



**Annual Town Meeting
June 20, 2020
9:00 am**

Hamilton-Wenham Regional High School Football Stadium

Bill Bowler stated: "The constable has confirmed that the Warrant for this ATM has been properly posted. The Interim Town Clerk has informed me there is a quorum present. This Annual Town Meeting of the Town of Hamilton is now open. Good Morning, my name is William Bowler and I'm the Town Moderator. Welcome to the June 20, 2020 Annual Town Meeting and thank you for coming."

At the close of registration on June 20, 2020 there were 5105 registered voters.

Precinct 1 – 216
Precinct 2 – 186
Precinct 3 – 130

Bill Bowler stated: "To assist me with vote counting, I have appointed three tellers, who have been properly sworn.

Pledge of Allegiance

William Bowler stated: "I'd like to start with some general reminders: First, if you are a registered voter in Hamilton, you should have picked up a voting clicker, which looks like this. If you haven't and wish to vote, then I ask you to get one now. Second, please turn your cell phone to silent. If you need to take or make a call, please leave the meeting to do so. Third, we welcome non-voters to the Town Meeting, but do ask that you sit in the visitors' area, which is located in the back."

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William Bowler introduced the following officials who were sitting at the front of Town Meeting: Tom McEnaney (KP Law, Town Counsel), Sharon George (Interim Town Clerk), Joe Domelowicz (Town Manager), Marisa Batista (Finance Director), Jeff Hubbard (Board of Selectmen, Chair), Rosemary Kennedy (BOS), Darcy Dale (BOS), Shawn Farrell (BOS), Bill Olson (BOS), David Wanger (FinCom, Chair), Nick Tensen (FinCom), John Pruellage (FinCom), Christina Schenk Hargrove (FinCom), Valerie McCormack (FinCom), Dr. Julie Kukenberger (Superintendent of Schools), David Polito (School Committee), Michelle Bailey (School Committee), Gene Lee (School Committee), Michelle Horgan (School Committee), Peter Wolczik (School Committee), and Tai Pryima (School Committee).”

William Bowler stated: “I have asked non-resident Town officials and those assisting the Selectmen or Finance Committee to be present here so they may be available to answer questions. Members of the press (and the video crew) have been allowed to be present. I hope you all read and brought your copy of the Warrant. If you did not, there may still be some extra copies in the back. The agenda for the meeting is the Warrant. It was prepared by the Board of Selectmen.”

William Bowler stated: “To bring an agenda item before the meeting, I will recognize a member of the sponsoring board, committee, or individual so they can make a motion. If the motion is seconded, I will recognize the proponent to speak to you about it. Once they are done, I will open discussion up to the voting public. If you wish to speak, you must first ask me to recognize you. To save time, I ask that you already be standing at one of the microphones properly socially distanced. Once you’re recognized, please state your name and street address. You will have three minutes to make comments. Your comments and questions must be within what we call the ‘the four corners of the motion.’ No personal comments and keep it to the facts. Please, no applause. All motions to amend must be submitted to the Town Clerk in writing. If you need assistance in framing a motion to amend, Town Counsel will provide you with some assistance. No more than one amendment may be pending at the same time. A vote is first taken on the amendment and then on the main motion.”

William Bowler stated: “As I mentioned, when a vote is taken, we will be using the electronic voting clickers. Greg Alexander of the company, Turning Technologies will demonstrate the use of the clickers in just a moment. In the unlikely event that we have trouble with the new technology, we will revert to the use of voter cards. Voters would be asked to raise their hands and I will then decide visually whether there is the necessary majority or 2/3 vote.”

Greg Alexander demonstrated how to use the key pad. 1A for yes and 2B would be cast for yes or no votes respectfully. A practice vote ensued.

Town Moderator recognized Brad Hill.

Brad Hill stated: “Normally I would give you a State of the State address to give you an inclination of what is going on at the State level. I think we all know what is going on at the State level. Financially the State was \$6B to \$7B in the hole going into the next fiscal year. We hope to get help from the Federal government in trying to plug some of that hole. We are also looking at a \$3B rainy day fund for such an occasion as we are now facing. Hope moving forward, I had exact numbers but I don’t. Moving forward it looks as though with help from the Federal

Government and help from our rainy day fund, that things may not be as bad as they could have been without those two factors. We have been in contact with your Town Management almost on a weekly basis updating them on what is going on financially and other things that are happening in the State and I assure you that those conversation will continue as we get through this corona virus epidemic together. I appreciate everyone who has been contacting our office and the local administration here trying to get answers to some of the questions being asked. Please do not hesitate to contact Senator Tarr's office or my office with any questions you have as we move through this and the Governor makes the decisions he is making. Leave it at that and hope in the next few weeks, I can give you better financial numbers as our budget gets put together as well as yours."

