

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Town Hall Memorial Room, 577 Bay Road

January 27, 2020

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

Town Manager: Joe Domelowicz

Jeff Hubbard called the Board of Selectmen (BOS) meeting to order at 7:01 p.m. The Pledge of Allegiance was recited.

ANNOUNCEMENTS & BOARD OPENINGS

- The Council on Aging (COA), Recreation Committee, Hamilton Historic District Commission (HHDC), Open Space Committee, and Essex North Shore Agricultural & Technical School Committee (appointed by the Moderator) each have one opening. The HHDC also has an opening for an alternate.

PUBLIC COMMENT

None.

Selectmen/Town Manager Reports

William Olson reported a new plan with elevations for the Town Hall renovation was released last week. He wanted to make sure it was posted to the website. The Town Hall Building Committee made decisions on details, such as siding, trim, and roofing for the addition. He attended the School Committee meeting last week. They are over-budget this year and will be further over-budget for next year. A Screening Committee for the new school superintendent was created and he will be serving on the committee. The screening process will start next month.

Rosemary Kennedy said she's getting to know citizens and their issues at her weekly Selectman Hours. She hopes to bring the wetlands bylaw revision/amendments for the BOS to approve and bring to Town Meeting. The Conservation Committee (ConCom) will meet Feb. 12 and hopes to have a new agent by then. Donations from the bonfire event will go to two eighth graders to help defray their cost of the school trip to Washington, D.C. She made note of the HHDC position that's open. She has heard the Patton Homestead lecture series is going well.

Shawn Farrell said the Open Space Committee is working to complete its Open Space and Recreation Plan and will be looking to the Town of Wenham's plan.

Darcy Dale attended a Hamilton-Wenham Mothers' Club meeting and spoke on how the Town's form of democracy works and why it's unique. More than 30 young moms attended.

Mr. Hubbard said the Town Hall Building Committee received buy-in from the HHDC, looking at the elevator and staircase, keeping the stage and having a better layout for the new meeting space. They discussed a new schedule for the work since there was the design change. They will go to Town Meeting with a full project bid for construction costs, but because they've changed the plan they won't be ready to do that for Annual Town Meeting and will aim to do it for Special Town Meeting in the fall.

Town Manager Joe Domelowicz said Albert Comins was hired as Conservation Agent. He will work part-time and start around the second week of Feb. He also works for the town of West Newbury. The nomination period for elected officials ends Feb. 20. Early voting in the Presidential Primary will be March 3. They are nearing the finish for hiring a Community Projects Coordinator. The town received resumes for the Regional HR Director for Hamilton, Manchester, and Rockport; the BOS will be taking a vote tonight regarding that IMA [Inter-Municipal Agreement]. There will be a joint budget meeting on Wed. from 7-9 p.m. with the Hamilton and Wenham Boards of Selectmen, both Finance and Advisory Committees (FinComs), and the Regional School Committee. They will discuss the budget proposal at the next BOS meeting, which will be a joint meeting with FinCom on Feb. 3. He's looking at a joint fueling program with Wenham to pilot the use of their fueling station (located at Iron Rail) for the coming year. Hamilton is considering buying a fueling tank with Wenham. Mr. Farrell asked about using gas cards at Cumberland Farms. Mr. Domelowicz said some of the Town's larger vehicles are too large go there, but it would be a good additional measure for the police cruisers and smaller trucks. Mr. Domelowicz said the Town buys fuel through a bulk price, using the same vendor as Wenham, and receives a good price. Ms. Kennedy asked about saving on the gas tax. The Town is exempt from the gas tax. Mr. Farrell wanted to know when the pilot fueling program at Iron Rail would start. Mr. Domelowicz said he is running it by Town Counsel now. Mr. Domelowicz said the LED signboard for in front of the Public Safety Building is progressing and will be done in the next month or so, weather permitting.

