

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Teleconference

November 9, 2020

Hamilton Selectmen Present:	Chair Shawn Farrell, William Olson, Darcy Dale, Rosemary Kennedy, and Jamie Knudsen
Wenham Selectmen Present:	Co-Chair John Clemenzi, Co-Chair Gary Cheeseman
Town Manager:	Joe Domelowicz Jr.
Wenham Town Administrator:	Anthony Ansaldi
Other Town Staff Present:	Director of Planning & Inspections Patrick Reffett

** This meeting was conducted via Zoom teleconference with all the above participants remaining in their homes.*

Call to Order/Pledge of Allegiance

Chair Shawn Farrell called the Hamilton Board of Selectmen (BOS) teleconference to order at 6:34 p.m. and took a roll call. All Hamilton BOS members were present at the start of the meeting.

PUBLIC HEARING—Liquor License Transfer—Harrigan’s JK, Inc.

Harrigan’s liquor store business was sold and purchased by Joan Regan and Kalpesh Desai. Attorney Joseph Devlin, representing the new owners, described them as experienced package store owners of multiple stores. He explained the new operation and responsibilities of the principals and employees. The closing will likely be in January and the transaction includes the on-site rental property.

William Olson asked if the store name would remain the same; Mr. Devlin responded yes. He said there would be changes in inventory and variety, but not in the building. Mr. Farrell asked if the store would continue cigar sales. Mr. Desai responded no; cigars are not sold at their other store in Newburyport and the new owners don’t have that expertise. Rosemary

Kennedy asked the attorney if there had been any legal infractions by the new owners; he responded no. Public comments were invited. None were made.

Decision #1:

Darcy Dale made a motion to approve the liquor license transfer for Harrigan's JK, Inc. Mr. Olson seconded the motion. A roll-call vote was taken with "ayes" from Ms. Dale, Ms. Kennedy, Jamie Knudsen, Mr. Olson, and Mr. Farrell, (5-0) unanimous.

Decision #2:

Ms. Dale made a motion to close the public hearing for the liquor license transfer. Mr. Olson seconded the motion. A roll-call vote was taken with "ayes" from Ms. Dale, Ms. Kennedy, Mr. Olson, Mr. Knudsen, and Mr. Farrell, (5-0) unanimous.

Board and Committee Openings

- The Council on Aging—two openings
- The Hamilton Historic District Commission (HHDC)—two openings

Selectmen/Town Manager (TM) Reports

Mr. Knudsen reported the downtown parking study was beginning. No other report.

Mr. Olson extended thoughts and prayers to the families of two Town public safety officers who died. He reported there was a School Board opening and said it would be a Wenham process as the person stepping down is a Wenham resident. He commented that the high school had gone to fully remote learning (due to COVID-19). He thanked Town Clerk Carin Kale and poll workers for their hard work during the Primary election.

Mr. Dale also acknowledged Ms. Kale and her crew and noted they were preparing for the Special Town Meeting (STM) and Special Election ballot. Ms. Dale said some seniors don't have access to reusable cloth masks and wondered if the Town could do something about that. Mr. Olson and Mr. Farrell responded that it was in process.

Ms. Kennedy reported Town Hall Building Committee (THBC) bids had come in under the estimates. She acknowledged THBC Chair Mike Twomey for his work to ensure the bids were the lowest possible. She said she hoped Town residents would attend STM and listen with an open mind to the presentation on the Town Hall restoration.

Mr. Farrell echoed Mr. Olson's comments on the tragic loss of the two public safety officers. There was a discussion regarding the remarkably high voter turnout for the Primary, especially in light of the pandemic. Mr. Farrell said he received his mail-in ballot today for the Dec. 3 debt exclusion ballot. In response to Ms. Dale's question on masks for seniors, he said they had been ordered. He reported the Recreation Department was putting together its winter programming brochure.

Town Manager Joe Domelowicz displayed the masks ordered by the Town. He said anyone attending STM can get one, and the remaining will be distributed afterward. STM is Saturday, Nov. 14, at 9 a.m. at the regional high school football field. There will be heaters inside the tent; temperatures in the 40s are expected. The American Legion Gardner Post will hold a brief ceremony at the Hamilton Cemetery flag pole at 11 a.m. on Veteran's Day. The Town Hall building bids came in lower than expected so less money is being asked for at STM. Automated vote counters/"clickers" were ordered. The Town went with a different vendor than it had been considering previously. The Flash Vote survey received good results. Questions concerned how Hamilton residents communicated with the Town.

