

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Town Hall Memorial Room, 577 Bay Road

December 16, 2019

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

Selectmen Absent: 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, Recreation Committee, Hamilton Historic District Commission (HHDC), and Open Space Committee each have one opening. The HHDC position is for an alternate.

PUBLIC COMMENTS

Eric Fila, the facilities manager at Asbury Grove, requested that setting the water rate for Asbury Grove (discussed at a previous BOS meeting) be placed on an upcoming agenda.

Duke Seaver, 402 Essex St., suggested that BOS meeting agendas be posted on HWCAM Television so people without computers will know the topics being discussed. The BOS was receptive to the idea.

Selectmen/Town Manager Reports

Shawn Farrell reported that the Stuff-A-Cruiser toy collection went well and spotlighted the history fair at the high school. He said the Waste Reduction Committee will meet tomorrow to discuss a postcard mailing and possible robocall about the trash program change that starts in January. The Committee will also talk about composting in the schools. The Community Preservation Committee (CPC) will meet Jan. 9. E-Waste Day (electronics waste drop-off) will be Jan. 21 from 8 a.m. to noon at the Department of Public Works (DPW) behind Town Hall.

Darcy Dale also attended the history fair, entitled "Breaking Barriers in History," and said it was great. She noted the School Committee and BOS will hold a joint meeting this Wednesday evening, and the Schools should have a draft budget at that time that the BOS can ask for.

Rosemary Kennedy also liked the history fair. She reported she is working with seniors interested in a van service, which would be in addition to the service provided by the Cape Ann Transportation Authority (CATA) as some seniors feel they don't have as much freedom as they'd like. Ms. Kennedy spoke with the Ipswich Council on Aging director to get ideas; Ipswich utilizes a combination of CATA plus two senior vans run by volunteers. Ms. Kennedy met with Kristen Alexander of the Garden Club, who has nonprofit and fundraising experience, and may be able to help them. The Conservation Commission (ConCom) is revising the wetlands bylaw and looking for a new conservation agent to guide them. The ConCom is also waiting to hear about the 6.6 acres at the Patton Homestead they'd like placed under their control (discussed at a previous BOS meeting). The Christmas tree bonfire will be held Jan. 4. Flyers will be posted.

Mr. Farrell added to his report that the Open Space Committee is finishing up its Open Space and Recreation plan. A letter by Richard Boroff was sent out about Cutler Park needing some attention and new signage.

Mr. Hubbard said the Town Hall Building Committee had a productive meeting with the HHDC. The HHDC's suggestions were communicated to the architects and accepted. The basic idea is not to remove historic features that can't ever be replaced. Some cost-savings were realized as a result. Drawings will be on the website. Mr. Hubbard said he can't attend this week's joint BOS/School Committee meeting but they will have a quorum, and a School Committee appointment will be made from among two applicants. He yielded the rest of his time to David Thompson of the Gordon-Conwell Theological Seminary Task Force.

Mr. Thompson, 103 Essex St., said the Task Force has a good working relationship with Gordon-Conwell and has been pursuing four things (in its ongoing attempt to work out a payment in lieu of taxes): 1) Temporary office space for Town Hall staff during the Town Hall renovation process. The Seminary has offered its Pilgrim House or Retreat House rent-free. 2) Potential affordable housing in the form of a sale of some underutilized campus land and buildings. Andrew DeFranza of Harborlight Community Partners has expressed interest. 3) Potential Town water storage tanks on Scilly's Hill and Brown's Hill. Dewberry Engineering has been engaged to do a study to help mitigate the visual impact to Gordon, and perhaps they might negotiate an arrangement so the college would bear some of the cost difference between above-ground tanks and below-ground. 3) Construction of a cell service antennae at Gordon. There is space in the steeple, but that building is a dormitory so it's unlikely they would locate it there due to potential health risks; however, other locations may be available.

Ms. Kennedy asked for more information about health risks or perceived health risks of 5G technology. Mr. Thompson told her to contact Peter Clark.

Mr. Farrell complimented the Task Force for its progress.

