

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Town Hall Memorial Room, 577 Bay Road

October 7, 2019

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

Selectmen Absent: None

Town Manager: Joe Domelowicz

Jeff Hubbard called the Board of Selectmen (BOS) meeting to order at 7 p.m. The Pledge of Allegiance was recited. William Olson had not arrived.

**ANNOUNCEMENTS & BOARD OPENINGS**

- The Board of Health has one opening.

**PUBLIC COMMENT**

None.

**Selectmen/Town Manager Reports**

Rosemary Kennedy referenced receiving an invitation to the inauguration of the new president at Gordon-Conwell Theological Seminary. Some citizens have asked her to look into reviving the Christmas tree bonfire (some want a bonfire; some want recycling). She ran the idea by Fire Chief Ray Brunet and will explore further. She attended the Hamilton Affordable Housing Trust (HAHT)'s Housing Production Plan (HPP) presentation and said she was surprised to learn there aren't many towns with certified HPPs. Hamilton's goal of developing 14 affordable units per year is a goal, not a requirement. She reported on the Waste Reduction Task Force meeting last week. Many people are in favor of going back to having trash pickup every other week for cost-savings and environmental reasons.

Shawn Farrell said the Hamilton Historic District Commission (HHDC)'s meeting with Chris Davis will be discussed later this eve. A proposed gutter replacement in the historic district will be discussed at the next HHDC meeting.

Darcy Dale had no report.

Jeff Hubbard said the Town Hall Building Committee put together a position paper that will be mailed out with the warrant to show the pros and cons of options A and B. He attended The Community House Harvest Dinner and congratulated Susanna Colloredo-Mansfeld who was awarded the Joanne Patton Community Service Award.

Town Manager Joe Domelowicz said the next electronics waste pickup will be Oct. 19 at the Department of Public Works (DPW) yard. He and Finance Director Marisa Batista will meet with school officials and Wenham's finance director this week to talk about the budget process. A Municipal Vulnerability Planning (MVP) all-day workshop, which addresses the Town's response to climate change, will be held Oct. 24. He asked people to sign up for FlashVote surveys. He is in discussion with Manchester and Rockport about a regional Human Resources agreement. KP Law, P.C. will review it this week. The pilot closure of Sharon Road is going well. In response to a question from Ms. Dale, he said the Town had signed a new contract with Beauport Ambulance. They were looking at three recent cases (three cases within six years) in which there were long response times.

#### **CONSENT AGENDA**

- **Reappointment of Constables—from Town Clerk**
  - **Clarence Trepanier**
  - **Richard Flynn**
- **Approve Forrester "Tim" Clark as Board of Registrar—from Town Clerk**
- **Approve Minutes of Aug. 12 BOS Meeting**
- **Approve Minutes of Sept. 9 BOS Meeting**

#### **Decision:**

Mr. Farrell made a motion to approve the Consent Agenda. Ms. Dale seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Olson arrived to the meeting.

Mr. Farrell had some questions about defining the roles and responsibilities of registrars.

#### **AGENDA**

##### **Update on Recreation and Summer Parks Program—Presentation by Recreation Director Sean Timmons**

Mr. Timmons updated the BOS. There were 361 total pool memberships representing a 25% increase from last summer. This year they decreased the membership price and increased the drop-in price. This amounted to an overall \$2K revenue surplus, a 6% increase from last year. There was a 21% increase in pool attendance from last year (about 100 attended per day). There were 73 swim team participants, the largest in the league.

The pool was open July 4<sup>th</sup>. They offered a free Senior Swim on Sunday mornings. Ms. Kennedy said the swims were held during “go-to-church” time so they may want to adjust. Mr. Timmons discussed various pool events. They sold slush this year (1,200 of them). They closed out the fiscal year with a surplus of \$3.5K, which will go into the pool’s revolving fund, which is now at about \$20K. Because the minimum wage will be going up, they will probably need to increase prices. Mr. Olson noted they were open through Labor Day. Mr. Timmons said the intention is to be open through Labor Day next year also.