CONSENT AGENDA

- Approve Minutes—Nov. 18, 2019 Joint Meeting Selectmen and Planning Board meeting
- Approve Minutes—Dec. 2, Selectmen’s meeting
- Approve Minutes—Dec. 16, Selectmen’s meeting
- Declare certain Public Works equipment as surplus (see attached)
- Approve updated Senior Center Standards of Behavior
- Request from Greenbelt to construct an equipment shed at the Donovan Reservation—Review, discuss, and vote
- Request by Little League to install new scoreboard at Patton Park
- Approve request to purchase cemetery lot

Ms. Kennedy called for a hold on the Senior Center Standards; Mr. Farrell asked for a hold on the Greenbelt request and Little League request.

Decision:

Mr. Farrell made a motion to approve all but the three held items. Mr. Olson seconded the motion. The BOS voted unanimously (5-0) to approve the motion. .

Regarding the Senior Center Standards of Behavior—Ms. Kennedy wanted to know more. Mr. Domelowicz explained these were adopted by a previous BOS a couple of years ago and COA Director Mary Beth Lawton felt the language a bit restrictive. The new draft was in the BOS packets. Ms. Dale said she felt comfortable with it. Mr. Farrell described it as friendlier.

Decision

Mr. Farrell made a motion to approve the updated Senior Center Standards of Behavior. Ms. Kennedy seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Regarding the Greenbelt request for an equipment shed—Mr. Farrell said it was his understanding Greenbelt wanted to move the shed from another site. Mr. Domelowicz explained Greenbelt was seeking BOS approval to put a structure/shed on the property and this was the first step that allows them to pull a building permit. If it is contrary to zoning law as far as setback or another issue, it will need to go before the Zoning Board of Appeals (ZBA). Mr. Olson noted they weren’t approving the shed per se, just saying yes to the process.

Decision:

Mr. Farrell made a motion that the BOS approve the Greenbelt request to construct an equipment shed at the Donovan Reservation. Ms. Dale seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Lou Levesque of the Hamilton-Wenham Little League referenced a letter from the League’s Board of Directors requesting to place a scoreboard on Town property at Patton Park at the corner of the tennis courts. He said it wasn’t the first time they were trying to get it done.

He said all the funds for the scoreboard would be donated, and that the flag football league and school teams could use it.

Mr. Farrell discussed beautification of the area. He also inquired about the cost of the electricity, which the Town would be paying. Mr. Domelowicz said it wouldn't be that much. Mr. Levesque said each year Hamilton-Wenham hosts a 20-community tournament. Ms. Dale asked if the Little League had looked at solar applications. He said yes, but that would take a considerable amount of years to net a savings. Ms. Kennedy asked about the scoreboard's size, expressing she wasn't sure she was comfortable with the aesthetics of the big piece in Patton Park or whether it was really needed. It was noted that the scoreboard would hide the eyesore of the electrical box that's there. Mr. Olson wanted to know what the back of the scoreboard would look like. Mr. Domelowicz said the Little League would have to provide insurance verification and provide the specs. LED lights would last longer and assuage the BOS regarding electricity costs. Mr. Farrell asked whether the scoreboard was considered a sign and what the zoning limitations were. Ms. Dale wanted to know more about dimensions, including the thickness of the board. Another question was about how the scoreboard would be mounted.

Decision:

Mr. Olson made a motion that the BOS table the Little League Scoreboard agenda item to a future meeting after they receive more details. Mr. Farrell seconded the motion. The BOS voted (5-0) to table the item.

AGENDA

Residential Water Abatements—Review, discuss, and vote

The BOS discussed the three water abatement requests in their packets. The first request, by the First Congregational Church, 624 Bay Road, was for a leaking pipe in the basement of a house on the property. Mr. Farrell noted the leak went on for a long period of time—about four years. Department of Public Works (DPW) Director Tim Olson elaborated there was turnover in the church's director and the new director discovered the problem when looking at the water bills. They aren't looking for back compensation, just an abatement of the most recent bill. The second abatement request was for a residence at 19 Maple St., and the third was for 494 Asbury St. Mr. [Tim] Olson said the Town has dye tablets (toilet leak tests) available to those who want them.

