



Town of Hamilton
Board of Selectmen*
Monday, December 6, 2021

- William Olson, Chair
- Jamie Knudsen
- Darcy Dale
- Shawn Farrell
- Rosemary Kennedy

AMENDED AGENDA

Town Government meetings in the Memorial Room at Town Hall have returned to in-person meetings for Board members, staff and applicants. Members of the public are invited to participate remotely by utilizing the zoom or phone options listed below:

Join Zoom Meeting from a PC, Mac, iPad, iPhone or Android device at:

Join Zoom Meeting

<https://us02web.zoom.us/j/85669132940?pwd=RzNmZnlwRXFnQkhaS3pmWjlvOFREQT09>

Meeting ID: 856 6913 2940

Passcode: 490638

One tap mobile

+13126266799,,85669132940#,,,,*490638# US (Chicago)

+19292056099,,85669132940#,,,,*490638# US (New York)

7:00 p.m.	Call to order - Memorial Room Pledge of Allegiance
ANNOUNCEMENTS & BOARD OPENINGS	
	Board and Committee openings: <ul style="list-style-type: none"> • Finance and Advisory Committee –2 associates openings • Conservation Commission – 1 opening • Hamilton Historic District Commission – 1 opening • Open Space Committee – 2 openings • Hamilton Planning Board associate member – 1 opening • Hamilton Affordable Housing Trust – 1 opening • Hamilton Human Rights Commission - 1 opening (Housing Authority Rep.) • Hamilton Development Corporation – 1 opening (Treasurer) • Hamilton Zoning Board of Appeals – 1 associate opening
	Public Comment (3 minutes on topics not already on the agenda)
	Selectmen/Town Manager Reports
CONSENT AGENDA	
	<ul style="list-style-type: none"> • Approve Minutes of Board of Selectmen meeting from October 18, 2021 • Approve Banner for display at Patton Park
AGENDA	

7:15 p.m.	<ul style="list-style-type: none"> ● Review requests for use of ARPA funds – Possibly joint with the Finance and Advisory Committee – Discussion and Vote ● Change of Manager for the American Legion – Discuss and Vote ● Proposed new member for the Conservation Commission – Discuss and Vote ● Annual Liquor License Renewals – Vote ● Student Liaison Interviews – Meet the students and Vote ● Review town liquor license policy – Discuss and Vote ● Hamilton support for Extended Producer Responsibility legislation – Discussion and Vote ● Flag Policy – Update ● Approve new address for Berrywood Lane/Arabian Way ● Discuss format and timing of Town Manager Reports ● Technical and media update for meeting materials
-----------	--

Cemetery Deed No. 1222

***The Hamilton Special Town Meeting voted on October 23, 2021 to change the name of the Board of Selectmen to the Hamilton Select Board. That change will become official, once the Town's vote has been approved by the Secretary of State.**

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

577 BAY ROAD, TOWN HALL, HAMILTON, MA

October 18, 2021

Selectmen Present at Town Hall: Vice Chair Jamie Knudsen, Darcy Dale, Rosemary Kennedy, and Shawn Farrell

Selectmen Absent: Chair William Olson

Town Manager: Joe Domelowicz Jr.

**The Board of Selectmen meeting was held at Town Hall with a Zoom component.*

Call to Order/Pledge of Allegiance

Vice Chair Jamie Knudsen called the Selectboard/Board of Selectmen (BOS) meeting to order at 7:02 p.m. All were present at Town Hall except for Chair William Olson, who was absent. The Pledge of Allegiance was recited. **Note: The Hamilton BOS has voted to informally refer to itself as the Select Board pending a positive vote of Special Town Meeting (STM).*

ANNOUNCEMENTS & BOARD OPENINGS

Board and Committee Openings

- Finance and Advisory Committee (FinCom)—two associate member openings
- Conservation Commission (ConCom)—two openings
- Hamilton Historic District Commission—one opening
- Open Space Committee—two openings
- Hamilton Planning Board—one associate member opening
- Hamilton Affordable Housing Trust—one opening
- Human Rights Commission—one opening for someone appointed through the Housing Authority

Public Comment (3 minutes on topics not already on the agenda)

Dr. John Jefferson "Jack" Davis, 57 Lois St., speaking on behalf of the volunteer group Friends of Downtown Hamilton, said the war memorial in front of Town Hall is marred by mold or some other dark substance that is obscuring the names of the veterans. Town Manager Joe Domelowicz Jr. said the Department of Public Works (DPW) Director was aware and working on a solution.