Brad Hill recognized Peter Clark, Edwin Howard, and Jeff Hubbard for their years of public service. Citations would be delivered to each. Shawn Farrell also thanked the three retiring public servants.

Bill Bowler thanked everyone for being at Town Meeting and thanked all that made it possible. Mr. Bowler noted the incredible amount of work due to circumstances. Joe Domelowicz said people were still checking in and the Town ran out of voting clickers. Four hundred were available and never had that many residents attended Town Meeting. More tellers were being sworn in and anyone wishing to help should see the Town Clerk.

SECTION 1: ELECTIONS, REPORTS, PROCEDURES

ARTICLE 2020/6 1-2 Reports

Town Moderator recognized Jeff Hubbard.

Jeff Hubbard said: "I move that the reports of Town Officers and Committees be received and placed on file."

Seconded.

Jeff Hubbard said: "Due to the ongoing public health crisis and our desire to limit the duration of Town Meeting, we have decided not to include oral presentations from Town boards and committees at Town Meeting this year, and instead, have asked boards and committees to post their reports on the Town's website.

Vote: Motion carries.

ARTICLE 2020/6 1-3 Consent Motion

Town Moderator said: "I will read the list of articles to be taken up and vote on as one motion. If you want to ask questions or make comments on an article, shout out "Hold" as the list is read. Any article motion that is held will be deleted from the Consent Motion and taken up and considered according to its place on the Warrant: 2-1, 2-5, 2-6, 2-7, 2-9, 2-10, 2-14, 3-2, 3-3, and 3-4."

Town Moderator recognized Jeff Hubbard.

Jeff Hubbard said: "I move that the articles included on the List of Articles for Consent Motion for this 2020 Annual Town Meeting, a copy of which has been delivered to the Town Clerk to be filed with the minutes of this meeting, be approved by one vote, each motion to be deemed a

separate action under the Warrant Article having the same corresponding number, (excepting those motions held).”

Seconded.

Jeff Hubbard said: “As we typically do at every Town Meeting, we seek to include a number of routine but necessary articles that are not controversial in one consent motion. This allows us to limit the duration of the meeting, which again this year is even more important to us due to the ongoing pandemic, so that we can give more time to issues that are more likely to engender debate.”

Town Moderator recognized Rosemary Kennedy.

Rosemary Kennedy (61 Rust St.) wanted to make sure 3.1 was included.

Town Moderator responded that 3.1 was taken out as it required a 2/3rds vote in an effort to clarify the situation.

Vote: Motion carries.

Motion made by a resident to take article 3-1 out of order.

Seconded.

Vote: Motion carries.

ARTICLE 2020/6 3-1 Lease of Town Land at Chebacco Road

Town Moderator recognized John Pruellage.

John Pruellage said: “I move that the Town approve Article 3-1 as printed in the Warrant.”

Seconded.

John Pruellage said: “This article permits the Town to lease property owned by the Town to the Marsh Rats Shooting Club. The lease will generate approximately \$9,000 for the next three years but does provide flexibility for the Town Manager to extend the lease or to find an alternative use for the property over the next few years. As the Marsh Rats were the only organization to respond to the RFP in the short term, this is the best use of the property. The FinCom recommends approval of the article.”

Town Moderator noted that the article required a 2/3rds vote as it was in regard to the lease of Town owned land.

Vote: Motion carries by 2/3rds majority.

SECTION 2: FINANCIAL ACTIONS

Motion made by a resident to take multiple articles out of order due to the limitations set by Covid 19 as they apply to Town Meeting.

Seconded.

Vote: Motion carries.

ARTICLE 2020/6 2-8 Annual Budget for Revolving Funds.

Town Moderator recognized John Pruellage.

John Pruellage said: “I move that the Town vote, pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, to establish limitations on expenditures from Revolving Funds, with such expenditure limits to be applicable from fiscal year to fiscal year unless otherwise amended by Town Meeting prior to July 1 for the upcoming fiscal year, as follows:

Recreation and Parks Fund, \$350,000; Pool Fund, \$125,000; Council on Aging Fund, \$20,000; Emergency Dispensing Services and Clinics, \$20,000.”

Seconded

Mr. Pruellage said these revolving are spending limits for the funds and are not the budgets. For some such as the parks and pools funds, there is a good chance the spending will be below this level because the idea for a revolving fund is that you are only spending when you have the revenue so there is a balance at the end of the year. The FinCom believes these spending limits are consistent with what has been spent in the past and could be spent in the coming year. We feel they are responsible and unanimously recommend favorable action on this article.