CONSENT AGENDA:

- Approve Minutes of BOS meeting for Oct. 19, 2020
- Approve North Shore Nordic Association sign at Patton Park
- Approve Election Warrant for Special Election Dec. 3, 2020
- Approve request to allow Shop Local HW and the HDC (Hamilton Development Corporation) to hang banners downtown.

Decision:

Ms. Dale made a motion that the BOS approve the Consent Agenda. Ms. Kennedy seconded the motion. A roll-call vote was taken with "ayes" from Ms. Dale, Ms. Kennedy, Mr. Knudsen, Mr. Olson, and Mr. Farrell, (5-0) unanimous.

Joint Meeting with Wenham Board of Selectmen (BOS)

Wenham Co-Chair Gary Cheeseman opened the meeting for the Wenham BOS at approximately 7 p.m. Co-Chair John Clemenzi was also online; the two Selectmen constitute a quorum. Wenham Finance and Advisory Committee (FinCom) Chair Jim Purdy was also present Mr. Farrell said the meeting's purpose was to start a dialogue between the two towns in light of their current financial situations. He reviewed the agenda items.

• **Discuss Regional Agreements—Library, Inspectional Services**

Library: An issue had occurred involving Library roof repair where the price was higher than what had been appropriated. Mr. Farrrell said the point of the conversation was having better communication among all the parties, including Library staff, Library Trustees and the two towns. Mr. Domelowicz said they had started to meet operationally about capital items at the Library to coordinate requests. A meeting was held with Mr. Domelowicz, Library Director Kim Butler, Wenham Department of Public Works (DPW) Director Bill Tyack, and Wenham's Director of Administrative Services Jackie Bresnahan. Mr. Domelowicz said Wenham's Facilities Director Mike Hardy, Mr. Tyack, and Hamilton's DPW Director Tim Olson were also going to collaborate more to alleviate some of the problems that had occurred; he detailed a few. A new server is needed at the Library. The importance of differentiating capital items from operational items was discussed. Wenham's new Finance Director started today. Mr. Cheeseman said Wenham will hold a meeting on Jan. 9, 2021. He suggested a joint meeting in December at the Town

Administrator level to review all the shared programs. Mr. Farrell suggested “baking in” a regularly scheduled meeting with the Library Director and Library Trustees Director. The Library is a well-funded and expensive operation for the two towns. Mr. Clemenzi said the facility was busy and took a fair amount of maintenance. Mr. Domelowicz said he would be happy to schedule a meeting for the joint FinComs going forward. Mr. Olson said the regional agreements do not mention attending required meetings or reporting to the two towns’ Boards of Selectmen. He thought it would be good to add that to the agreement. Mr. Farrell said the last reiteration of the document was in 2010 and it was time for an update.

Inspectional Services—Mr. Farrell said Inspectional Services were going well for both towns with more outreach and availability than in the past. He noted Wenham was responsible for the hiring part of the agreement. Mr. Domelowicz said both towns will need to vote by mid-January about whether to continue the regional services agreement, which expires June 30, 2021. He met with Wenham Town Administrator Anthony Ansaldi, Ms. Breshnahan, and Hamilton’s Director of Planning & Inspections Patrick Reffett, and they think they can approve it without any influx of new resources, but may need some restructuring of the work. The two boards discussed the need to examine the agreement and data pertaining to the number of calls, response time, etc. Ms. Dale asked if the regional agreement included Manchester; Mr. Farrell responded no, just Hamilton and Wenham. The action plan is for various meetings to be set up to discuss the two agreements and then the two BOSs will meet on amendments to the agreements as well as voting on renewal.