Mr. Hubbard clarified that the pool made a profit. Mr. Farrell asked Mr. Timmons if he gives reports to Wenham. He said yes, as well as to the Finance and Advisory Committee (FinCom). He said there was a 30% increase in camp registrations over last year. They averaged 187 campers per day. They’d like to have about 200 campers and spread the groups out more by grade. With the addition of the pool they saw a 171% increase in participation since 2016 (the last summer without the pool). Mr. Hubbard asked about the split. It was 70% from Hamilton and 30% from Wenham. The pool is restricted to Hamilton-Wenham residents. Camp registration is opened to Hamilton-Wenham residents first (through June) and then opened up, so there are a handful of non-residents. Mr. Farrell asked if the people working at the military observatory might be able to join the pool. Mr. Timmons said he will follow up on that.

Mr. Timmons said the School Committee is talking about the turf field again and gave a charge to their capital committee. The turf group is filing for nonprofit status to do some fundraising. The BOS discussed turf field cost estimates (\$3.5M—\$4M). A challenge will be for there to be equitable use among the parties. Mr. Farrell brought up sponsorship and signage. It is currently the policy not to allow signage, but they may need to review that. Mr. Hubbard said many communities get traction when they raise money up front independent of the school system so it isn’t a burden on the taxpayers. Mr. Timmons said a big part of the project is the playing lights and that the fields are currently stressed. Mr. Farrell said \$500K from Hamilton is already earmarked for the field.

Ms. Kennedy asked a question regarding the sports fields being stressed, if they were talking about just Hamilton endeavors or outside entities. She noted that New England Flag Football isn’t a community entity and yet uses the fields. While Hamilton kids are involved, it is the entity that profits not the Town.

Mr. Olson asked about the new basketball hoops. Mr. Timmons said that was CPA (Community Preservation Act) money well-spent.

Russ Tanzer asked Ms. Kennedy about the age for the Sunday swim program for seniors. It is 60.

Darcy asked to move up the discussion with the Town Moderator. Mr. Hubbard suggested they take the next agenda item and then do that.

**Change of Manager at 15 Walnut—Discussion and Vote**

Attorney Jill Mann, representing Indigo, operator of 15 Walnut, said Caitlin Doherty has been with the restaurant for two years and was promoted. They would like her to be appointed as the licensed manager on the liquor license for 15 Walnut.

**Decision:**

Ms. Dale made a motion to approve the change of manager at 15 Walnut. Mr. Farrell seconded the motion.

**Further Discussion:**

Ms. Kennedy asked if Ms. Doherty had been fulfilling the role of ensuring against “over-pours.” Ms. Mann said that Ms. Doherty has had the required training.

**Decision (continued):**

The BOS voted unanimously (5-0) to approve the change of manager at 15 Walnut.

**Discussion of Special Town Meeting with Moderator—Develop Script**

**Decision:**

Ms. Dale made a motion to take this agenda item out of order. Mr. Olson seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Mr. Domelowicz left the room to make copies of the warrant.

Town Moderator Bill Bowler said Jeff Melick (former Town Moderator) would serve as Assistant Town Moderator for the event. Mr. Bowler said he is rounding up tellers and usually there are six. Mr. Hubbard asked about the cafeteria (overflow room) and if it were necessary. He said yes, it was a good idea to provide it. He said he aimed to run a crisp meeting and in the future would like to have a better signaling method than having someone run back and forth between the rooms. He said there are time limits on how long each person can talk and would like to have a digital clock running. Mr. Domelowicz said he would supply the clock.

Automated vote counters were discussed. Ms. Kennedy said she thought they had decided not to do that. Mr. Olson said they had talked about perhaps renting them and trying them out. Mr. Farrell said he thought they cost about \$10K-\$15K, but Mr. Olson said he thought it would be half that. They discussed the time it would save and that it may be helpful in terms of giving people privacy when voting.