Selectmen/Town Manager (TM) Reports

Darcy Dale gave no report.

Shawn Farrell reported that at its recent meeting the Community Preservation Committee (CPC) discussed open grants and the turf athletic field project that is on the horizon. He spoke positively about the newly renovated tennis and basketball courts.

Rosemary Kennedy said she has been administering booster shots and is involved with the COVID vaccination clinics on Wednesday afternoons. She gave a special thank-you to George Tarr of the ConCom for his work on the MOA [Memorandum Of Agreement] for the open space surrounding the Patton Homestead to make the area protected and ensure it remains a good place for citizens to visit. She acknowledged Robin Davis and Dr. Davis for donating a picnic table to Patton Park and her son for helping to move it there. She said the BoSoma School of Dance will be performing for Hamilton's seniors sometime in mid-November. Ms. Dale asked where the vaccine clinics are located. Ms. Kennedy replied at the Senior Center by appointment.

Mr. Knudsen gave no report.

Mr. Domelowicz reminded everyone that STM will be held this Saturday, Oct. 23, at Patton Park at 9 a.m. He said there are currently six active cases of COVID in Town and that COVID seems to be trending down. After STM, the Town will focus heavily on the budget process.

CONSENT AGENDA

- **Approve Minutes of BOS meetings from Aug. 23, 2021 (*edited to Aug. 26), Aug. 31, 2021, and Sept. 7, 2021**
- **Approve Request for temporary sign in front of COA**
- **Approve Request for Purple Heart Road Race sign at Patton Park**
- **Approve Request for temporary road closure on Chebacco Road for Nov. 6, 2021**
- **Approve Request for ECTA [Essex County Trail Association] Road Race on Nov. 26, 2021**

Decision:

Ms. Dale made a motion to edit the Aug. 23 minutes date to Aug. 26.

Mr. Farrell made an amended motion to approve the Consent Agenda, including the amended date on the minutes. Ms. Dale seconded the motion. The BOS voted unanimously among those present (4-0) to approve the Consent Agenda.

AGENDA

Approve Eagle Scout Project at Cutler Park—Vote

Quinn Moynihan, 25 Rust St., introduced himself and proposed an Eagle Scout project of three new picnic tables to be placed in Cutler Park. One table will have a longer end for wheelchair accessibility. It was discussed that there is just one table and one bench at the park now. Mr. Domelowicz displayed the visuals. Ms. Kennedy asked Quinn if he was making them himself. He said his dad would be supervising. He said he hoped to have them completed by the second week of December.

Decision:

Mr. Farrell made a motion to approve the Eagle Scout project for Cutler Park by Quinn. Ms. Dale seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Domelowicz noted that in the meeting chat, an ECTA rep had thanked the BOS for the road race approval.

Approve Appointment of David Perinchief to ZBA [Zoning Board of Appeals] as Full Member—Vote

Decision:

Ms. Dale made a motion to approve the appointment of David Perinchief to full member of the ZBA. Mr. Farrell seconded the motion.

Further Discussion:

Mr. Perinchief was not present at the meeting. ZBA Chair Bill Bowler said the ZBA fully supported Mr. Perinchief moving up from associate member to full member.

Decision (Continued):

The BOS voted unanimously among those present (4-0) to approve the appointment.

Approve Change to Two Voting Precincts Proposed by Town Clerk—Vote

Town Clerk Carin Kale, appearing before the BOS at Town Hall, discussed the 2020 U.S. Census and its impact on the Town, describing it as a different and interesting process. She noted Hamilton and Wenham are no longer in the same legislative district. She said the 2020 U.S. Census data showed Hamilton's population had decreased by 203 people (or 2.6%) from 7,764 to 7,561 from 2010 to 2020. At the same time, neighboring towns grew. She said she had been working with the Secretary of State's staff who led her to the

University of Massachusetts Donahue Institute to understand why the drop occurred. Housing stock in Hamilton had increased by 45 units (1.6%). She said Donahue confirmed the drop had to do with a decrease in numbers at the Gordon-Conwell Theological Seminary. She explained that with a population up to 6,000, there only has to be one precinct. Under 8,000 requires two precincts. Hamilton has three. In weighing her recommendation that the BOS approve the new precinct maps, changing from three precincts to two, she noted that only 29% of the Town had turned out to vote at the polls; the others voted early or by mail. The advantage was that with fewer precincts, the Town would need to hire fewer poll workers and would have fewer boxes of materials to store. Setting up and breaking down the polling site would also be easier. Also, fewer elections meant fewer emergency contingency plans needed. She said the break between the two precincts was Bay Road. In summary, she was asking the BOS to approve the new precinct maps for submission to the Local Election Districts Review Commission.

