HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Teleconference

February 16, 2021

Selectmen Present:	Chair Shawn Farrell, William Olson, Darcy Dale, Rosemary Kennedy, and Jamie Knudsen
Town Manager:	Joe Domelowicz Jr.
Other Staff Present:	Carin Kale, Town Clerk; Kayleigh Pare, Patton Homestead director

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

Call to Order/Pledge of Allegiance

Board of Selectmen (BOS) Chair Shawn Farrell called the Zoom meeting to order at 6:33 p.m. and took a roll call. All members were present. The Pledge of Allegiance was recited.

Announcement of Board and Committee Openings

- Human Rights Commission—five openings.
- Hamilton Historic District Commission—two openings
- Zoning Board of Appeals—one opening
- Community Preservation Committee (CPC)—one opening
- Conservation Commission—one opening
- Open Space Committee—two openings
- Planning Board—two openings

Public Comment

Marc Johnson, 6 Patton Dr., (commenting on the Patton Homestead license agreement being discussed later in the meeting), said Patton Homestead Inc. (PHI) hoped to work out their concerns about how the property is being used on behalf of the community. He said PHI understands the pressure to make the property self-sustaining and wants to start with

the big picture and work from there as different boards and people have different ideas about what should happen there.

DEPARTMENT HEAD REPORT

Town Clerk Carin Kale to Update the Selectmen

Ms. Kale reported the date for the Town election is May 6 and said 11 seats are open. She listed them and encouraged people to pull papers, due back March 18. The Town Clerk's office has been working on the census, including dog licenses, and encouraged residents to send the census in. Open Meeting Law and Conflict of Interest acknowledgment forms are due back from employees and board and committee members. Also elected officials were notified of the Jan. 20 campaign compliance report deadline. She noted many election law changes (such as vote by mail and early voting) were made due to the pandemic. She commented it looked like the changes may be made permanent, which will be costly for the Town, although some funding has been made available. She said Administrative Assistant Marianne Peters left the position last week and credited volunteers, as well as Interim Town Clerk Sharon George, for helping to keep the office organized and tasks completed.

Mr. Farrell asked about lobbying the State to get Federal funding to accommodate for the election law changes. He also asked about the many census forms that are returned undeliverable. Ms. Kale said her office needed to find updated addresses for those people and can only delete voters who have signed a form, which is a process.

Patton Homestead Director Kaleigh Pare to Update BOS

Ms. Pare gave a slide presentation highlighting activities at the Homestead, including ongoing lecture series, private rentals of the Homestead for "micro-weddings" (ceremony/wedding photos only); upgrades to the electrical and lighting in the stables; and a licensing agreement with Inc.ubate (company that provides shared office space to its members). The agreement gives Inc.ubate exclusive access to the second floor and limited use on the first floor and should generate some consistent revenue for the Homestead. Interior renovations, including bathrooms and painting, are underway. She said for FY'22, the Homestead plans to use money from the Patton Enterprise Fund rather than General Fund. With increased use of the property will be an increase in maintenance and utility fees. Also, more people moving through there will create more exposure for marketing. Mr. Domelowicz added Ms. Pare was given approval to continue the Homestead's partnership with the Wenham Museum through June 30, 2022.

Mr. Olson inquired about seeing the licensing agreements. Mr. Domelowicz noted they had already been shared, including with the FinCom, who made recommendations. Ms. Kennedy asked how long the agreement was with Inc.ubate. Mr. Domelowicz said the terms were for three years, but there were clauses providing for flexibility. Ms. Dale asked the source for the Enterprise Fund. Ms. Pare said the fund was set up when the Town sold the Patton Ridge land and was separated out to support the Homestead. There is $196K in the fund before subtracting the funds for the renovations. Ms. Dale asked if the Homestead was

self-sustaining at this point; Mr. Domelowicz said that isn't determined yet, but they are cautiously optimistic.

Leandra DeFeo, 4 Sharon Road, asked if she was to understand the BOS had not seen the licensing agreement. Mr. Farrell said that was incorrect; the BOS had seen it, and Mr. Domelowicz utilized the resources of the FinCom for reviewing it. Ms. DeFeo noted one of the slides discussed Project Adventure and asked if that was one of Inc.ubate's members or a separate agreement. Ms. Pare responded it was through Inc.ubate. Project Adventure, an environmental nonprofit, uses outside spaces and sometimes nonpermanent structures for kids' activities. Project Adventure is looking to utilize office space at the Homestead and perhaps a portion of the Homestead grounds. Mr. Johnson added that some of Project Adventure's projects involve structures, but in the case of the proposal for the Homestead, it didn't sound like that would be the case. He raised questions, though, about whether efforts pursued by the Town (such as this one with inc.ubate and Project Adventure) could be potentially problematic in terms of how the efforts intersect with the interests of the ConCom, PHI, and others.

