Broderick, 294 Highland St., and her husband Tim live on the corner of Sharon Road. She said they were in favor of keeping both sides open and having a greater enforcement of the hours when the road is closed. They've noticed people driving too fast, peeling out while going around someone, and said they're often tailgated. Mr. Broderick said he's noticed an increase in this kind of activity since the closure.

Leandra Defeo, 4 Sharon Road, said she feels Sharon Road should be closed on the Asbury St. end rather than Highland St. end. She said she's seen people move the barrier or drive

around it. She said people speed through the neighborhood making it unsafe for kids playing and people walking their dogs. On the one end, there is a stop sign that gets people to slow down as they enter the neighborhood.

Anna Siedzik, 227 Highland St., affirmed what the others said, that the road closing had increased people's anger and bad driving. However, she wants the road to stay closed as it isn't meant to be a cut-through. She doesn't care which side is closed, but she would like to see the "funky" intersection redesigned.

Mr. Domelowicz responded that Tim Olson, DPW director, had applied for Complete Streets grant money and they can also use some Chapter 90 funds to fix some spots in Town and that intersection was on the list. Mr. [Tim] Olson spoke about the competitive application process and where they were in applying and weighing priorities. Mr. Domelowicz asked if people could please email him with their comments as he thinks they'll be helpful to describe the impact. A man in the audience asked if Mr. Domelowicz could reply to all of them; he said he would try. Mr. [Tim] Olson said letters can also be mailed in.

Richard Hayes, 31 Bradford Road, said he thought the line of sight was better on Asbury St. than it was on Highland St., although people speed on both.

Mr. Olson asked the cost for doing a traffic study so the engineers could advise them which side was best to close. Mr. [Tim] Olson said it wouldn't be too costly.

Alice Maciejowsski, 17 Sharon Road, noted a traffic study had been done in relation to the condo development at Canter Brook and said the BOS could look at that study to see what it showed. She asked if they could please keep the barriers up until the vote was made about which side to close so problems don't start all over again.

Shannon and Mark DeForest, 23 Sharon Road, spoke in favor of making the Sharon Road closure permanent. She painted a picture of the neighborhood and said there could be 18 kids outside playing. The road isn't built for cars going through at those speeds. She cited a recent scare when her young daughter was out riding her bike. She said while a neighbor was driving slowly, a truck flew around and didn't see her child except for when a neighbor alerted the truck's driver.

Nick Defeo, 4 Sharon Road, said he lives on the corner of Sharon and Asbury and even if he has to go all the way around due to the closing, he's more than happy to be inconvenienced.

Jon Whitcomb, 3 Sharon Road, said if the Town were going to close the other side, he would like a stop sign at the entrance to get the drivers to slow down as they enter the neighborhood. He cited a story about a young driver going to Pingree School.

Mr. Farrell asked for a show of hands of those in the audience favoring the road closure—a majority. He asked which side they preferred be closed. The majority said the Highland St. side.

Ms. Dale said she would like to see the Highland St. side closed on a pilot to see if it will add any new info. Mr. Olson said they should just close it back up on the side that was already closed until they can study it. Ms. Dale asked what the Chief thought. He said he thought it might be worth closing Highland as a pilot, but they won't get a good idea on the traffic until Canter Brook opens, which exits onto Asbury.

Ms. Kennedy commented that the Highland and Asbury intersections need to be reconfigured and she'd like to see some speed enforcement on Highland. She said she is convinced they ought to continue the closure.

Mr. Domelowicz said his question is what they do in the short-term while they are having the situation studied by an engineer. Ms. Dale advocated for closing the Highland St. side. The downside is that it takes people a while to adjust to the change. The Chief said that people will relearn and not to let that be a factor.

Carol Hayes, 31 Bradford, said she heard a lot of people at Canter Brook spend several months in Florida and that might affect the data of the traffic study.

Decision:

Mr. Olson made a motion that the BOS vote to permanently close Sharon Road. However, in deciding which side to close, they would temporarily make the closure on the Highland St. side until they have an engineer study the situation and give input. Ms. Kennedy seconded the motion. The BOS voted unanimously (5-0) to accept the motion.

Chief Stevens noted the closure wouldn't be done tomorrow, but would be done soon.

Mr. Olson said he thought they should work to be more proactive than reactive and suggested that Chief Stevens and Mr. [Tim] Olson come up with a Top 10 list of problem roads to look at.