Mr. Farrell said he found it interesting that the Town was almost split in half showing that the population was spread out. Ms. Dale asked what would happen to Precinct 3. Ms. Kale replied that the work would be done by the Secretary of State's office to assign people to their new precinct. Ms. Dale asked if everyone in Town returned their census. Ms. Kale replied no and said she thought people may have been confused by having two censuses—the U.S. census and the Town's.

Decision:

Mr. Farrell made a motion that the BOS approve the new district plan for the Town of Hamilton to two precincts. Ms. Kennedy seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Approve Election Warrant for 4th District Essex Special Election Offered by Town Clerk—Vote

Decision:

Mr. Farrell made a motion that the BOS approve the Election Warrant for the 4th District Essex Special Election as offered by the Town Clerk. Ms. Dale seconded the motion. The BOS voted (3-0-1) to approve the Election Warrant.

Ms. Dale abstained because she is on the warrant. She is running for State Representative to the 4th District to take the seat vacated by State Representative Brad Hill.

Approve One-Day Liquor License for Oct. 30, 2021 Event at the Patton Homestead—Vote

Decision:

Mr. Farrell made a motion to approve the one-day liquor license for the event on Oct. 30, 2021 at the Patton Homestead. Mr. Knudsen seconded the motion.

Further Discussion:

Ms. Kennedy said she was wondering why the applicant wasn't there as she thought it was a requirement. She questioned the 3:30 to 10:30 p.m. timeframe because she thought the event was only supposed to last five hours and said it was important to be consistent about the boundaries. Mr. Domelowicz said the timeframe included set-up and clean-up. Mr. Knudsen proposed tabling the discussion until the applicant could appear to answer questions. The BOS agreed to table the item.

Review Draft Script for Special Town Meeting—Discussion and Vote

Mr. Farrell inquired if any of the articles can go into a Consent Agenda. It was decided that there would not a Consent Agenda due to the different articles requiring different margins.

Article 1-1 Article for Consent Motion: Because the article is already on the warrant and there won't be a consent motion. Mr. Bowler was consulted about this and he recommended that they just bypass it at STM and he will explain why.

Article 2-1 Prior Year Bills: FinCom Chair Christina Schenk-Hargrove volunteered FinCom to introduce the article. She will follow up with Mr. Domelowicz and Town Moderator Bill Bowler to let them know who specifically will be speaking.

Article 2-2 Amendment to Budget: Will also be handled by a FinCom member.

Article 2-3 Election Staffing: Mr. Knudsen will handle it in Chair William Olson's absence. Mr. Olson will be out of state attending a wedding. Mr. Domelowicz proposed they recognize Ms. Kale to speak about the staffing issue if somebody asks for more information. If Ms. Kale is unable, Mr. Farrell will handle it.

Article 3-1 Amendment to General Bylaws—BOS Name Change: Ms. Dale volunteered to handle.

Article 3-2 Amendment to Zoning Bylaw—BOS Name Change: It was discussed that the two articles regarding the BOS name change will be combined for purposes of discussion but will have separate motions. Ms. Dale said she would handle both since the action was her initiative.

Article 3-3 Special Act to Refund Real Estate Taxes 550 Highland St.: Ms. Dale will handle.

Article 3-4 Authorization to Convey Easement to National Grid: Ms. Kennedy will handle.

It was discussed that Rep. Hill will be recognized by the BOS at STM with a certificate for his years of service. Mr. Farrell volunteered to say a few words.

Concern was expressed about getting the 75 necessary voters to constitute a quorum. Ms. Kennedy pointed out that the vote for the easement to National Grid to get the cell tower up and running could potentially draw a crowd.

Review Memorandum Of Agreement with Hamilton Conservation Commission for Land at Patton Homestead

Mr. Knudsen noted the draft MOA with many comments was included in the packet. Mr. Farrell said he was curious about projected maintenance and associated costs. The Land Management Plan will be under the control of the ConCom, and Ms. Kennedy said she felt

they would keep a close eye on it with overarching supervision. Mr. Knudsen said while the draft and comments looked productive, he wanted those involved to be present. It was decided to table the item for more discussion after the Land Management Plan was drafted. Subsequently, Ms. Kennedy received a call from Virginia Cookson of the ConCom during the meeting to say that Mr. Tarr would be attempting to log in to discuss the MOA.