- **Discuss Regional School Agreement**

Mr. Farrell said the original regional school agreement was in 1959; the last update was about a decade ago, so there are many housekeeping details and updates that could be made. He said currently School Committee nominations are run through the School Department while all other committees require that nomination papers be taken out with the Town Clerk and go through a town process. Mr. Farrell said he would rather have the process be more transparent and run through the towns. Also, he thought the demographics about the number of students enrolled at the schools per town and the O.P.E.B. (Other Post-Employment Benefits) issue needed to be examined. Another suggestion was having a mechanism or policy in place to govern how much the School budget could increase per year or over a period of years. Mr. Clemenzi said partly why he became involved in town government was that the Schools answer to nobody, and when the towns had budget talks, the Schools did not participate although they accounted for a majority of the budget. Mr. Olson said there used to be a requirement for the Schools to have an operational audit, but that isn’t happening now and he thinks it needs to be reinstated. Mr. Clemenzi noted a situation in the past in which \$4M was found by an auditing firm in cash accounts; he said more accountability was needed. Mr. Farrell commented on the plan to address the O.P.E.B. situation by adding \$1M to the O.P.E.B. account each year was not sustainable. Ms. Dale said if they want accountability, they need to add finance people to the School Committee. Opening up the regional agreement was discussed. Mr. Clemenzi suggested adding that one Selectmen from each town serve on the School Committee rather than it only involving parents or those invested in the Schools. Mr. Cheeseman asked that the Selectmen meet concerning the matter. Mr. Farrell suggested forming a subcommittee with involvement from the two towns’ Town Counsels about

bringing the agreement up to date and setting a date for starting the process. Mr. Olson asked what that process would look like. Mr. Farrell said they would need all three parties to agree. He thought they should look at the document to see what's outdated, look at the apportionment part, and at what to add, for example, regarding membership to the board and the reporting to the towns, and perhaps a cap on budget increases as it was discussed that last year's increase was about 9% and using free cash to offset costs was not a good long-term plan. Mr. Purdy said there was positive response to Wenham's FinCom from the School administration, which was more than in prior years. Hamilton FinCom member John Pruellage noted the same concerning Hamilton's FinCom and added there's room for continued negotiations. Ms. Kennedy commented it is hard to be objective about the financial decisions for the Schools when it is your child involved. She endorsed a measure for instilling objectivity by involving some neutral parties.

- **Discuss 2022 Budget Process and Capital Planning**

Mr. Farrell discussed the two towns and the Schools working together better on big capital items. He said up until recently the Schools didn't have much of a capital plan. He encouraged coordination with all the parties concerning big-ticket items (such as Hamilton's Town Hall restoration) and it was suggested that meetings about long-range planning take place as soon as Wenham's finance director is settled in. Mr. Purdy suggested involving the capital planning group from the Schools as well as the two FinComs.

- **Discuss Hamilton's Master Plan and Health Reorganization**

Master Plan: Mr. Farrell said the Winthrop School lease is coming up and there has been talk about the possibility of reclaiming the building for Hamilton's commercial district and consolidating the elementary schools in a facility at Cutler School. That would be discussed during Hamilton's Master Plan process. Mr. Domelowicz asked if Wenham would agree to assign some resources to participate in Hamilton's Master Plan process since the two towns do so much together. Mr. Ansaldi said the Master Plan involves a lot of citizen involvement and suggested Hamilton reach out to Wenham's various boards. Ms. Dale noted the regional Pool and other facilities the Towns share. This led to a discussion of facilities and roads and looking at large items, such as boilers, for the purpose of capital planning.

Health Reorganization: Aligning public health services between the two Towns was discussed. Mr. Domelowicz said he was going to call for a department head meeting and was interested in Wenham's input. Mr. Clemenzi said there were areas where the two towns could use common purchasing power, and it was agreed by the two Boards of Selectmen that they will meet as Hamilton's Master Plan gets underway.

Mr. Olson asked about Wenham's adding of a street light [at Cherry Street and Friend Court]. Mr. Ansaldi said the engineering firms were currently working to get it up to 25% of the design.

Mr. Cheeseman thanked the Hamilton BOS for starting the discussions. He made a motion to adjourn the meeting for the Wenham BOS. Mr. Clemenzi seconded the motion. A roll-call vote was taken with “ayes” from Mr. Cheeseman and Mr. Clemenzi, (2-0) unanimous.

Public Comment

School Committee Member Anna Siedzik raised a question about the legality of Hamilton’s not allowing children at STM saying it might be disenfranchisement to parents lacking childcare. Ms. Dale said some elderly citizens may feel that way if they are unable to attend STM due to COVID concerns; however, Ms. Siedzik noted there isn’t any prohibition in place toward seniors. Mr. Domelowicz said he didn’t think it disenfranchisement because children aren’t voting members of Town Meeting. Town Counsel Tom McEnaney said he wasn’t aware of any towns offering childcare. While he didn’t think the Town would be on legal footing to ban children, it could encourage parents not to bring them, and if children were disruptive, the Town Moderator could have them removed. Mr. Olson said the topic was not on the agenda and they should move to the next discussion.