Municipal Trash Collection Programs—Discussion with Sharon Kishida of Massachusetts DEP [Department of Environmental Protection]

Ms. Kishida applauded the work of Hamilton's Waste Reduction Committee. Some members were present. She said Hamilton had been the first community in Massachusetts to introduce curbside collection of food waste and have a three-sort collection. She also applauded the BOS decision to return to every-other-week pickup. She cited that Hamilton residents may still put out as much food and compostable paper products as they wish. Also, they can put out textiles and household goods. There are also many options for yard waste, and there are annual mercury and e-waste collections.

She noted the tipping fees for tonnage and recycling in the area. She said Hamilton is paid for the textiles it puts out. She noted the fees for the blue bags. She said the State had lost three landfills in the last two years. Seven are left, but they are all due to be closed by the

end of the decade. She said the Town of Hamilton currently pays Wheelabrator \$69.50 per ton. When the contract expires at the end of June, the Town will pay \$82 a ton and then \$93 a ton. She said food waste makes up a significant portion of the waste stream and cited the data on how composting went down when the Town went to every-week pickup. She applauded the BOS for the decision to return to every-other-week pickup, saying good government is when elected officials made the hard decisions that aren't popular with some but benefit the whole.

Ms. Dale asked her if there had been any effort by the State to modify procurement models so when the State purchases something they are thinking about what they purchase based on producer responsibility. Ms. Kishida responded, as one example, that there's a bill that asks consumers to pay up front for the disposal of paint. Ms. Dale commented they could ask distributors to conform to better practices regarding packing materials.

Mr. Farrell noted residents should call their hauler [Casella] rather than the Town if they have a situation where their trash is not picked up.

Hamilton Housing Production Plan—Discussion and Vote

Mr. Domelowicz said the Planning Board voted to adopt the Housing Production Plan (HPP) as an adjunct to the Master Plan for Housing. To submit the HPP to the State, the BOS will also need to approve it.

Mr. Farrell noted the Hamilton Affordable Housing Trust (HAHT) did not vote to approve the plan at its last meeting.

William Massos, HAHT member, explained that the HAHT had basically supported the HPP, but when he had looked at it, he had some concerns that some things described in the Plan are ideas that the Trust had moved away from. He thought it misleading to include those things in the Plan as possibilities when they weren't actually even being considered. He said when he proposed to the consultant that some qualifications be added to the Plan, his idea was said to be a good one, but it was dismissed. He wondered about the BOS approving the HPP subject to the Trust resolving some of these issues.

Ms. Dale noted the HPP is 95 pages long and will take some time for them to digest.

Decision:

Ms. Dale made a motion that the BOS table the vote until the next meeting. Ms. Kennedy seconded the motion.

Further Discussion

Mr. Farrell said he thought the BOS should wait until the HAHT looks at the HPP again at its next meeting, which is Feb. 13. Mr. [William] Olson said while the Planning Board had voted on it, that didn't mean the BOS can't vote to amend it. Mr. Farrell said he would still feel more comfortable waiting.

Decision (Continued):

The BOS voted unanimously (5-0) to table the vote to their next meeting.

Update to Fiscal Year 2020 Budget Calendar—Discussion

Mr. Domelowicz presented a couple of changes to the calendar. He said the BOS previously discussed that they would hold the presentation of the Town's budget and Capital Plan to the BOS and FinCom on a Monday night at a regularly scheduled BOS meeting. The next scheduled meeting is Jan. 27, but because the School Committee doesn't vote until Jan. 29, the best time to hold the discussion would be Feb. 3. FinCom has said it would be OK with that.

Decision:

Ms. Dale made a motion to change the date for the presentation of the Town budget and Capital Plan to the BOS and FinCom from Jan. 27 to Feb. 3, 2020. Mr. Farrell seconded the motion. The BOS voted unanimously (5-0) to accept the motion.

Mr. Domelowicz said the next item is that the date for the Public Hearing on ATM [Annual Town Meeting] Warrant Articles and to Close the Warrant (which includes Citizen Petitions certified by Feb. 17) was going to be Feb. 17. But because Feb. 17 is a Monday holiday, the Town Clerk asked the BOS to consider closing the warrant Feb. 10. (The other alternative would be Feb. 18). He explained that closing the warrant just means that at that point they won't be accepting any new articles, although they can have placeholders and make changes to the articles already on the warrant. He said by tomorrow he will have a list of all the warrant articles the Town is going to generate.

Ms. Dale said she preferred Feb. 18 as the date to close the warrant. Ms. Kennedy said she would also vote for Feb. 18 in light of the ConCom working on the wetlands bylaw and perhaps needing time since it is an important bylaw.

Decision:

Mr. Farrell made a motion to close the warrant on Feb. 10 to new articles. Mr. Olson seconded the motion. The BOS voted (3-2) to accept the motion. *Ms. Dale and Ms. Kennedy were opposed.