Selectmen/Town Manager (TM) Reports

Mr. Olson said he received an update that the permit for the cell tower was obtained. The monopole is expected in March. Verizon hopes to start in the spring. There was a robust School Committee meeting last week with conversation about cutting the ask (budget increase.) He said the schools will be getting back Chapter 70 money, but it will help the budget for next year, not this year. Mr. Farrell said when the monopole goes up it would be good to have a handful of updates in the newsletter as it is a hot topic.

Ms. Kennedy said Peter and Gretel Clark were removing invasive species on their land. She acknowledged the ConCom candidate who would be receiving a vote on appointment this evening.

Ms. Dale said the BOS was continuing to work with Mr. Domelowicz on his Town Manager contract and will be discussing that at the next meeting.

Mr. Knudsen said the Affordable Housing Trust (AHT) approved writing a commitment letter to provide $400K toward the Essex County Habitat for Humanity project at 434 Asbury St. The Town will have a mortgage to secure that if anything happens to get in the way of the project going forward. As a Gordon Conwell Theological Seminary (GCTS) Task Force member, he noted the Task Force recently met with Seminary officials and the discussion is continuing. His last item was the Human Rights Commission forum planned for Tuesday. He is on the forum planning committee and said they have a line-up and format; however, he would like to know more about efforts to promote the event and asked if they should perhaps postpone it to allow more time. It was decided by the BOS to allow Mr. Knudsen and Ms. Kennedy to check with the speakers for the event, weigh the options, and decide the best date and plan. Mr. Knudsen's last comment was to applaud the work by the Town Manager and others on the vaccination clinics being held.

Mr. Farrell reported the CPC approved the Recreation Department's eligibility and funding requests for the renovation of the Patton Park tennis courts. It was determined to be a capital cost rather than maintenance cost, so the CPC can cover it.

Mr. Domelowicz reported the FY'22 budget presentation will be this Saturday on Zoom at 9 a.m. He said more than 687 Hamilton residents had been vaccinated through the Town and its partnerships. The Town will likely receive more vaccines this Sunday. Seniors who qualify are being given assistance to register for the vaccination clinics through a hotline utilizing volunteers. A regional pilot grant application was submitted by the Hamilton Development Corporation, Shop Local HW, and Town of Wenham to launch a multi-media campaign to promote the downtown business district. The Town has initiated a search for a Finance Director. They will use a local screening committee to interview candidates put forth by the consultant. Most preliminary work for the Parking Study has been done and findings will be discussed in a Zoom meeting at 2 p.m. on Feb. 24. The RFP for the planning consultant was released. The procurement process will be handled as outlined by State Law. Goal is to have the consultant on board by late April. Ms. Dale asked if the vaccines are for 65 and older or 75 and older. He thinks 75, but said most of those seniors had already been taken care of so they hope to move ahead if allowed by the State.

Mr. Farrell said at the CPC meeting, the topic of increasing the 2% surcharge to 3% was discussed. For an increase to the average taxpayer of about $60-$90 per year, the CPC would increase its match from about $420K/year to $800K/year, which would double the funds it would have to offer in grants for projects. Increasing the surcharge would have to involve a citizen's petition, and if it did happen by AMT, it would still be a year until the Town could access the funds as the State requires the Town to collect the surcharge for a whole year before it does the match.

AGENDA

Approve Minutes of Jan. 4, 2021 Selectmen Meeting

Decision:
Ms. Dale made a motion to approve the Jan. 4, 2021 minutes. Mr. Olson seconded the motion. A roll-call vote was taken with "ayes" from Mr. Olson, Ms. Kennedy, Ms. Dale, Mr. Knudsen, and Mr. Farrell, (5-0) unanimous.

Consider Appointment of Rick Johanson to the CPC
Mr. Johanson introduced himself and thanked the Board. He said he had participated in the last CPC meeting. Ms. Kennedy said she wanted to double-check that he was interested in the CPC rather than ConCom since she noticed he had an interest in both preservation and conservation. She commented that the CPC has a financial track. He responded he is interested in the financial aspect.

Decision:

Darcy made a motion to approve Mr. Johanson as the newest member of the CPC. Ms. Kennedy seconded the motion. A roll-call vote was taken with "ayes" from Ms. Kennedy, Ms. Dale, Mr. Olson, Mr. Knudsen, and Mr. Farrell, (5-0) unanimous.

Consider Appointment of Lauren Lynch to the Conservation Commission
Ms. Lynch discussed her background, including working with the Peace Corps and Wildlife Fund. She said the ConCom position attracted her to move away from finance and toward more hands-on work. She went on a site walk with the ConCom earlier this week.