Tosh Blake, 217 Sagamore St., commented he was concerned that if the Town accepted any Federal grant money for the Town Hall project, it might be forced to accept things it might not want. Mr. Domelowicz said the Town had not applied for any grants for Town Hall and does not anticipate taking any Federal or State money nor is it available for town halls. He said the language on the warrant article is required by law on the off-chance that the Town would be accepting grants. Mr. Blake advocated changing the language to avoid “surprises.”

Review of STM Script

Attorney McEnaney was present for the discussion. Town Moderator Bill Bowler was not present. Mr. Domelowicz displayed the script onscreen.

Mr. McEnaney agreed to explain the Consent Motion at STM. He noted they wanted items in the Consent Motion to require the same quorum of votes. For any warrant articles that involve funding, the Department of Revenue requires the article include a specific dollar amount and specific funding source. The Consent Agenda is used for articles involving little to no discussion that are generally non-controversial. Articles 2-4, 2-9, 2-10, 2-11, 3-1, 3-2, and 3-3 all involve funding and don’t include the dollar amount presently because they won’t know it until the article is prepared. He went through of some of them.

Mr. Pruellage said the FinCom would move the financial articles. The FinCom meets on Wednesday. He asked the BOS to leave placeholders for the FinCom votes. Mr. McEnaney said in the past, the Consent Agenda was moved by one of the Selectmen. Mr. Olson said he would do it. There was a review of the warrant articles with a focus on who would make the motions and who would discuss the articles. Below are some notes:

- Article 2-1 (Prior Year Bills): Mr. Pruellage said someone on FinCom will make the motion.

- There were two Article 2-3s. One needs to be changed to Article 2-2 (Capital Expenditures). FinCom will move that article as well.
- Mr. McEnaney commented on Appendix A, which lists projects that are part of the capital plan. He wanted to specifically identify the projects being voted on at STM, projects funded by free cash.
- Article 2-3 (Water Treatment Plant): Mr. Farrell will make the motion with discussion provided by DPW Director Mr. Olson.
- Article 2-4 (Pool Revolving Fund) is on Consent Agenda. If the article is held, FinCom will discuss it.
- Article 2-5 (Community Preservation Committee [CPC] Articles): Mr. Farrell will make the motion with CPC Chair Jay Butler present to discuss.
- Article 2-6: FinCom and the BOS had both moved unfavorably on it. Ms. Dale said FinCom had a nice explanation in the warrant book; the BOS could give that same explanation. Mr. Pruellage agreed and said FinCom will give its view. Mr. Farrell asked if when he recognizes Mr. Butler of the CPC to speak to the article, if he should also recognize the FinCom. Mr. McEnaney said the moderator would be the one to recognize both FinCom and the CPC. Mr. Pruellage will make the motion.
- Article 2-7: A presentation will be made by Mike Twomey and Articles 2-7 and 2-8 will be joined just for purposes of discussion. Mr. Farrell suggested Ms. Dale or Ms. Kennedy make the motion combining the two. Mr. McEnaney said he will write the script to explain the articles were being combined just for purpose of discussion and not the vote. The architect will also make a presentation. Mr. Pruellage said Nick Tensen from the FinCom would like to explain FinCom's recommendation about Town Hall. Ms. Kennedy will speak with Mr. Bowler to find out if she can add a slide to the presentation or if it is too late.
- Article 2-8: The moderator won't be allowing any further discussion since it is encompassed in the joint discussion of both articles. Article 2-7 is the CPC part of the building project and Mr. Farrell will make that motion. Ms. Dale will address Article 2-8, the remaining funding for the project. Mr. Farrell asked if FinCom wanted to be recognized on both. The answer was no, just on the combined discussion, which Mr. Tensen would do.
- Article 2-9: In the Consent Agenda, but if it is held, FinCom will make the motion.
- Article 2-10: Also in the Consent Agenda, but if held, FinCom will do.
- Article 2-12 (Master Plan): Ms. Kennedy will make the motion. Mr. Domleowicz asked if he could make a comment on it once it is moved. The BOS agreed. After Ms. Kennedy speaks, she will ask Mr. Bowler to recognize Mr. Domleowicz.
- It was discussed that if Article 2-7 or 2-8 fail, there will be no sense doing Article 3-3. If Article 2-7 doesn't pass, the question was asked if they would vote on Article 2-8. Mr. McEnaney said they could vote on it.
- Article 3-1 (COA): Mr. Knudsen will make the motion.
- Article 3-2 and 3-3: In the Consent Agenda, but if anything is held, Mr. Olson will do.
- 3-4 (Citizen's petition): Typically a citizen's petition is moved by the lead petitioner. Bill Heney, the petitioner, said he was fine with reading the motion. There was a discussion about whether to vote on the petition tonight, make a recommendation on TM floor, or have a brief meeting prior to STM. Mr. McEnaney said that gets into