Joe Domelowicz gave his Town Manager's report. He said when the BOS voted that Hamilton join the CATA it was noted in the motion that he would represent the BOS's interests. He found out he and the other town managers are expected to serve on the CATA board and assumed the original BOS vote covered him doing this. The BOS agreed. He said Finance and Advisory Committee (FinCom) Chair David Wanger had proposed an "Umbrella Committee" to include all the major boards and committee chairs to meet quarterly for the purpose of opening up lines of communication. The Committee will meet in January. He said MassDEP Municipal Assistance Coordinator Sharon Kishida had offered to hold a meeting to clarify the State's expectations for waste reduction and show what some other communities are doing prior to the start of Hamilton's return to every-other-week trash pickup. He will set that up. Mr. Domelowicz hosted a meeting of the North Shore Coalition of Mayors and Town Managers, which meets to collaborate on programs, policies, and projects. One idea is a joint procurement of bikes or scooters for getting to the train station to close the transportation gap for commuters. The scooters would be electric. Ms. Kennedy cautioned about that as she's observed people in Boston on them and also because there aren't bike lanes in Town. The BOS responded they'd have to think about the idea. Another topic Mr. Domelowicz brought up was opportunities to work with neighboring communities on IT needs and future IT infrastructure and share buying power. There is a group of communities looking at this who are supported by a State grant.

Mr. Farrell added that the Patton Homestead is starting a lecture series every third Thursday of the month. The first is about the Battle of the Bulge. Ticket prices vary according to the event.

AGENDA

Heather Ford—Hamilton Foundation presentation

Ms. Ford, chair of the Foundation, gave her annual report. The Foundation, whose slogan is "Neighbors helping neighbors," has existed since 2005. Members Bill Burrige, John McWane, and Coordinator Jane Wetson were in attendance. Other members are Lori Johnson and new member Jill Evers. The Foundation doesn't take any tax dollars. This year some donations came in via e-pay, which is new for them. An insert in the water bill is the Foundation's largest fundraiser. About 9% of the Town's school kids get reduced or free lunches and a large percentage of the population are seniors. This year the Foundation participated in the downtown holiday event and solicited donations there. They also received donations and publicity through the bag sales at Crosby's Market. This year, Mr. Burrige and Mr. McWane reached out to the 100 or so people who have wells and therefore wouldn't normally see a water bill insert.

In response to Mr. Hubbard's question on how to reach the Foundation, Ms. Ford said it is an official municipal trust/charity with a web page and advertises through brochures and posters around Town. It is also well known to the Acord Food Pantry. This year some of the Stuff-A-Cruiser toy donations went to the Foundation for its distribution.

Ms. Kennedy asked how income has grown. Ms. Ford responded that everything they take in in donations they put out and they stay fairly consistent.

Draft Capital Committee Report on Five-Year Capital Priorities

Ms. Ford, also Chair of the Capital Committee (CapCom), gave her report. The CapCom is a five-member board. Two members, Jack Lawrence and Mr. Thompson, were present. Their primary goal is to help the Town Manager identify priorities for the Town concerning capital expenses. The Committee pulled together fiscal policies. The group created a mission statement and reached out to all departments and committees throughout the summer to identify needs and priorities. Then they put together a template/spreadsheet ranking capital requests. [Ms. Ford referred to two handouts in the BOS packets]. She said for this, its first year, the Committee focused mostly on the priorities for Year One (Fiscal Year 2021) but also projected out. After ranking the priorities and making suggestions, the CapCom sent them back to the department heads, who seemed onboard for the most part with what was done.

Mr. Lawrence said the only other issue looked at was the timing of some of the expenditures. Two "wildcards" and big items are the Schools and the Town Hall renovation project.

Mr. Domelowicz said he was happy with the CapCom's work. The Town will now need to tie what's there to schedule the work and get it into the debt service. Mr. Farrell asked how the report is being shared and said there should now be no secrets. He said it should also help with the relationship with the School Committee and Town of Wenham. There was a discussion about the sharing of costs, such as for the Hamilton-Wenham Library roof.

Ms. Kennedy asked whether (in terms of the Municipal Vulnerability Program) they considered what items might be available for state or federal grants. Mr. Thompson said there were notes made in the right-hand column with respect to Chapter 90 funds for DPW expenses. If there was outside funding for an item it qualified for a rank of 2. Public Safety was the only priority that ranked higher. Many priorities will be bonded and spread out over 30 years, for example, costs associated with the construction of water tanks.

Ms. Ford noted the CapCom spent time on water safety issues. They also involved Vicky Masone in the conversation on solar systems.

Mr. Farrell brought up that National Grid needs to move on connecting up the solar array. Mr. Hubbard asked about next steps. Ms. Ford said the CapCom will "go quiet" until close to Town Meeting unless they are called back in. The information the Committee provided will

go into the budget process with the BOS making proposals and the FinCom commenting on them. The BOS thanked Ms. Ford for her work.