Mr. Domelowicz noted Town Counsel Lauren Goldberg of KP Law was present and would be present at Special Town Meeting. He discussed all the materials that would be getting mailed out with the warrant, including the appendices, the FinCom book of recommendations, and Town Hall Building Committee one-page summary. Mr. Farrell

asked that in the future they provide the childcare information and notice about the breakfast on the front of the warrant.

Mr. Hubbard introduced the warrant discussion and said they would identify which items can go on the Consent Agenda. Regarding Article 2-1, Mr. Bowler said no because it required a 9/10 vote. Ms. Goldberg said that if it were a unanimous vote and nobody decided to hold it from the Consent Agenda it would be OK. Mr. Bowler said he would like to keep the vote on it separate. He suggested that someone from the FinCom present it.

David Wanger, FinCom chair, said he would be happy to make the motion. He said the FinCom could present the education appropriation article and budget adjustments article. FinCom would also like the opportunity to comment on the Town Hall Building Committee and HAHT articles (Articles 2-5, 2-6, and 2-7), and if it's not part of the Consent Agenda they'd like to comment on Articles 3-1 and 3-3 and perhaps 3-2. He discussed that FinCom would be supportive of the expenditures for electronic vote counters. In the interim he suggested they have more than six tellers so there's no suspicion of missed votes. He added that if there were an opening remarks opportunity, the FinCom would like to participate.

The BOS and Mr. Bowler discussed not putting Article 2-2 on the Consent Agenda. FinCom will present it. Mr. Wanger will supply the specific name to Mr. Domelowicz. It was decided that Article 2-3 would go on the Consent Agenda. Mr. Farrell asked if FinCom could comment on the articles that get held from the Consent Agenda. Mr. Wanger agreed. It was decided that Article 2-4 will not go on the Consent Agenda. Article 2-5 will be presented by Jay Butler of the CPC. Ms. Kennedy volunteered to be part of that. She will reach out to Mr. Butler and Mr. Tanzer. Mr. Domelowicz said Mr. Butler would speak on 2-5 and 2-6 and then give the floor to Mike Twomey. Mr. Domelowicz said one of the things proposed was to open the discussion on the options for Town Hall under Article 2-6 (with Mr. Butler and Mr. Twomey) and then 2-7 would follow that with a recommendation by the BOS. Mr. Olson was selected to do that. He wanted some information on the other towns that had renovated their town halls. The motion on Article 2-7 would be to fund Option A and then if someone wanted to amend the motion from Option A to Option B, they would also have to amend the financial part of it. Mr. Wanger said it was one of the items where FinCom would like to give a short comment. The FinCom book of recommendations is at the printer. Mr. Domelowicz agreed to forward it to all the Selectmen. Mr. Domelowicz said that given it was a request for bonding, bond counsel had confirmed it would be alright to increase the amount upward since the amount was negligible. A 2/3 vote would be needed to approve making the amendment. It was decided that Article 2-8 (re: garage doors) would go on the Consent Agenda. Town Counsel said that bond counsel had sent Article 2-4, a reauthorization of a prior borrowing, back for a 2/3 vote, but she didn't think that necessary and is investigating it. Article 2-9 will be presented by DPW Director Tim Olson or by Mr. Farrell. Article 2-10 can go on the Consent Agenda. It was suggested by Mr. Bowler that Article 3-2 go on the Consent Agenda but he expected it might be held. The BOS then discussed leaving it off of the Consent Agenda since FinCom was likely to comment on it. The BOS will present it. Mr. Farrell volunteered. Mr. Farrell asked that Article 3-3 be left

off of the Consent Agenda for the purpose of more public awareness. Ms. Kennedy volunteered to present it and said it shows concern for seniors.

The BOS discussed whether they should give an update of all that's happened since Annual Town Meeting. Mr. Hubbard said he would do that and be brief. Mr. Wanger said FinCom would like the same opportunity. Mr. Olson discussed that materials disseminated at Town Meeting should be approved in advance and they should have a policy. Mr. Domelowicz said they could give a deadline by next Tuesday evening and he will forward everything he receives to Mr. Bowler.