the question of notice under open meeting law since the issue was not on this evening's agenda and advised it was probably best to take a formal vote at a meeting where it was an agenda item. It was decided to have a meeting with a one-item agenda the morning of STM and finalize the BOS vote then. It was noted that Wenham had approved the petition, but narrowly, and that it was an advisory, nonbinding petition.

Mr. Heney gave a summary of how the petition came about. A discussion of various members' thoughts on the matter ensued: Mr. Knudsen said he was inclined to recommend unfavorable action on the citizen petition because he didn't like some of the wording. He said even though it is advisory, the wording isn't advisory, and he finds that confusing. He said the petition originated because of a misunderstanding and now has been clarified. He didn't think they should have something that can be used as a weapon by people to create problems for the Board of Health (BOH) and create more discord. Ms. Kennedy said she saw it from a scientific viewpoint—how the metrics being gathered from various organizations should impact the opening and closing of schools. She said the local BOH isn't always privy to the information of the DESE [Department of Elementary and Secondary Education]. She said the petition encourages the BOH to look at the State's statistics more carefully. Mr. Olson said he would vote unfavorably as he didn't want to limit the local BOH from giving its opinion. He credited the BOH with having a conservative approach. Ms. Dale said she also didn't want to limit the BOH.

Mr. Domelowicz agreed to post the meeting for 8:40 a.m. on Saturday morning. Mr. McEnaney suggested meeting at the front of the tent.

Mr. Pruellage said FinCom had not yet made a recommendation but was meeting on Wednesday and would advise the BOS afterward.

Mr. McEnaney asked if the BOS needed him to stay. Mr. Domelowicz brought up that pertaining to tonight's agenda item **Final Reading of Converting Private Ways Policy—Discussion and Vote**, there was discussion at the last meeting on the use of "may" or "shall" [see Oct. 26 meeting minutes for details]. Mr. Domelowicz said KP Law Attorney Lee Smith, who drafted the amended policy, advised against "shall" and advocated leaving it "may" to allow the BOS flexibility in the future.

Ms. Dale said she was concerned with oversight and asked if the Town had a mechanism to ensure a developer finished a job to completion. Mr. Domelowicz said in most cases, the bond wouldn't be released until all the work was done. Mr. McEnaney left the meeting.

Mandatory Compost Proposal—Discussion and Vote

There were two versions of the letter from the Waste Reduction Committee (WRC). WRC Chair Gretel Clark and member Anne Gero were present online and said the draft shown wasn't the updated document. Mr. Farrell displayed an email the BOS had received earlier

today. He said the only part changed was in the sixth paragraph where it talked about having the DPW visit a resident's home to view evidence of composting when the resident applied for an exemption sticker. The only reason someone will be exempt from composting is if they are an active backyard composter. No other reasons will be accepted. Another change is that the part about a green bin being delivered was deleted. Ms. Clark and Ms. Gero said they thought it more important that the BOS vote on the actual policy rather than the letter to the residents.

Ms. Kennedy asked for the price of the green bins. It is about \$30. The Town has about 42 of them on hand to sell. Mr. Domelowicz said the purpose of charging for the bins is so they can order more without costing the Town additional money. Mr. Domelowicz said he and Mr. [Tim] Olson met with Ms. Clark and Ms. Gero and came to an agreement on the language for the policy. They can meet again and bring it back to the meeting in December, which would give them lead time to inform the public about the change.