Mr. Domelowicz noted the applicant for the one-day liquor license was now online.

Approve One-Day Liquor License for Oct. 30, 2021 Event at the Patton Homestead— Vote

Decision:

Mr. Farrell made a motion that the BOS “untable” the application for the Patton Homestead event on Oct. 30. Ms. Dale seconded it. The BOS voted unanimously (4-0) among those present to accept the motion.

Applicant Arkabandhu Chowdhury gave an overview of the wedding plans. He is expecting the alcohol-consumption portion of the event to take place from 6:30 to 9:30 p.m. with food and drinks being served indoors and photographs before the event taking place outdoors. About 40 guests are expected.

Decision:

Mr. Farrell made a motion for the approval of the Patton Homestead event on 10/30/2021 with the event start time at 3:30, alcohol service at 6:30 to 9:30 and clean-up and vacating by 10 p.m. or just after. Ms. Dale seconded the motion.

Further Discussion:

Mr. Chowdhury asked if he could make the alcohol service from 5:30 to 8:30 instead, then he asked if he could figure it out and get back to them.

Decision (Continued):

Mr. Farrell amended his motion to state that Mr. Chodhury would follow up with Mr. Domelowicz regarding the three-hour time period for the alcohol service. Ms. Kennedy seconded the motion.

Further Discussion (Continued):

Ms. Kennedy clarified that the food was going to be delivered in trays that would go onto the buffet table with no cooking or heating taking place there.

Mr. Farrell proposed that they should specify something on the form about the time period for alcohol service so there isn't any confusion in the future.

Review Memorandum Of Agreement with Hamilton Conservation Commission for Land at Patton Homestead

Mr. Farrell made a motion that the BOS “untable” the discussion about the MOA with the Hamilton Conservation Commission for land at the Patton Homestead. Ms. Kennedy seconded the motion. The BOS voted unanimously among those present (4-0) to untable the agenda item.

Mr. Farrell told Mr. Tarr that the BOS had thought about tabling the item until the Land Management Plan was drafted. Mr. Tarr said that sounded good as it had been rushed and wasn't ready to be presented. He said he was hoping to get a decision on the MOA before doing the Land Management Plan. He said the 9.1 acres they were referring to as the conservancy in the MOA, if it goes through, will need to be added to the Land Management Plan. Ms. Kennedy asked the total acreage. Mr. Tarr's answer was 9.1 acres plus 6.6. Ms. Kennedy asked how the maintenance would be handled and if volunteers would be utilized for taking care of the wetlands garden, for example, so the financial burden wouldn't be placed on the Town. He said that was his plan.

The BOS discussed potential grants, such as from the CPC or DCR [Department of Conservation and Recreation]. Mr. Domelowicz said often DCR wants a match. It was discussed that they wouldn't want the maintenance of the land there to depend on grant funding. Ms. Dale suggested Greenbelt might also be willing to help. Ms. Kennedy asked for a deadline. Mr. Tarr said he would like to have the Land Management Plan in shape to be attached to the MOA perhaps by the next ConCom meeting. A deadline of Nov. 15 (a month away) was suggested by the BOS.

Review Policy for Serving Alcohol on Public Property—Discussion and Vote

Mr. Knudsen noted Ms. Kennedy had done an extensive markup of the document that was sent to the BOS today. Mr. Farrell suggested they table it to the next meeting to provide time to review her comments. Ms. Kennedy commented that they want the Patton Homestead to be successful and have successful events, but they need guardrails. Ms. Dale commented they want policies that are meaningful and have longevity. Mr. Domelowicz suggested they work from the most recent draft and asked them to let him know their comments so he can get a clean draft into the agenda packet for the Nov. 1 meeting.

Decision:

Mr. Farrell made a motion to table the agenda item until the BOS is ready to take it up again. Ms. Dale seconded the motion. It was decided that the BOS did not actually need to take a vote so no vote was taken.

Debrief and Discussion of Unconscious Bias Workshop—Discussion

Ms. Dale asked the BOS if they wanted to participate in a follow-up debriefing that would take a half hour on Zoom on Tuesday, Oct. 26, from noon to 12:30 p.m. She said she would confirm the date. Ms. Kennedy said she found it an interesting and good training. Since the debriefing would happen on Tuesday, the BOS decided they didn't need to discuss it now.