**Decision:**

Mr. Farrell made a motion to ask all Boards and Committees that have information to share at Town Meeting to submit their materials to the Town Moderator by Oct. 15. Ms. Kennedy seconded the motion. The BOS voted unanimously (5-0) to approve the motion.

Mr. Farrell asked if they had a policy for turning in "outside" documents/handouts. Town Counsel said the Town Moderator is responsible for the meeting room and area immediately surrounding that. She suggested one area for Town-approved materials and another for those not Town-endorsed. Signature-gathering petitions need to be done outside the facility and she suggested they set them up further from the door so people entering don't feel bombarded.

Ms. Kennedy noted for the viewing audience that Mr. Bowler is still seeking tellers. Mr. Domelowicz said culinary students at Essex North Shore Agriculture and Technical School would be providing the breakfast as they had in the past. Mr. Bowler, Mr. Wanger, and Ms. Goldberg left the meeting.

**Update on Ameresco Project—Discussion**

Mr. Domelowicz said a document on this was in the packet and will be shared online tomorrow. The work on the project is complete and National Grid is working through its permitting process. The poles were approved and are going through the Manchester Conservation Commission process. Mr. Domelowicz said the project won't go live until March. Mr. Farrell asked what the revenue numbers were. Mr. Domelowicz said the numbers haven't changed, but he will send them out again to the BOS.

**Update on MVP Workshop—Discussion**

This workshop was noted previously under the Town Manager's report. Mr. Domelowicz said it is open to the public from 9 a.m. to 3 p.m. on Oct. 24 at the Library. Mr. Hubbard asked who should attend. Mr. Domelowicz noted who had participated when he did this in Winthrop. Ms. Dale said perhaps people living in low-lying areas or near lakes and ponds might want to attend. Mr. Farrell talked about some open space-related groups and individuals they should invite.

### **Update on Varsity Wireless Project—Discussion**

Mr. Farrell noted Varsity Wireless is now called Everest [Everest Infrastructure Partners]. He said Chris Davis had given a courtesy visit/status update to the HHDC. Although the company is within its rights to build the cell tower now, it wanted to discuss screening and landscaping and address sight lines to give the Town some options. They are waiting to hear back from Massachusetts Historic to find out if there is any adverse effect on the historic district. Mr. Farrell said sometimes they use fake trees to try and make the tower blend in, but it was determined this wasn't good in this case. Mr. Davis had outlined what had transpired and supplied photos to show what the tower might look like. They discussed perhaps curving the driveway of Town Hall so you don't look straight at the tower. A handful of neighbors were present at the meeting. Plans were passed out to the BOS. Mr. Olson discussed that as part of the court settlement, \$15K from Varsity had previously been set aside. Mr. Farrell said Everest was willing to work with the Town on screening. He noted the lost revenue and lack of cellphone service.

Ms. Dale asked if the BOS needed to vote on anything. Mr. Farrell said no. Mr. Domelowicz said if the Town Hall building project goes forward, and even if it doesn't, there is an opportunity to reorganize the DPW yard so as to change the sight lines. There are things they could do with the foliage plan to block the view of the tower as much as possible. Mr. Farrell said the HHDC had been thankful Mr. Davis had come to talk with them.

### **Policy for Board of Selectmen Appointments to Boards and Committees**

This was a first reading. Mr. Domelowicz said it came back to him from Town Counsel over the weekend. The BOS read it over. Mr. Olson wanted to add a sunset on the appointment being made, something like "and no longer than 60 days." However, Mr. Domelowicz said they have had cases in which a position is open and nobody applies. So they suggested adding something like "no longer than 60 days unless nobody applies." Mr. Olson also said he wanted the BOS and not just the chair to hear from the applicants. Ms. Kennedy added that the BOS should not be bound by the recommendation but should consider it a substantial factor.