Mr. [William] Olson asked if residents would be allowed to purchase their own compost bins or needed to use the green bins from the Town and was told that it is a size issue and the policy is that the hauler is instructed to not pick up a resident's trash unless the green compost bin is at the curb with the regular barrel or the barrel bears an exemption sticker.

Decision:

Ms. Dale made a motion to approve the Mandatory Composting Proposal by the Waste Reduction Committee. Ms. Kennedy seconded the motion.

Further Discussion:

A beginning date was discussed as late January/early February.

Decision (Continued):

Mr. Olson amended the motion to say that Mr. Domelowicz would work with the Waste Reduction Committee on the final language. Ms. Kennedy seconded the motion. A roll-call vote was taken with "ayes" from Mr. Olson, Ms. Dale, Ms. Kennedy, Mr. Knudsen, and Mr. Farrell, (5-0) unanimous.

Mass Department of Environmental Protection (DEP) Regional Solid Waste/Recycling Coordinator Sharon Kishida was present online and complimented the BOS, Mr. Domelowicz, Ms. Clark, and Ms. Gero for "making history."

Final Reading of Converting of Private Ways Policy—Discussion and Vote (Continued)

Mr. Farrell noted previous discussion of "shall" vs. "may." He noted the percentage of residents on the street who had to agree to convert the roadway from 75% to 100%.

Mr. Knudsen said in various places in the document it noted Town Counsel fees, but thought it should be changed to all the Town's legal fees. Mr. Domelowicz said he would change that.

Mr. Olson had previously asked if indemnifications should be included in the policy. Mr. Domelowicz said it could be in the contract letter rather than the policy.

Ms. Dale said she wanted to make sure the BOS doesn't make a mistake and discount what may happen to the Town if the policy isn't iron-clad, such as a developer making a street narrower than was agreed to. She wanted to make sure the people's interests were protected with mechanisms such as withholding the performance guarantee.

Ms. Kennedy wanted to know what circumstances there might be wherein the BOS would consent to release the performance guarantee before a job was completed. Mr. Domelowicz said in the case where a job was finished, but was just pending a vote at Town Meeting. In that case, the Town might not want to be holding onto the developer's bond. Ms. Kennedy said that made sense.

Decision (Continued):

Mr. Olson made a motion to approve the Private Roads policy as amended. Ms. Dale seconded the motion. A roll-call vote was taken with "ayes" from Ms. Kennedy, Ms. Dale, Mr. Knudsen, Mr. Olson, and Mr. Farrell, (5-0) unanimous.

Human Rights Commission Policy—Discussion and Vote

Mr. Farrell said Ms. Kennedy had sent him changes in some verbiage a couple of weeks ago but he had received nothing since. Ms. Dale said she had sent Mr. Farrell and Mr. Domelowicz an email earlier today with a request to not have the topic on the agenda this evening.

Mr. Farrell said he had Assistant to the Town Manager Pat Shannon do some research and Mr. Shannon sent him 14 policies from different communities. He said he had been looking at the adoption dates for the policies so as to use more current language and find one to use as a template.

Mr. Farrell said there had been a discussion about perhaps modifying the language regarding ex-offender status. He noted the BOS would be the gatekeepers for deciding who was on the Human Right Commission. The list referring to what discrimination means was taken out. It was noted the Commission was advisory. Ms. Dale said she liked the idea of having a living document that can change as needed.

Ms. Kennedy said there had only been one reading of the policy and the BOS was not bound by the language since it will be a BOS policy. She said she felt pressured to accept it and wasn't feeling content.

Mr. Olson said in every instance of policies, the BOS had used templates from other towns and in this case had done the same. Ms. Kennedy said she found it stressful to read on the agenda they were going to have a discussion and a vote when the document was still in the writing process. She said there are other organizations that investigate discrimination in

housing, employment, public accommodation, access to Town services, etc., so that may be redundant of State statute.

Mr. Olson stressed the Commission was advisory. The policy was to give people somewhere to go if they had an issue. Ms. Kennedy asked what the plan was for the Commission if someone did have an issue, such as an insurance issue. Mr. Knudsen said the policy was about promoting and encouraging inclusivity. Ms. Kennedy said the first part of the document is to affirm equal rights and that the Town won't tolerate discrimination. The second part focuses on public engagement for inclusivity and how to deal with issues. She said she wanted people to know that the BOS will refer to the State Attorney General.