Vote: Motion carries.

ARTICLE 2020/6 2-11 Patton Homestead Operating Budget

Town Moderator recognized Shawn Farrell.

Shawn Farrell read: “I move that the Town raise and appropriate \$90,571 to the Patton Homestead Fund.”

Seconded.

Town Moderator recognized Joe Domelowicz.

Joe Domelowicz said the budget was in an effort to have the homestead become self-sustaining but with the understanding of financial constraints, the budget was reduced including the Director’s hours. Mr. Domelowicz said the Director would help create a self-sustaining property or find a way to divest the Town of ownership.

Town Moderator recognized Valerie McCormack.

Valerie McCormack said the FinCom unanimously recommend favorable action on Article 2-11. Kaleigh Pare (Patton Homestead Director) said her hours had been cut by 2/3rds adding that half of the budget returned to the Town leaving only \$46,000 for the property itself. Joe Domelowicz said \$20,000 of the budget was for items such as insurance, heating, and maintenance, all of which needed to be paid.

Vote: Motion carries.

ARTICLE 2020/6 2-12 Stabilization Fund.

Town Moderator recognized William Olson.

William Olson read: “I move that the Town transfer the sum of \$247,757 from Free Cash to the Stabilization Fund.”

Seconded.

John Pruellage explained that the article would move funds to a stabilization fund which is consistent with financial policy. The transfer was an incremental step to build the fund to be 5% of the budget. After this transfer, the Town will be at 4.3% or almost to goal. The transfer would not affect the tax rate. The FinCom recommended favorable action.

Vote: Motion carries.

ARTICLE 2020/6 2-13 Capital Stabilization Fund.

Town Moderator recognized Rosemary Kennedy.

Rosemary Kennedy read: “I move that the Town transfer the sum of \$907,592 from Free Cash to the Capital Stabilization Fund.”

Seconded.

Joe Domelowicz said the transfer would protect the Town from the impact of future expenses. John Pruellage added that the transfer would not affect the tax rate. Capital expenditures would be proposed in the fall.

Joyce Wendling ask for further explanation. Marisa Batista explained the certification of free cash process. According to Ms. Batista, the Town had \$3M of approved free cash. \$1.1M was to be used for both stabilization funds. The balance would remain with the Town, when the State would certify the new number for FY21. Ms. Batista said free cash had been used to reduce the tax rate and was typically used to pay for one-time expenses, which is why the capital stabilization fund was created.

Richard Garmelie (Highland St.) asked why the Town should not use free cash to pay for the School budget. John Pruellage clarified FinCom's perspective as to why the policy had been established adding that operating expenses should not be used to pay for one-time expenses. If the Town used free cash to balance the operating budget, eventually free cash would run out. Ms. Pruellage said defeating the request would not affect the tax rate. Marisa Batista said capital expenditures would be deferred until Fall Town Meeting. Richard Garmiele responded that he did not believe Town Counsel understood the current fiscal situation.

Vote: Motion carries. Counted vote 373 aye to 131 nay.

ARTICLE 2020/6 2-2 General Town Departmental Appropriations.

Town Moderator read each appropriation and asked voters to place a hold on any items they wished to discuss separately.

\$2,087,441.43	for General Town Government
\$3,251,120.09	for Public Safety
\$19,888,662.00	for Hamilton-Wenham Regional School District (Hold)
\$253,524.00	for Essex North Shore Agricultural & Technical School District
\$1,977,295.13	for Department of Public Works
\$273,186.40	for Health and Human Services
\$1,082,302.90	for Culture and Recreation
\$3,344,361.89	for Unclassified

Totaling \$32,157,893.84

Town Moderator recognized Julie Kukenberger (Superintendent of Schools) Julie Kukenberger offered a high level overview of what was known, what had been done, and what was needed to move forward. Dr. Kukenberger recalled that in February, the School Committee approved a budget of \$38,297,952. Currently, the School Committee had reduced the budget by \$1.472M to respond to the decrease in revenue due to Covid 19. Previously, the School Committee anticipated \$4.7M in revenue but were currently expecting \$3.6M. There would be a 22.92% reduction in State aid (Chapter 70, circuit breaker, and regional transportation). Dr. Kukenberger noted that taxpayers carried the burden of public education. As Covid 19 had stressed families, the budget was less than what District needed for known needs not even considering the additional needs based on the virus. The Schools had reduced

their staff by 23 positions and had reallocated existing resources such as grants and donations. The proposed \$37,023,572 budget reflected a 5.93% increase.