Mr. [William] Olson noted a typo on the abatement application for 19 Maple St: a date was incorrectly written "2018" instead of "2019." Mr. [Tim] Olson will correct that

Decision:

Ms. Dale made a motion to approve the three water abatements as discussed. Mr. Farrell seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Town Meeting Vote Counters—Discuss and Vote

Mr. [William] Olson presented his research on purchasing 400 “clickers” for Town Meeting. He listed some advantages of having them. The yearly fee with one of the vendors would be \$800, which recurs each year. That includes training, tech support via phone, and software upgrades. Ms. Kennedy inquired if a rep from the company would be at the Town Meeting. Mr. Olson replied that the company isn’t located in Massachusetts; however, the tech support is unlimited. Mr. Olson had also reached out to Manchester about borrowing their clickers, but the date of their town meeting is too close to Hamilton’s for them to accommodate. However, he found out from Manchester that the company, the same one he had contacted, would offer a trial run for the first Town Meeting with someone on site to assist. This way Hamilton can try it out for free at April Town Meeting. Mr. Olson added that Manchester bought 1,000 clickers because they have about 1,000 students in the schools and the clickers can be used for any purpose. Once you buy the license, the software can also be uploaded onto cell phones and can be used as a teaching tool. Ms. Dale asked if the clickers were fragile. Mr. Olson said, no, they’re robust.

Decision:

Mr. Farrell made a motion that the BOS authorize Mr. [William] Olson to engage a free demonstration of the clickers for Town Meeting with the vendor’s representation on site. Ms. Kennedy seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Water Rates & Seasonal Water Usage—Review, Discuss and Vote

Mr. Domelowicz referred to the spreadsheet in the BOS packets saying it is for discussion purposes and hasn’t yet been publicly disseminated. As mentioned in the past, the last two years have shown a deficit in what was projected as far as operating expenses vs. operating income. For this coming fiscal year a deficit is also projected and therefore it is time to look at the rates. Since a lot of the expense in the water department has to do with debt service on the water-related projects they’ve done over the last few years, one of the suggestions is to share the burden between the infrastructure fee and the water rate. There are four options Mr. [Tim] Olson has come up with. Two increase the infrastructure fee with a complementary increase to the water rate, one is just an infrastructure fee increase alone, and the other is just a rate increase alone.

Mr. [Tim] Olson went through each of the proposed options as the BOS reviewed the spreadsheet. There are five tiers to the water rate. The four rows in each column are the projected quarterly revenue commitment given the parameters put into Munis. The idea was to cover the debt service while minimizing retained earnings use. Option 1 would cover the debt service by increasing the infrastructure fee to \$80. It would cover the operating expense via a 20% increase in the water rate. In this case, the use of retained earnings would be minimal. With Option 2, there is no water rate increase, but the infrastructure fee would be increased to \$95. This option requires slightly more retained earnings but there’s no rate increase. Option 3 increases the infrastructure fee to \$100 and creates a surplus of about \$50K. Option 4 keeps the same infrastructure fee with a larger

water rate increase of 35%, which gets them close to not having to use retained earnings. He noted the last rate increase the Town had in 2015 was about 40%. He said the numbers generated from Munis were based on quarterly commitments. They try to get 95% of the commitments collected. He worked with Finance Director Marisa Batista and some of the figures put in were estimates. He highlighted two rows in the expense columns that can fluctuate, which are marked in red—permanent wages and indirect costs. He said it was typical to look at and make adjustments annually.

Mr. Domelowicz said retained earnings are the same as free cash and you like to have about 5% to 10% of your operating expenses in retained earnings.

Ms. Dale said she would like to have FinCom analyze the data and provide input as that's their expertise.

Mr. Farrell noted they had put a stall on the rates for five years. He wondered if they were getting close to the average rate of other communities in the area.