Adjournment

Ms. Dale made a motion that the BOS adjourn the meeting at 8:34 p.m. Mr. Farrell seconded the motion. The BOS voted unanimously among those present (4-0) to adjourn.

The public was reminded about STM in Patton Park at 9 a.m. on Saturday.

Respectfully submitted as approved at the _____ meeting.

Prepared by:

_____/_____
Mary Alice Cookson Date
BOS/Select Board Minutes Secretary

Attest:

_____/_____
Darcy Dale Date
BOS/Select Board Clerk

Documents Discussed at Meeting:

- Sign Request at COA for Cutler Elementary School Ski, Skate and Board Consignment Sale
- Email entitled "A Day of Play in Chebacco Woods" from Al DeGroot to Laurie Wilson
- Purple Heart Trail Road Race Sign
- Request for Use of Patton Park by Essex County Trail Association for ECTA 5K
- Email from Joe Ryan to Tim Olson regarding proposed picnic table Eagle Scout project
- Patrick Reffett recommendation to promote Associate Member of the ZBA David Perinchief to full member.
- Update on G-C blocks in Hamilton from Carin Kale to Town Manager
- Warrant for 4th Essex Representative District
- Application for One-Day Liquor License from Arkabandhu Chowdhury
- Patton Homestead function rental agreement for wedding on Oct. 30
- Script for Special Town Meeting on Oct. 23, 2021
- MOA between the Hamilton Conservation Commission, Hamilton Board of Selectmen, and Town Manager
- Census Map, William F. Gavin, Census Liaison, Secretary of the Commonwealth showing Precinct Boundaries (file name Hamilton_2021_Final)
- Minutes for BOS/Select Board Meetings on Aug. 26, 2021, Aug. 31, 2021, and Sept. 7, 2021

Joe Domelowicz

From: Laurie Wilson
Sent: Thursday, December 2, 2021 9:07 AM
To: Joe Domelowicz
Subject: FW: Banner for HW Girls state soccer champions
Attachments: BannerSign-Policy.pdf

From: Jennifer Maguire [mailto:jenmaguire76@gmail.com]
Sent: Wednesday, December 1, 2021 3:56 PM
To: Laurie Wilson <lwilson@hamiltonma.gov>
Subject: Re: Banner for HW Girls state soccer champions

Thank you!! I appreciate you reaching out!! I've been trying to finalize a design to get it over to you. Coach wanted it vertical-
I think 3x5 (confirming printer can do this size though should be fine). at tennis courts. Would look like this with grommets. Let me know if you have any other questions. Thanks!

STA CHAME



Sent from my iPhone

On Dec 1, 2021, at 3:17 PM, Laurie Wilson <lwilson@hamiltonma.gov> wrote:

Hi Jen,

First, congratulations on the Girls' Soccer Championship!!

Joe asked me to reach out to you about the banner.

Please let me know the wording on the banner as well as the size of the banner.

I think you are planning on it hanging on the tennis court fence at Patton Park?

Please let me know by tomorrow if you want the Board of Selectmen to approve this on Monday night.

Thank you,

Laurie

Laurie Wilson

Assistant to the Town Manager/
Community Preservation Coordinator

Town of Hamilton

577 Bay Rd, P.O. Box 429

Hamilton, MA 01936

lwilson@hamiltonma.gov

lwilson@hamiltonma.gov

Phone: 978-626-5202

From: Joe Domelowicz

Sent: Wednesday, December 1, 2021 12:50 PM

To: Laurie Wilson <lwilson@hamiltonma.gov>

Subject: FW: Banner for HW Girls state soccore champions

From: Joe Domelowicz

Sent: Monday, November 29, 2021 11:27 AM

To: jenmaguire76@gmail.com

Cc: Laurie Wilson <lwilson@hamiltonma.gov>

Subject: FW: Banner for HW Girls state soccore champions

Jen,

Good morning, I am sorry about the delay in getting back to you,

Though the Select Board has a policy for how to get these approved, there are no hard and fast rules on size.

Typically, we ask that you submit an email with what the banner will say and ask to keep the banner to around 6-feet long or 7-feet long.

I know we have had some approved that were 3 feet by 6 feet in the past.

Please also request where you would like it to hang.

I've copied Laurie Wilson in my office to help get the email into the Select Board packets. If you can get us a size and message this week, we can have them approve it next Monday. If you have a photo of the banner, that is even better - but if it is not made yet, we can still work with the email request.

Best regards,
Joe D.

Joseph Domelowicz Jr.