Julie Kukenberger explained the change over the last three months. Dr. Kukenberger said the most vulnerable students needed special education placements and the Schools were enhancing some programs to keep more of the students in the system. Dr. Kukenberger said there was no change in the debt service since February and capital projects such as the Winthrop School sprinkler system needed to be funded. Dr. Kukenberger said capital expenditures would be provided for in a separate article.

Julie Kukenberger said education was a core function of a thriving economy. Flexibility would be required to anticipate the social and emotional needs of students, staff, and families. Dr. Kukenberger stated this was a crisis budget rather than a strategic budget. Along with setting up the incoming superintendent to work with teachers and families, a system to collaborate with Town officials was being considered. Dr. Kukenberger described the safety supplies, technologies, physical barriers, supervision, signage, and transportation changes that would be required when school reopened. One to one technology would cost between \$322,000 and \$370,000. \$138,000 would be needed for a twelve week supply of safety equipment. The capital requests of \$958,000 would be a separate vote for infrastructure costs. \$50,000 would be sought in safety grants. An educational plan, supported by the community, was needed to apply for the MSBA grants for updating the schools. Additional tables and chairs were needed and the ten-year old turf field plan needed updating. The Middle School entrance needed improvements. Dr. Kukenberger concluded that since this was the largest Town Meeting since the 1950's, an investment in the Schools was proven to be a value to the community.

Town Moderator recognized Joe Domelowicz

Joe Domelowicz said the FY21 total spending for the Schools and Town was \$34,189,580. The Town had decreased its budget by \$320,000. Mr. Domelowicz said 60% of the budget was devoted to the Schools. Property tax revenue accounted for 88%. State aid accounted for 2.1% of the budget. Mr. Domelowicz explained the tax rate went from 16.98 in FY20 to 17.85 in FY21. Valuations had remained flat. Excess levy capacity was shown to be \$147,000 below its ceiling. Any increases for next year of more than 2.5% would cause an override. Mr. Domelowicz noted that the Town had decreased its cost by not having summer help to mow the park and shared positions at Town Hall. Mr. Domelowicz said no further cuts could be experienced the following year. A median house of \$530,000 would experience a tax increase of \$445 per year if the articles were to pass.

Town Moderator recognized Bruce Tarr.

Bruce Tarr was inspired by so many people gathering for Town Meeting. Mr. Tarr recognized Peter Clark, Edwin Howard, and Jeff Hubbard for their service to the town. Mr. Tarr said the State was waiting to determine the assistance of the Federal Government but would provide aid information once it was known.

Town Moderator recognized Christina Schenk Hargrove.

Christina Schenk Hargrove said; "I move that the Town raise and appropriate the sums read by the Moderator for schools and all other Town expenses, which are set forth in the 2021 FY

budget in Appendix B in the 2020 Appendix Book and Appendix C of the 2020 Appendix Book with the corrections read by the Moderator.

Seconded.

Christina Schenk Hargrove explained the two corrections to the summary amount (2.2 in the fourth paragraph indicating the School increase of \$2.5M should be 8.25% for Hamilton and late information received from North Shore Vocational School would be decreased by \$1M from the previous year.) The changes would not change the amount requested by the Town or the Schools.

Joe Domelowicz said the Town had proposed an increase of 3.7% but it was clear that Federal and State cuts would require further reductions to the operating budget. Layoffs did not occur but hours were cut and positions were combined. The operating budget for Hamilton was 5% lower than the previous year. Mr. Domelowicz noted that Hamilton's share of the regional Schools budget was 64%. Mr. Domelowicz said the Schools did not cut their budget in response to the pandemic but increased their budget by 8.5%. The Selectmen decided to provide the budget in two parts for the full Town budget and a 5% increase for Hamilton's share of the School budget. The second article would provide the remainder of the 8.5% ask. Mr. Domelowicz said the average School increase over the last few years was 5% and an override would be required to raise taxes if an increase was more than 2.5% in the future.

Town Moderator recognized William Olson.

William Olson said the Selectmen had worked hard to bring choices to Town Meeting.

Town Moderator recognized Gene Lee.

Gene Lee (Anthony Road) moved to amend article 2-2 by increasing the amount for the School District by \$603,075 to reflect the full amount approved by the Hamilton Wenham School Committee on May 27, 2020 and then certified by the treasurer. The full amount inclusive of this addition will be \$20,227,834.

Seconded.

Gene Lee said the Schools were anticipating a 20% decrease in funding (\$1.27M). Twenty three staff members had been cut. Reducing the budget would result in cuts in arts, sports, and electives. Mr. Lee said a 5% increase was required to educate students. Mr. Lee recalled the need for an addition kindergarten and preschool classes in FY20. Mr. Lee added that the Schools' charge was to raise academic achievement. Mr. Lee said the budget presented the high quality of the schools. If a reduction occurred, additional services and academic programming for all students would be jeopardized.