Mr. Seaver, 402 Essex St., recommended they have a policy about "un-appointing" a Board of Committee member who never attends meetings.

### **Decision:**

Mr. Olson made a motion that Mr. Domelowicz write a policy regarding "un-appointments." Mr. Farrell seconded the motion.

### **Further Discussion:**

Mr. Seaver asked if both matters (appointments and un-appointments) could go into the same policy. The BOS decided they should be separate policies. As this was just a first reading on the appointments policy, the vote was held off until next meeting.

Anna Siedzik, 227 Highland St., said the usual cycle of BOS meetings is every two weeks so during 30 days there are two regularly scheduled BOS meetings. She said she assumed that the appointment would come within the 30 days, not outside of it. The BOS discussed that the position is announced 30 days prior to the expiration of the appointment. Then there are 30 to 60 days to have it filled (unless nobody comes forward to apply). Mr. Farrell asked what was a reasonable based on history. Mr. Domelowicz said in the past the BOS had moved quickly with little process in an effort to get the positions filled. They are working to structure it so that positions aren't left unfilled for a long period of time. Ms. Kennedy said she thought 30 days was too short. However, Mr. Olson noted it was 30 days before the position opened, then another 30 days and then no longer than 60 days, therefore it was 90 days for the whole process. Mr. Domelowicz said he wouldn't change the process they had in place for a reappointment; this is just for when a person leaves.

Ms. Siedzik clarified that the official clock starts after a candidate comes forward and if there were viable candidates, they can't keep extending the deadline. She also asked if term limits were ever considered. Mr. Domelowicz said people who volunteer for the positions should be encouraged to do so for as long as they want. Ms. Siedzik said in some cases there are people who show up to meetings but don't necessarily participate in the process or make progress. She was told that would be discussed when they presented the "un-appointments" policy.

### **Town Manager Evaluation—Discussion and Vote**

Mr. Hubbard noted Mr. Domelowicz hadn't received the review report until this evening and hadn't had time to review it. He said he averaged out the scores for each category. Ms. Dale said that having been a college instructor, there are always things that need improvement. Mr. Farrell asked if there were a summary that looked at the overall total score. The BOS had provided this in the past, but this time it was not included. Three of the Selectmen said they hadn't done a review like this before.

Ms. Kennedy noted Mr. Domelowicz was a good listener with an open door policy for the citizens. Mr. Hubbard said Mr. Domelowicz was knowledgeable and consistent in getting the appropriate answer if he didn't know it. New hires have been received well and have been good fits. The use of social media was consistent. Packets were provided for the meetings. Mr. Domelowicz said he would do a better job to make the materials in the packets more publicly accessible. Mr. Domelowicz commented that he and his assistant, Michellelee Carroll, generally put them together. Mr. Farrell noted that when those materials are posted online they should be clearly marked "draft" if not yet approved. Mr. Farrell noted that Mr. Domelowicz had achieved a score of "4" in most categories. The BOS agreed he had done a good job. Mr. Farrell reiterated that Mr. Domelowicz listens and doesn't take sides on issues. Mr. Farrell said in the past, they would have the Town Manager sign the review and then give some feedback back about how he rated himself. Mr. Domelowicz said he would do this.



**NEW BUSINESS**

**Consideration of Topics for Discussion at Future BOS Meetings**

- Appointment for the HAHT open position, as well as two other appointments.
- Second reading on the Appointment Policy.

Mr. Domelowicz noted he would be out of town at a conference and not in attendance at the next meeting. Ms. Dale will meet with Mr. Hubbard on setting the next agenda Tuesday at 9:30 a.m.

**Adjournment**

Ms. Dale made a motion to adjourn the meeting at 9:19 p.m. Ms. Olson seconded the motion. The BOS voted unanimously (5-0) to adjourn the meeting.

Prepared by:

Mary Alice Cookson      11-18-19  
Mary Alice Cookson      Date  
Minutes Secretary

Attest:

Darcy Dale      11-18-19  
Darcy Dale      Date  
Board of Selectmen Clerk