Town Manager
Town of Hamilton
577 Bay Road
Hamilton, MA 01936
jdomelowicz@hamiltonma.gov
(o) (978) 626-5201
(m) (617) 290-7060

From: Joe Domelowicz
Sent: Tuesday, November 23, 2021 10:20 AM
To: Building Inspector <BuildingInspector@hamiltonma.gov>
Subject: FW: Banner for HW Girls state soccore champions

Rich,
Do we have any zoning restrictions on the size of temporary banner signs that hang from the tennis courts, with the Select Board approval?

Thank you,
Joe

From: Bill Olson
Sent: Tuesday, November 23, 2021 10:17 AM
To: jenmaguire76@gmail.com; Joe Domelowicz <jdomelowicz@hamiltonma.gov>
Subject: Banner for HW Girls state soccore champions

Joe

Can you please help Jen thru the application process so she can get in front of the BOS on 12/6. Also what is the typical size that hangs from the tennis court fence?

Thanks

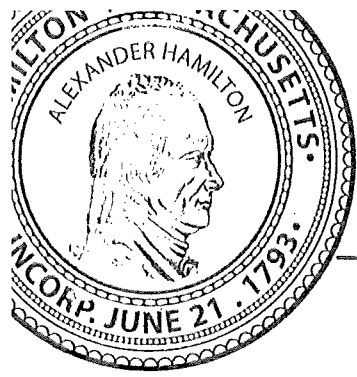
Bill Olson
978-578-3629

**STATE
CHAMPIONS**



GIRLS SOCCER

2021



Town of Hamilton
Finance Department
577 Bay Rd.
Hamilton, MA 01936
P: 978.626.5215
www.hamiltonma.gov

Alex Magee
Finance Director/Town Accountant

TO: Joseph Domelowicz, Town Manager
FROM: Alex Magee, Finance Director
DATE: December 1, 2021
SUBJECT: ARPA Funding Requests

Below please find a summary of the current ARPA funding requests being made by the Town Administration. As a reminder, the Town of Hamilton will receive roughly \$2.4 million in funding from the American Rescue Plan Act (ARPA), which has specific eligible spending categories. These four requests fit squarely within the eligible use categories, and represent either a) work that must be completed imminently or b) work that has been prioritized by the Town's elected and/or appointed officials.

Project	Amount Requested	Duration
GAC Pre-Treatment Project	\$1,400,000	Multi-year
Asbury Grove Backflow Valve	\$100,000	Completed by Spring 2022
Ongoing Pandemic Response	\$50,000	One-time Authorization; will renew request as needed as funds draw down
Town Employee Premium Pay	\$139,750	Immediate, one-time authorization
Total	\$1,689,750	



P.O. Box 429
577 Bay Road
Hamilton, MA 01936

Phone (978) 626-5227
Fax (978) 468-5582
Web site <http://www.hamiltonma.gov>

TO: Finance Committee, Capital Committee, Joe Domelowicz, and Alex Magee
FROM: Tim Olson, DPW Director
DATE: 11/29/2021
Subject: GAC Pre-Treatment Update

To all,

I wanted to provide an update to the GAC Pre-Treatment Filtration project in connection with the request to use approximately \$1.4 million of the American Rescue Plan Act (ARPA) funding.

Please find a summary of the GAC Pre-Treatment Needs and Benefits for the Town of Hamilton.

INITIAL PLANT/WATER SUPPLY ISSUE

- In November 2018, results of the 4th quarter Stage 2 DBP sampling showed elevated Total Trihalomethanes (TTHMs) at the Town's two monitoring sites, with 120 ppb noted at the 28 Goodhue Street site and 77 ppb at the Air Force Property site. TTHMs for the plant finished water were also noted to be elevated with a measurement of 90 ppb, significantly higher than 55 ppb measured back in August 2018.
- Town also collected samples for Total Organic Carbon (TOC) at several sites within its distribution system concurrently with the Stage 2 DBP, as required per MassDEP's approval issued for the plant's recent filter upgrade.
- TOCs ranged on average from 4.0 to 4.7 mg/l, whereas in April 2018, TOCs ranged on average from 2.0 to 2.6 mg/l, respectively. It was evident that the higher TOCs were related to the sudden increase in TTHMs.
- In evaluating the cause of the noted increase in TOCs and TTHMs, two operational issues were identified that likely contributed to the November 2018 event.
- The first issue was the condition of the recycling piping within the backwash tanks. Several flanges were found to be pulled apart due to missing bolts, allowing settled solids from the tank bottom to be drawn to the head of the plant and onto the filters. This condition had a detrimental impact on water quality including TOC and TTHM levels. Finished water quality significantly improved within two days of repairing the flanges.
- The second issue was the raw water quality of the Idlewood #2 well. Prior to conducting the 4th quarter sampling, the Town began to use this well, which hadn't been used for several months. The results of the November 2018 sampling showed that this well had a TOC level of 6.94 mg/l, the highest of all the well sources, and higher than its TOC level of 4.81 mg/l measured back in April 2018. The Town's Idlewood #1 well was also noted to have a TOC level at 5.74 mg/l, which was also higher than its TOC level of 4.37 mg/l measured back in April 2018.