Decision:
Ms. Dale made a motion to approve Lauren Lynch as newest member of the ConCom. Ms. Kennedy 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.

Audit Management Letter—Audit completed. Auditor to visit future meeting
Mr. Domelowicz said he wanted to make sure the BOS had time to review the audit report and then would schedule Jim Piotrowski of CliffordLaresenAllen, the person who usually presents the findings. Ms. Dale commented she had briefly reviewed it and said it involved the same things usually cited. Mr. Farrell said it was the auditors' job to give their recommendations and overall it is always a clean management letter.

Amended ISD IMA [Inspectional Services Dept. Intermunicipal Agreement]—Review and Discussion
The two boards voted to have the two towns continue in the ISD arrangement, but to amend the IMA to have Hamilton take the lead and change the building inspector position to a building commissioner. The Wenham BOS will not be able to vote on this decision until after their April special election as they currently don't have enough members on the board currently. The vote needs to happen before June 30. Ms. Dale asked if Town Counsel would be reviewing it. Mr. Domelowicz said they (KP Law) had drafted the original agreement. Mr. Olson asked how many openings were in the department currently. Mr. Domelowicz said they are all filled except that the building inspector was stepping down to work for another town.

Finalize Town Manager (TM)Evaluation—Review Department Head Surveys
Mr. Farrell said he had forwarded the compiled review and summary of reviews. He had also sent the BOS the employee survey by department heads and managers. Mr. Olson had compiled the data (TM reviews by BOS members) into one document, taking out redundancies and including comments supplied. He also created an executive summary that was shared onscreen. The eight topics that had been reviewed were: General Management and Communication; Personnel Management; Financial Management; Planning; Interorganizational Cooperation; Professional Growth and Goals; Community Outreach; Priority Goals for Fiscal 2020/2021. Mr. Olson said on a general basis, Mr.

Domelowicz is doing well and credited his handling of the pandemic and keeping an open-door policy. Areas suggested for improvement were mostly in the public communications realm. Mr. Olson also noted the TM's financial management was strong.

Mr. Farrell asked if the BOS members wanted to send their individual reviews separately to Mr. Domelowicz or have him forward them. They were all OK with Mr. Farrell forwarding them. Mr. Olson suggested they each look at the evaluation over the next two weeks (viewing it now as a work in progress), send him their edits, and vote on the document at the next meeting. At the same time, the staff reviews will be compiled and circulated. It was suggested by Mr. Olson and decided by the BOS that Mr. Domelowicz do a further self-evaluation with reference to the comments he had received.

Review Proposed Schedule for 2/20/21 Joint BOS/FinCom Meeting for Budget Presentation

Mr. Domelowicz had created a rough outline of a schedule, including his presentation, which he said he will shorten. His point was to assign specific time slots for the department heads to give their reports and be asked questions by the BOS, so they wouldn't need to attend the entire three-hour meeting. [In the past, they had all the department heads there at the beginning of the meeting and let each one leave after their discussions.] Ms. Kennedy suggested they ask the department heads to enter the Zoom meeting approximately 15 minutes ahead of their scheduled times and the BOS agreed the schedule should be implemented with that caveat.

Conservation Commission [ConCom] Proposal for Patton Homestead Property Disperse

Mr. Farrell referenced a 2019 letter from Mr. Johnson of the PHI [Patton Homestead Inc.] that had been recently forwarded to the BOS. Ms. Kennedy said the ConCom had been aware of it since 2019 and it has been in the background of its discussions. Tonight's discussion was about discussing the impact that Homestead plans, such as the licensing agreement with incu.bate and its relationship to Project Adventure, might have. Mr. Farrell and Mr. Olson talked about wanting to know if there was an effect on the resale value of the property by doing things on the property.

Ms. Kennedy noted it was Town-owned land so was not taxed. She said ConCom's interest was in protecting the land while making it of use to the citizens. She said there are many wetlands there and some protected open space there and ConCom's proposal was to finish the package (connecting up Greenbelt trails, for example). Ms. Kennedy said she thought of the Homestead as the house and four acres surrounding it. Her question was: If they were to sell anything, how much would they be selling? Ms. Dale said she thought if the house did need to be sold, the rest of the land should stay with the Town as an investment in their property. She mentioned some tanks at a Military Service Day had ruined the sensitive land. Ms. Pare said part of the agreement the organizers of the Military Service Day have is that they will replace any large clumps of turf that might come up so there wasn't any permanent damage, and Mr. Farrell had confirmed that had been done well.