Mr. Domelowicz suggested they take a couple of weeks, gather input from FinCom, and try to at least get to a point where they don't have to use (and eventually run out of) retained earnings. He mentioned that in his past position with the Town of Winthrop, the DOR told the town to raise its rates.

Mr. [William] Olson asked how much more they were trying to generate per year. Mr. [Tim] Olson said they were trying to cover the debt service, about \$800K. Raising the quarterly infrastructure fee from \$60 to \$80 would get them close.

Mr. Farrell said the water infrastructure was the highest capital cost for the town. Mr. [William] Olson and Mr. Domelowicz brought up the fact that when water rates go up, people resist the urge to use the water, which works into a bit of a spiral. Mr. [William] Olson pointed out that people being efficient with their water shouldn't have to pay more as a result. He said he was in favor of doing a combination of increased infrastructure fee and increased water rate.

Decision:

Ms. Dale made a motion to send the water rate options [spreadsheet] to the FinCom for its review and recommendations. Ms. Kennedy seconded the motion.

Further Discussion:

Mr. [William] Olson asked about the timetable. Mr. [Tim] Olson said the next water bill goes out in May. Ms. Kennedy said she was in favor of increasing the infrastructure fee because it is a known entity residents could budget for. Mr. Farrell said he agreed with her, but thought the rate also needed to go up a bit, although not what it went up five years ago. Ms. Kennedy said she remembered that as a big shock at the time.

Decision (Continued):

The BOS voted unanimously (5-0) to approve Ms. Dale's motion to refer this matter to the FinCom.

Mr. Farrell noted Brad Tilly was present this evening and asked if they could discuss the Asbury Grove and other entities' water rates and infrastructure fees.

Mr. [Tim] Olson said there are four master meters in Town. Although they are all different situations, he wants to treat them as similar as possible. He talked about adjusting Patton Ridge's account this past billing cycle, separating out the domestic use and dividing it by the number of units (12). Each unit was assessed a \$60 infrastructure fee. The irrigation system will be on a separate meter. That is taxed at a higher rate. For Asbury Grove, he proposed a separate meter for the pool, which would be billed at the higher rate. The domestic water use would be divided by the number of units (94) and then they'd attach the infrastructure fee. Gordon-Conwell Theological Seminary, he said, has a master meter for each building. They pay the top-tier rate, but have no infrastructure fee.

Ms. Kennedy said the Asbury Grove community has a unique situation in that the 94 cottages are seasonal. Their water is shut down entirely for two quarters, so even if they wanted to have water, they couldn't. The residents there are requesting that they don't pay the infrastructure charge (water delivery charge) for two of the billing cycles. While the water is provided up to the meter, the water is turned off. Mr. Domelowicz said other residents might go away to Florida for the winter, but they are still charged the infrastructure fee while away. That fee is for the Town to be able to provide the service. However Ms. Kennedy countered that Asbury Grove residents cannot have water even if they wanted it. Also, she said the Grove residents were wondering if the water use for the Grove's administrative buildings could be metered separately from the cottages.

Mr. Tilly and Eric Fila, Asbury Grove's Facilities Manager, requested that the six administrative buildings be charged a water rate according to what their use was and have that be separated out and also that there be a separate meter on the pool. The pool use is considered "luxury" use while the administrative buildings might be charged as "business use."

Patti Miller, 8 Maple Ave., said she lives in Asbury Grove year-round and is paying full infrastructure fees, but they don't get any help with the pipes under their roads, which she said was another issue for another time. She supported that the seasonal residents not be charged the infrastructure fee for the time when they are not living there and also that they be charged the lower water rate. She thought it was fair and equitable that the year-round residents and seasonal residents didn't have the same billing situation.