CORRECTIVE ACTIONS/LONG-TERM COMPLIANCE PLAN

- Since November 2018, Town has kept Idlewood#2 well off-line and has reduced the usage of the Idlewood #1 well as much as possible. The Town also deployed several automatic flushing units at locations within the area of the TTHM exceedance to further prevent the formation of TTHMs as a short-term temporary approach.
- Follow-up monthly sampling from December 2018 to March 2019 showed TTHM levels at the 28 Goodhue Street site to be consistently below the MCL of 80 ppb.
- However, the calculated Locational Running Annual Average (LRAA) for the March 2019 1st quarter Stage 2 DBP sampling, which is an average of the last four quarter results, exceeded the drinking water standard, prompting MassDEP to issue a Disinfection By-Products (DBP) violation on 03/22/19 requiring the Town to prepare a Tier 2 public notification and develop a long-term compliance plan by June 22, 2019 to prevent future violations.
- Due to the implementation of the short-term actions noted above, the results of the June 2019 Stage 2 DBP Rule sampling showed a calculated LRAA below 80 ppb, which returned the Town back in compliance.
- The results of the monthly sampling and short-term measures suggest that the elevated TTHMs are due primarily to the moderate levels of raw water TOCs present in the Idlewood wells in conjunction with the use of sodium hypochlorite for oxidation and disinfection at the plant.
- The Idlewood wellfield and water treatment plant serve as the Town's main source of supply and discontinuing its use as a solution to address the formation of TTHMs is not feasible. Additionally, the Idlewood No. 2 and Idlewood No. 1 wells are the two largest producers within the Idlewood wellfield and continuing to limit their use will place a greater demand on the other existing wells, leading to increased maintenance and repair needs. To properly manage and sustain the existing Idlewood wellfield, all the wells will need to be available on a more consistent basis.
- It was determined that the best approach to continue with the operation of the existing plant and the Idlewood wells would be to remove the TOCs within the raw water as much as possible to reduce the formation of TTHMs leaving the plant. An alternative solution would be to reduce TTHMs formed at the plant prior to entering distribution system.
- Town's long-term compliance plan was submitted to MassDEP on June 21, 2019 as required per the DBP violation which presented two treatment strategies for consideration to prevent future TTHM exceedances including:
 - 1) The addition of a pre-treatment system to remove/reduce the TOCs within the wells prior to injecting the sodium hypochlorite for pre-oxidizing iron and manganese, and disinfection;
 - 2) The installation of a THM aeration removal system within the plant's clear well to remove/reduce TTHMs prior to entering the distribution system.
- The long-term compliance plan to MassDEP also identified the option of installing a new satellite well to replace the existing Idlewood#2 well to further reduce raw water TOCs.

- A test well exploration program was completed by Maher Services in March 2020 to locate a feasible site for constructing a new Idlewood #2 Satellite well to replace the existing Idlewood #2. The goal was to find a location within proximity to the Idlewood#2 well that had a similar yield but lower raw water TOCs which could prove to be viable solution to mitigate the TTHM issue at the plant and possibly eliminate the need to provide a pre-treatment system.
- Four 2-inch PVC test wells were initially drilled and developed along the access road to the Idlewood #2 well. Based on the initial results, two of the test wells were selected to perform a 2-hour pump test to estimate the potential yield of the well. Water quality samples were also collected for analyses.
- Results from one of the two test wells pumped showed very low TOCs but moderate levels of iron and manganese. An 8-hour extended pump test along with water quality analyses were conducted in April 2020 on the more favorable test well to confirm its potential as a viable production well.
- Results from the extended pump test indicated that the test well would yield a moderate production rate (> 320 gpm) but the levels of iron and TOC were too high to achieve the stated goal and would negatively impact the performance of the plant's filtration process.