Mr. Knudsen said Ms. Kennedy's statement that the BOS had only had one reading on the policy was inaccurate. He said the first reading was two meetings ago and they had a robust discussion and were all onboard. Oct. 13 was a second reading and they are now doing a third reading. Ms. Dale said the document reads like a closed fist instead of an open hand and is punitive and judgmental. She did not like that the second reading had talked about religious initiatives the Town will support and she wanted it spelled out that the Town had no adjudicatory powers and was only advisory. She asked if the Commission might come to the BOS looking for funds. The difference between the local Human Rights Coalition and the Town's Human Rights Commission was discussed. Mr. Olson said it had nothing to do with this meeting. Mr. Farrell noted they are separate entities. Ms. Kennedy said but they are espousing the same goals.

Ms. Dale and Ms. Kennedy both said they supported a one-page document and this one is four pages. Mr. Knudsen said it was actually two and a half pages.

Ms. Dale said she didn't think they should be supporting religious initiatives. Ms. Knudsen said the policy said the Commission can prepare reports on such initiatives and they do want to support initiatives that are against religious discrimination. Mr. Olson agreed. He said they are asking people to report on religious initiatives; they aren't involved in making the initiatives.

Ms. Dale asked if the Commission will be asking for money, such as for attending conferences. Mr. Farrell said he was fine with paying for people to go to a conference; wasn't a high-dollar thing.

Ms. Kennedy said she thought the group should be locally focused and the document talks about regional things.

Mr. Knudsen said he was in favor of leaving the list in the first paragraph because it was important to make the statement stronger in promotion of the Town's values. He said the statement regarding the different types of discrimination and list of protected classes may not be all-inclusive, but he thinks it important to articulate the types of discrimination commonly aware of in society and that it wasn't meant to be a comprehensive statement

that if anyone says they were discriminated against, the Town will adjudicate that someone is at fault. Ms. Dale said it wouldn't hurt to specify it.

Mr. Farrell said he was fine with the document as is, although he would be OK with removing the ex-offender status. He said with respect to the statement about all persons feeling safe in Hamilton with respect to housing, employment, etc., he said they could use language to say "including, but not limited to..."

Mr. Kennedy said words like "disrespect," "microaggression," and "hatred" are subjective and the BOS is not the behavior police. She said the purpose of the group is community outreach to generally deal with these issues, not to go knocking on doors and policing behavior. It would involve educating people so if they make a faux pas they aren't confronted head-on

Mr. Olson said they should all send their specific edits to Mr. Farrell.

Mr. Knudsen said of 10 paragraphs, one of them said to serve as a portal for concerns. There is no policing mentioned. As a lawyer, he commented there is a lot of subjective in the area of law. He said the real question was: Does the Town of Hamilton affirm that they should be free from discrimination? In the application of it, people can disagree, but it sets a tone that says the Town wants to be free of these things. He said that edits were supposed to be made by Oct. 19 and thought the BOS should vote.

Ms. Siedzic said she had a few points of clarification. She noted the document was written by Town Counsel. She said that if "all" really meant "all," there would be no reason to have to specify all the protected classes, but that isn't the case. She supported Mr. Farrell's idea of adding "including but not limited to..." She said discrimination means you are denied something, which is different from microaggression, hatred, bigotry, etc. She said disrespect is in the eye of the victim. She said that the idea for the Commission started with the citizen's march this summer, which was a good tie-in to the police and municipal government.

Mr. Blake didn't find the policy posted on the website. He asked how it came about. He said it seems like a political stance by Hamilton and thinks it is a mistake.

Decision 1—Adjournment

Ms. Dale made a motion to adjourn the meeting. Ms. Kennedy seconded the motion.

Further Discussion:

Mr. Olson said he wanted a timeline for the Human Rights Commission Policy decision. Ms. Kennedy requested the BOS have the document ready for a vote the first meeting in December. Mr. Knudsen said they are spending too much time on it and he would move to vote on it. Mr. Olson said he did not want to wait until next month. He wanted to have the vote on Nov. 23 with comments due by Tuesday, Nov. 17, at midnight. Mr. Farrell said he would then circulate the comments on Wednesday morning, Nov. 18.