Mr. [William] Olson noted the infrastructure fees support the infrastructure of the town 365 days a year. It is a fixed fee. Mr. Domelowicz said that if some residents aren't billed, that expense is still born by all the other residents. Charging the seasonal residents the lower rate was one compromise, Mr. [William] Olson said, and now they are asking for a separate compromise [to not have to pay the infrastructure fee for the two quarters].

Mr. [Tim] Olson said he could look at past bills and do the math to determine what the residents were asking for in terms of dollars.

Mr. Domelowicz said he and Mr. [Tim] Olson had discussed giving the residents at Patton Ridge individually installed water meters in their homes so the irrigation system didn't tip them into a higher usage fee. The Town would supply the meters but the homeowners would do the installation at their own cost.

Mr. Tilly said Mr. Fila just informed him that Asbury Grove is paying \$5,700 per quarter for water. \$60 per quarter x 90 cottages = \$5,400, so those numbers are about equal.

The BOS discussed next steps. Mr. [William] Olson said they needed to look at the numbers and discuss it again. Ms. Miller asked what the timeline was, as she said this discussion has been going on for a year and a half. She wanted a plan written down with an implementation date. Mr. Farrell suggested the hard stop be the next water billing cycle. Mr. [Tim] Olson said it didn't just involve changing the billing; it was changing infrastructure, which has to happen first, such as installing meters. He said they would try to do it as soon as they can.

Ms. Kennedy asked if May were a reasonable deadline. Mr. [Tim] Olson said the Town would supply the meters, but they needed to figure out installation. Mr. Tilly said they could have the meters installed by April. Mr. [William] Olson asked the two Grove gentlemen what made sense to them in terms of what they were looking for. They said they would be happy if the seasonal residents could be charged the \$60 infrastructure fee just twice a year (instead of quarterly) and have their water charged at the lowest water rate [for their domestic use] instead of the rate they're currently paying.

Regional Inspectional Services IMA—Review and Vote on Amended Agreement

Mr. Domelowicz explained that the Wenham Board of Selectmen voted to approve the IMA but were going to ask KP Law, P.C., to draft an amendment on both towns' behalf so the IMA would automatically renew instead of what is happening now, which is that the agreement expires unless a vote is taken each year to continue it.

Decision:

Ms. Dale made a motion that the BOS vote to approve continuing the Shared Inspectional Services IMA with Wenham for the next year while also seeking an amendment in the language so they wouldn't be required to take a vote to continue it every year [and it would automatically renew unless they opted out]. Ms. Kennedy seconded the motion.

Further Discussion:

Mr. Farrell said he saw some typos. He asked for some clarification on the process, which Mr. Domelowicz provided. He said an operating plan was mentioned in the document, saying one should be prepared and submitted. Mr. Domelowicz said no plan was submitted

but he could do it. However, Mr. [William] Olson said he thought what they were asking for, which was in the Human Resources IMA, as well, was a schedule, such as hours. Mr. Farrell asked if Mr. Domelowicz would review it again to clear up some of the confusion. He also asked if there were a way to track some the savings realized as a result of having the IMA. Mr. Domelowicz said the revenue from building permits was up, which is a good sign. All of the software isn't up and running yet, he said, but will be this quarter.

Ms. Dale added that some of the beginning costs they had this year they won't have next year.

Mr. [William] Olson asked about hours for the building inspector. Mr. Domelowicz said the inspector has scheduled hours for both towns, but has flexibility.

Decision (Continued):

Ms. Dale repeated her motion. The BOS voted unanimously (5-0) to approve continuing the Shared Inspectional Services IMA as discussed.

Regional Human Resources IMA—Review, Discuss and Vote

Mr. Domelowicz said this IMA was initially drafted by the Metropolitan Area Planning Council (MAPC) on a technical assistance grant to the Town and has been reviewed by Town Counsel. It is consistent with what KP Law, P.C., uses as template for regional agreements. He is trying to get Manchester and Rockport to have their boards vote to approve the IMA soon. They have about 10-12 resumes already; some promising.