Town Moderator recognized David Wanger.

David Wanger (FinCom chair) said as a private citizen he was in opposition of the consolidation of the two articles as he wanted residents to be able to parse out the 5% and 3.25% requests. The combined request would result in a tax rate increase of \$.84 with an average home of \$613,000 paying above \$10,500 and an \$800,000 home paying more than \$14,000 per year in taxes not including the 2% CPA charge. Mr. Wanger was concerned that the approval would bring the Town close to the tax levy capacity limit, which in the past caused a contentious atmosphere for years. The approval would also become the tax base for future increases to be based upon. Mr. Wanger noted the unfunded \$40M OPEB liability of which Hamilton was responsible for \$24M.

Mr. Wanger added that the voters assembled were concerned with one issue but the entire community needed police, fire, public works, and administrative services, which also benefited the Schools and citizens. Mr. Wanger said the Town had reduced the budget by 5% and it appeared State aid reduction was not likely to occur. Mr. Wanger concluded by saying that if you came to be a one issue voter, please consider the entire community. Twenty percent of the town are School participants but 100% are participants in the community. If the community falters, the Schools and entire community will suffer.

Michelle Horgan (School St.) said that if State funding is returned to the Schools, anything above 3% would become Excess and Deficiencies and be returned to the Towns. Bruce Ramsey had opined that the two articles could not be merged but Town Moderator responded that he had spoken with Town Counsel and others to determine that the two articles could be merged. Marc Gray (Bay Road) asked about how article 2-3 would be affected. Town Moderator responded it would be passed over.

Town Moderator recognized Rosemary Kennedy.

Rosemary Kennedy (61 Rust St.) said she supported children and schools but as Selectman voted in opposition of having the articles merged. Ms. Kennedy listed the other MA school districts that had decreased their proposed budgets in response to the pandemic. Ms. Kennedy said the reduction was a shared sacrifice between Town and School administration. Ms. Kennedy said there was a current 20% unemployment rate in Hamilton and thought the \$750 increase would be a burden to many households.

Larry Sargent (Ricker Circle) spoke in favor of having two articles.

Vote to amend: Motion carries.

ARTICLE 2020/6 2-2 as amended.

Rick Mitchell (Rock Maple) spoke against the article and suggested an operational audit.

Jay Burnham (North St.) spoke against the article.

Richard Garmiel (Highland St.) spoke against the article.

Bill Olson (Highland St.) spoke in favor of the article.

Ann Brady (Gifford Road) spoke in favor of the article.

Ann Geike (Highland St.) asked about the implications of Wenham not passing the article. The response was that if Wenham did not pass the budget, a Special Town Meeting would be held.

Town Moderator recognized Christina Schenk Hargrove.

Christina Schenk Hargrove said; "I move that the Town raise and appropriate \$32,760,968.84 for the Schools and all other Town expenses which are set forth in the 2021 fiscal year budget in Appendix B of the 2020 Appendix Book and Appendix C of the 2020 Appendix Book with the amendment that was proposed adding \$603,075."

Seconded.

Vote: Motion carries.

ARTICLE 2020/6 2-4 School District Capital Expenditures Approval of Borrowing.

Town Moderator recognized Valerie McCormack.

Valerie McCormack said: "I move that the Town, in accordance with General Laws Chapter 71,

Section 16(d), approve the borrowing authorized by the Hamilton-Wenham Regional School District School Committee in the amount of \$958,000 for the purchase and equipping of the items listed in the District's FY21 Capital Projects Budget, including the payment of all incidental or related costs, as set forth in the Warrant; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters at an election of a Proposition 2 ½, so called, debt exclusion allowing the Town to raise the money needed to repay its share of the principal and interest on such bonds or notes outside the limits established by MGL Chapter 59, Section 21C.

Seconded

Vote: Motion carries.

SECTION 3: OTHER APPROPRIATIONS AND ACTIONS.

ARTICLE 2020/6 3-5 Citizen's Petition

Town Moderator recognized Larry Sargent.

Larry Sargent said: "I move to take no action on Article 3-5."

Seconded.

The topic would be discussed at the next Town Meeting. Shawn Farrell agreed.

Vote: Motion carries.

ADJOURNMENT

The Moderator said: "I will now accept a Motion to dissolve."

Motion made.

Seconded.

Vote: Motion carries.

This Annual Town Meeting is now dissolved at 11:47 am on June 20, 2020.