Water Abatements (2)—Discussion and Vote

At the last meeting, the BOS approved one of two abatement requests for a resident with a leaky toilet whose water-use overage and subsequent high bill spanned two billing periods. They postponed voting on the second request because they had further questions about it. After looking more closely at the situation, the BOS decided both abatements were tied to a singular event (the resident was out of Town 48 days and hadn't noticed his first unusually high bill). Therefore, they decided to also abate the second bill.

Decision 1:

Mr. Farrell made a motion that the BOS approve the water abatement for Pascal Tone, 294 Bridge St. Ms. Dale seconded the motion. The BOS voted unanimously among those present (4-0) to approve the abatement.

Decision 2:

Mr. Farrell made a motion that the BOS approve the water abatement for Donna Kinney, 8 Martel Road. Ms. Dale seconded the motion.

Further discussion:

Ms. Kennedy asked questions concerning how long water was running and what the problems were. Both cases were caused by a faulty flapper in the tank.

Mr. Seaver noted a faulty toilet is not covered by homeowner's insurance.

Mr. Farrell clarified that the abatements are for half of the difference between what the normal water bill would be versus what the bill was due to the leak.

Decision (Continued):

The BOS voted unanimously among those present (4-0) to approve the second abatement (for Ms. Kinnney of 8 Martel Road).

Liquor License Renewals—Discussion and Vote

Mr. Domelowicz said his assistant Michellelee Carroll had compiled the information and any License Renewal Applications with missing information were not put on the agenda.

Decision:

Mr. Farrell made a motion to approve Liquor License Renewals for the following: American Legion Augustus Peabody Gardner Post 194, 37 School St.; Myopia Hunt Club, 435 Bay Road; Crosby's Market Inc. DBA Crosby's Marketplace, 15 Walnut Road; akshar, Inc. DBA Hamilton Convenience, 187 Bay Road; Lawrence R. Chase Corporation DBA Harrigan's of Hamilton, 505 Bay Road; Marcole Corporation DBA Community Package Store, 45 Bay

Road; Weathervane Tavern, Inc. DBA Weathervane Tavern, 85 Railroad Ave.; Beverly Beer, Inc. DBA Black Cow Restaurant; Indigo Restaurant Corporation DBA 15 Walnut, 15 Walnut Road; and Turnbuckle LLC, DBA Honeycomb, 248 Bay Road. Ms. Dale seconded the motion.

Further Discussion:

Ms. Dale thought there might be a typo on “Marcole,” but Mr. Farrell confirmed it was correct. Ms. Kennedy found an error on William Olson’s last name. They decided the documents should be amended and reprinted before signing because they are posted in the establishments.

Decision (Continued):

The BOS voted unanimously among those present (4-0) to approve the Liquor License Renewals stated above.

Common Victualler’s License Renewals—Discussion and Vote

Decision:

Mr. Farrell made a motion to approve the Common Victualler’s License Renewals for the following: American Legion Augustus Peabody Gardner Post 194, 37 School St.; Beverly Beer, Inc. DBA Black Cow Restaurant; Mark’s Pizza and Seafood, 275 Asbury St.; Liva Donuts, LLC DBA Dunkin Donuts; Hamilton Family Markets, Inc. DBA Crosby’s Marketplace; akshar, Inc. DBA Hamilton Convenience, 187 Bay Road; Hamilton House of Pizza, 40 Railroad Ave.; Cumberland Farms, Inc. Store #6747; Honeycomb, 248 Bay Road; Myopia Hunt Club, 435 Bay Road; Weathervane Tavern, 85 Railroad Ave.; and The Community House, 284 Bay Road. Ms. Dale seconded the motion.

Further Discussion:

Ms. Kennedy said she’s noticed debris outside some stores and wondered if that were an issue related to licensing. Mr. Hubbard said if there is an enforcement issue that should be addressed, she should ask the Board of Health or Police Department to see if there is something in the local code or let him know privately of the situation.

Decision (Continued):

The BOS voted unanimously among those present (4-0) to approve the Common Victualler’s License Renewals stated above.

Class 2 Motor Vehicle Sales License Renewals—Discussion and Vote

Decision:

Mr. Farrell made a motion that the BOS approve the Class 2 License Renewals for the following: Hamilton Enterprises, 260 Asbury St.; A&M Motors, 203 Highland St.; and KJ Motors, LLC, 247 Forest St. Ms. Dale seconded the motion.

Further Discussion:

Ms. Kennedy sought further information from the BOS about what the license was for. Basically it allows the establishments to sell cars and there are restrictions about stock, for example, no vehicles are stored on the premises.

Decision (Continued):

The BOS voted unanimously among those present (4-0) to approve the Class 2 Motor Sales License Renewals stated above.