Mr. [William] Olson said he is in favor of the agreement, but wanted more information on the operational plan. Mr. Domelowicz described how it would work with each of the towns sharing a 40-hour per week employee. Mr. Olson asked how commuting costs would be handled. Mr. Domelowicz said much of the work can be done at home and the person will have some flexibility. Hamilton would be carrying the full salary in its budget but will bill the other two towns for their shares. Mr. Farrell asked about having a Munis report done at the end of the year. Mr. Hubbard said everything he was asking was addressed in Section 6A and E.

Mr. Farrell pointed out a few typos. Mr. Domelowicz said he would update the document.

Open Annual Town Meeting Warrant—Discuss Possible Warrant Articles

Decision:

Mr. Farrell made motion to open the Town Meeting warrant. Ms. Dale seconded the motion. The BOS voted unanimously (5-0) to open the warrant.

Mr. Domelowicz said the Finance Department had submitted the articles that are submitted annually. He suggested Mr. Hubbard read the warrant articles into the record. The Budget

Article Split (having two separate warrant articles for the budget) was first and involved some discussion. The first article would be voting for a budget increase of up to 5% to cover the Town and schools; anything over and above the 5% to cover the school ask would go into a second article. Mr. Hubbard read the remaining article topics: Capital Expenditures, General Town Departmental Appropriations, Water Enterprise Budget, Annual Financial Actions, Community Preservation Budget, Annual Budget for Revolving Funds, Hamilton Development, OPEB Trust Fund, Stabilization Fund, Capital Stabilization Fund, Patton Homestead Fund, Personal Services and Union Contracts, Debt Authorization Town Hall Project, Planning Board Articles on Open Space Farm Protection Development Amendment to Hamilton Zoning Bylaw, Application of Bond Premium, Acts of 2020 Chapter 91, and Revision of Special Town Meeting Article 3-3—Amendment to Income Limitations for Senior Tax Deferral.

Ms. Dale said she didn't see the Enhanced Wetlands Protection bylaw. Mr. Domelowicz explained it was at the bottom of the page in red, along with some other articles currently under discussion: Patton Homestead, Town Hall Project [presentation], Marsh Rats Lease, Master Plan Funding, and Capital Items.

A potential article from the Community Preservation Committee (CPC) may be coming—a potential \$2M grant for the Town Hall renovation. They could perhaps take no action on it and just report on it at Annual Town Meeting in April and then have it go to Special Town Meeting in the fall. Ms. Kennedy asked how much money the CPC had; the answer was about \$500K. An increase in the Town surcharge from 2% to 3% was discussed. Mr. Farrell said he thought that would have to come from a citizen's petition. Mr. Domelowicz said the current State match is now 14%, but the State will be releasing a surplus of \$25M that will be shared among the CPA communities.

Mr. Hubbard said he's heard a citizen's petition may be forthcoming on the trash program. Mr. Domelowicz said that according to Town Counsel, the Town has a bylaw that says the BOS establishes the trash program under Mass State Law. The deadline for citizen's petitions is Feb. 10.

NEW BUSINESS

The next meeting will be a joint budget meeting with the FinCom on Monday, Feb. 3.

Consideration of Topics for Discussion at Future BOS Meetings

- Cell tower update. Mr. Olson said there had been some misinformation circulating.

Mr. [William] Olson noted he was going to be having surgery in March so he may have to participate remotely for the March BOS meetings, but he does expect to be able to attend Town Meeting on April 4.

Adjournment

Ms. Dale made a motion to adjourn the meeting at 9:07 p.m. Mr. Farrell seconded the motion. The BOS voted unanimously (5-0) to adjourn the meeting.

Cemetery Deed #1186 (sign #1185)

The cemetery deeds were signed at the close of the meeting.

Prepared by:

Mary Alice Cookson 3-16-2020

Mary Alice Cookson
Minutes Secretary

Date

Attest:

Darcy Dale 3-16-2020

Darcy Dale
Board of Selectmen Clerk

Date