Ms. Kennedy inquired about what would happen if the Town is unable to maintain ownership of the property and in the event that the gift agreement needs to be returned. She wondered what would happen then to conservation restrictions on the property. Mr. Johnson said the gift agreement allows for the property to be sold in whole or in part. He said rules are set up about how to deal with the part that has been sold and the part retained. Ms. Kennedy asked if they would then revert to the gift agreement in its original state. Mr. Johnson said it affords a right of first refusal/first offer to the family who could choose to repurchase it. If that doesn't happen and the Town sells it, there is a split of the proceeds (Town, Patton family, charitable cause). He said there wasn't anything in the gift agreement for anything less than the full 27 acres. It had only had one modification, which was to allow for the housing to be moved from the knoll near the pond to above on the gravel hill. He said it was his feeling that the great lawn and house should be considered as belonging together.

Another point brought up by Mr. Johnson was that ConCom doesn't have to own the land in order to control it. If, for example, ConCom felt it worthwhile to remove invasive species there, or create a garden, there is nothing preventing that. He said the Town can manage the land in conformance to what ConCom wants without imposing restrictions on the property that could cause further issues. He talked about a rule, for example, that the meadow can only be mowed three times a year and said that didn't take into account times when more mowing might be necessary. He said he didn't want to put restrictions in place that would prevent Ms. Pare and the Town from being nimble.

Ms. Kennedy said it was a two-way discussion that needs to be further discussed in detail. She had good things to say about Military Service Day, and said if it didn't hurt the property, the ConCom wouldn't have any negative opinion about it.

Mr. Olson said the Town owns the land and has asked for a plan to make the Homestead self-sustainable. It had already had the ADA-compliance challenge and COVID-19 challenge and didn't need any more roadblocks. He said they need to see what this is about before deciding to limit uses for the land.

Mr. Farrell said the ConCom didn't have a budget per se and wondered how much cost there would be to the Town for delineation and zoning. Mr. Domelowicz said when the Town worked with the PHI condo association to come up with the plan they use for maintaining that piece of land, which costs about $10K-$15K a year to implement. He said he believes they can work though issues there and believes they can get to some of those resolutions without a formal agreement. He said, for example, they are applying for open space and recreation grants, with the ConCom endorsement. As long as the Town owns the property and manages it, he said things can get done. He doesn't see why a conservation restriction is needed there.

Ms. Kennedy noted ConCom may look at things like mowing differently because of environmental concerns and may want a conservation restriction in perpetuity for a defined set of purposes in the interest of conservation and the environment.

Mr. Johnson said Essex Greenbelt had done a great job with Vineyard Hill across the street from the Homestead. He said there are trails back there that connect to the property just past the pond. He thought that connecting up to the waterside of Green Meadows all the way around. He said they could imagine people using the area for kayacking, canoing, etc. He said the possibilities were larger if they looked beyond the borders of the property. Next Wednesday, Feb. 24, he said PHI will hold a webinar with important players in the field talking about the future of conservation on the North Shore, including at the Homestead.

Next steps were discussed by Mr. Farrell. The plan is for Mr. Domelowicz to have KP Law review the document and offer an opinion; to look at real estate or assessors' office information to see how a conservation restriction would affect property value; to talk with (or have ConCom talk with) Essex County Greenbelt about making the trails there connect up; and to review whether they need to bring this forth as a warrant article or whether they can address it without the added costs in legal fees by having a less formal agreement.

Ms. Kennedy said, speaking as the liaison to the ConCom that they may all agree the best use is for open space and connectivity between the Greenbelt trails and the canoe launch, but that doesn't mean that someone coming down the road after them will feel the same way. Mr. Farrell said it was a good point as the function of ConCom may be to think of the forever goal while the BOS is thinking of the shorter goal about what is in the Town's best interest.

New Business

Consideration of Topics for Discussion at Future BOS Meetings
None discussed.

Adjournment
Ms. Dale made a motion to adjourn the BOS meeting at 8:36 p.m. Mr. Olson seconded the motion. A roll-call vote was taken with "ayes" from Ms. Dale, Mr. Olson, Mr. Knudsen, Ms. Kennedy, and Mr. Farrell, (5-0) unanimous.

Sign Cemetery Deed #1205
This item appeared on the agenda as the document requires signature.

Prepared by:

Mary Alice Cookson 4-7-2021

Mary Alice Cookson Date

Minutes Secretary

Attest:

_____, 4/7/21

Jamie Knudsen Date
Board of Selectmen Clerk

Documents Discussed at Meeting:

- Minutes of BOS, Jan. 4, 2021, Minutes Secretary Mary Alice Cookson
- Application by Rick Johanson for appointment to the CPC
- ConCom recommendation letter for the appointment of Lauren Lynch
- Intermunicipal Agreement between the towns of Wenham and Hamilton for Shared Inspectional Services
- Schedule for Feb. 20 budget presentation
- ConCom proposal for Patton Homestead property disperse