Entertainment License Renewals—Discussion and Vote

Decision:

Mr. Farrell made a motion that the BOS approve the Weekday Entertainment License Renewal for Indigo Restaurant Corporation DBA 15 Walnut, 15 Walnut Road. Ms. Dale seconded the motion.

Further Discussion:

Ms. Kennedy noted that the time for the ending of playing music had been changed from 11 p.m. to 11:30 p.m. The BOS discussed this.

Decision (Continued):

The BOS voted unanimously among those present (4-0) to approve the Entertainment License Renewal stated above.

It was again discussed whether the BOS should just sign the documents, which included an error on the Selectman's name (who was absent this evening) and cross the name out or reprint all the documents. It was decided to reprint them.

Mr. Domelowicz noted one license up for renewal was not included in the discussion because the business failed to file the paperwork and did not respond to the Town's repeated reach-outs. That business will have to appear before the BOS in the New Year to be able to reopen.

Board and Committee Code of Conduct and Social Media Policies—Review

Mr. Hubbard said this item was a good reminder to read through the policies dealing with their relationships with the community, the Town Manager, each other, and with Town staff. This was adopted by the BOS in 2013. In some years they have all signed the policies; this year they won't be signing, just reviewing them.

Mr. Farrell said typically when a Selectman comes on board, the policy is part of a welcome packet. He didn't think that was the case with the newest BOS members (Ms. Kennedy and Ms. Dale). Mr. Domelowicz noted that also in the packet was a booklet entitled "How to be an Effective Member of a Public Board or Commission."

Ms. Dale said there was a process for recalling an elected official if someone felt strongly about it, not through Hamilton but with the State. Ms. Farrell said while there is no real mechanism to ensure compliance, the policies allowed for a censure or public reprimand if the policies were violated. He thinks it's helpful for everyone to have ground rules of what's expected.

Review of Proposal for Town Meeting Vote Tabulation System—Presentation

Because Selectman Olson, who had done the research on the vote tabulation system, wasn't present, it was decided to postpone this agenda item to another meeting.

Mr. Domelowicz said he had forwarded the information provided by Mr. Olson to the BOS.

Ms. Kennedy asked if the automated vote counters would be incorporated into the next Town Meeting. Mr. Domelowicz said yes, it could happen in time.

NEW BUSINESS

Mr. Domelowicz reminded the BOS that they had discussed holding a budget presentation meeting on a weeknight rather than a Saturday morning. The BOS discussed various dates and decided it would be on Jan. 27 at 6 p.m. The meeting will be televised.

Ms. Kennedy asked when the BOS would vote on appointing a representative to the MAPC [Metropolitan Area Planning Council] as she was interested. Mr. Domelowicz said he would check with Director of Planning and Inspections Patrick Reffett and get back to her. She asked if the Recreation and Open Space Plan would need a signoff from the BOS; the reply was no.

Consideration of Topics for Discussion at Future BOS Meetings

- Vote counters, tabulation system presentation by Mr. Olson
- Financial policies
- Water rates
- Town Manager's new goals

Mr. Farrell brought up the budget calendar deadlines crafted by the former Interim Town Manager Robin Crosbie. He noted boards and committees were notified on Dec. 3 of annual reports due. They have to be done 60 days prior to Town Meeting. The BOS discussed that Dec. 17 was the date for the review of estimates and Dec. 25 was the deadline for the Planning Board to submit zoning articles. They expressed they thought those dates seemed a bit early. Mr. Domelowicz agreed. Mr. Farrell said he just wanted to make sure they were on top of the deadlines.

Mr. Seaver asked for an update on CATA. Mr. Domelowicz said CATA's board of directors would meet in January and he would also meet with the CATA representative to start working on the plan for Hamilton.

- Report from Waste Reduction Committee about the trash pickup change following the public meeting with Ms. Kishida (previously discussed). Ms. Dale suggested the public meeting might be a joint meeting with Wenham.
- Sharon Road traffic study
- Downtown Traffic and Parking Study. The Hamilton Development Corporation (HDC) was asked to pay for the parking portion of the study. Chapter 90 funds may be used for the traffic portion. Mr. Domelowicz suggested that representatives from the downtown business community be asked to participate.

Adjournment

Ms. Dale made a motion to adjourn the meeting at 8:42 p.m. Ms. Kennedy seconded the motion. The BOS voted unanimously among those present (4-0) to adjourn.

Prepared by:

Mary Alice Cookson, 1/27/2020
Mary Alice Cookson Date
Minutes Secretary

Attest:

Darcy Dale, 1/27/2020
Darcy Dale Date
Board of Selectmen Clerk