Remote Voting Devices—Presentation by William Olson and Vote

Mr. Olson painted a picture, saying everyone would get a voting device, which he referred to as a "clicker" and would sit in their seats with it at Town Meeting. He noted the clickers could also be used outside of Town Meeting, for example, at other meetings for taking straw polls or in the schools.

Mr. Farrell commented that he thought 45 minutes to an hour could be shaved off Town Meeting with use of the clickers. He said they also help for more accurate accounting and

for creating a record of the vote so they know what the margins are and how many abstained from voting.

Mr. Olson said, in response to a question on the technologies utilizing people's phones, that he didn't think it made sense for people to have to program their phones. The clickers are simple devices resembling small calculators.

Ms. Dale asked what happens if a voter presses the wrong button. He responded that the Town Moderator would most likely caution people as they were voting so that didn't happen.

Mr. Olson said typically communities order a quantity of 400. It costs about \$16K for both the clickers and software, or towns can rent them from about \$2K to \$3K per meeting. Mr. Domelowicz posed the idea of sharing clickers with another town.

Mr. Olson said an added bonus is seeing a screen in front of the room showing everyone voting. Ms. Dale asked if that would happen in real time. Mr. Olson said this wasn't encouraged as it might influence the vote.

Mr. Hubbard wondered who would own the equipment and be in charge of it. Ms. Dale said most likely the Town Clerk as she is in charge of elections security. The Town would have to put its request for clickers out for three bids with the lowest bid winning. Mr. Domelowicz said he would research procurement and speak with Manchester about possibly sharing. He said Nahant had just purchased some.

Duke Seaver, 402 Essex St., asked what happens when you don't get over 75 votes on the machine. Mr. Domelowicz explained that according to the rules of Town Meeting, you need to have 75 people present when you start the Town Meeting, but not everyone votes. The only time the question comes into play is if someone calls for a quorum. Then you have to count the room.

Mr. Olson said he would get more information about renting vs. borrowing from another town and find out what the monthly or yearly costs are. It was thought that the clickers could be in place for the Annual Town Meeting.

Annual Conflict of Interest Statement—Reminder

The BOS signed their copies of the Conflict of Interest Statement to be returned to the Town Clerk's office.

Cemetery Deed #1185

Ms. Dale reminded the Selectmen to also sign the Cemetery Deed, and she passed it around.

Town Manager 2020 Goals—Discussion

Ms. Dale noted that communication with the public was a huge issue and said it was illustrated well by the recent trash issue in Town. She said she would bring in an article from the MMA [Massachusetts Municipal Association] that addressed what other towns are doing.

Mr. Hubbard asked Mr. Domelowicz to cite the goals he was working on. They included: sustainability of the Patton Homestead, paving and searching for well sites on Chebacco Road, funding for the Master Plan, and the Town Hall building project and bringing it to Town Meeting for a vote.

Ms. Kennedy said that Town Hall would be a big bite all at once and wondered if it could be done in phases. Mr. Farrell and Mr. Hubbard appreciated her thought but gave reasons why it should be done all at once. It has to do with the funding (costs escalate every year) and logistic (such as moving the staff). Mr. Olson said there are also professional costs to consider.

Mr. Domelowicz discussed what would happen if the project fails at Town Meeting. Mr. Olson said one of the goals would be to educate the community, build consensus, and show why it is important to do the project now. Mr. Farrell noted interest rates are good currently and the Town has an excellent bond rating. Ms. Dale said if the project fails at ATM, she recommended locating the Town staff where the public safety building is and using the current Town Hall for senior housing.

Mr. Farrell said he has a list of previous goals and general topics (some of them being BOS goals) that he will distribute through Mr. Domelowicz's office to the BOS. Ms. Dale said FinCom should be included in the goal list, as well.

NEW BUSINESS

Consideration of Topics for Discussion at Future BOS Meetings

- Joint Meeting with Wenham's BOS.
- A Town updated study on street safety, crosswalks, signage etc. Mr. Domelowicz said in regard to the downtown area, Mr. [Tim] Olson was going to be working on that.
- Parking study for the downtown.

Ms. Kennedy said she wanted to ask Chief Stevens about why heavy trucks were flying down Highland S. Mr. [William] Olson said he lives around there and the majority are going into Brick Ends Farm.

Adjournment

Ms. Dale made a motion to adjourn the meeting at 9:32 p.m. Ms. Kennedy seconded the motion. The BOS voted unanimously (5-0) to adjourn.

Prepared by:

Mary Alice Cookson 2-24-2020
Mary Alice Cookson Date
Minutes Secretary

Attest:

Darcy Dale 2-24-2020
Darcy Dale Date
Board of Selectmen Clerk