TREATMENT EVALUATION/CONCEPTUAL DESIGN

- The two treatment strategies for mitigating TTHM formation at the existing plant were evaluated.
- Based on the initial assessment, it was recommended that the Town consider the approach of removing raw water TOCs from the wells at the head of the plant.
- Two technologies were identified and evaluated including the MIEX Ion Exchange Resin system and GAC Adsorption system. Raw water samples were collected from the wells to perform bench scale pilot testing for each technology.
- Both technologies were found to be effective removing more than 60% of the TOCs from the raw water of the Idlewood wells, and both could be constructed with minimal disruption to the operation of the existing plant.
- There was a concern with the MIEX system being a new and unproven technology in Massachusetts with no previous approval from MassDEP. The system as evaluated also did not provide any redundancy and would not address future PFAS requirements.
- Met with MassDEP back in August 2019 to review the short-term measures implemented to alleviate the TTHM exceedance and the long-term plan to maintain compliance. Discussed future need to meet newly regulated PFAS sampling and treatment requirements, and the benefit of GAC being able to remove both TOCs and PFAS.
- Preliminary design report dated 05/19/20 submitted to Town summarizing the findings of the evaluation which included conceptual designs for both treatment technologies.
- Board of Selectmen Meeting was held on June 8, 2020 to review preliminary design report and select a treatment technology to design and construct. Given the similarities between the two technologies with respect to cost and effectiveness, and the fact that GAC is a best available technology (BAT) accepted by MassDEP and the EPA for treating TOCs and PFAS, the addition

of a new GAC pretreatment system was selected as the most advantageous to construct at the existing plant.

FINAL DESIGN/BIDDING

- Per Town approval, the design of the new GAC Pre-treatment Facility system commenced in August 2020. The draft design documents were completed by March 2021.
- The BRP WS25 Treatment Facility Modification Permit Application was submitted to MassDEP for review and approval.
- The final design documents were completed in April 2021. MassDEP review comments received via email from MassDEP were incorporated as needed into the documents.
- The project was advertised in May 2021 with filed sub-bids received on May 27th, 2021 and general bids received on June 10th, 2021. Several filed sub-bids were received for each of the four trades included in the documents. Only one general bid was received from D&C Construction for an amount of \$2,700,000 which was more than the anticipated estimate of \$2,100,000. From talking to several plan holders, it was determined that the cost impacts from COVID along with most contractors being overly busy led to only one high general bid being received.
- Formal MassDEP approval to construct the new GAC Pretreatment Facility was received on 07/06/21.
- The project was re-advertised in September 2021 with filed sub-bids received on October 7th, 2021 and general bids received on October 21st, 2021. Several filed sub-bids were received for each of the four trades included in the documents. Three general bids were received with D&C Construction being the lowest apparent bidder with a submitted bid of \$3,098,000.
- From talking with D&C's Chief Estimator as to the reason for the increase in their bid, prices from several vendors increased since June due to the lack of available supplies and material costs, and the cost of concrete and steel went up over 20% since June.
- Bid tabulation and review letter prepared by Dewberry Engineers was submitted to the Town on October 27th, 2021 recommending award of the contract to D&C Construction.

APPROPRIATIONS

STM APPROPRIATION 2019
STM APPROPRIATION 2020

\$1,500,000
\$1,000,000
\$2,500,000

EXPENSES

DEWBERRY PREL. TREATMENT AND IDLEWOOD #2
DEWBERRY GAC DESIGN & CONST. MANAGEMENT
CONSTRUCTION ESTIMATE
10% CONSTRUCTION CONTINGENCY
TOTAL CONSTRUCTION
TOTAL PROJECT(ENG AND CONSTRUCTION)

\$105,500
\$428,500
\$3,098,000
\$309,800
\$3,407,800
\$3,941,800
\$1,441,800

SHORTFALL

From: [Tim Olson](#)
To: [Joe Domelowicz](#); [Alex Magee](#)
Subject: Asbury Grove Backflow Cost
Date: Monday, November 29, 2021 4:13:27 PM
Attachments: [image001.png](#)
[brp_meter_design_hamilton-M-1_rev.pdf](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Joe and Alex,

Here is the latest Asbury Grove Backflow estimate.

Summary

Construction \$85,000 (see below)

Engineering \$10,500

Police Details \$5,000

Total - \$100,500, say \$100k

Tim

Timothy J. Olson

Town of Hamilton

Director of Public Works

577 Bay Road

PO Box 429

Hamilton, MA 01982

P: 978-626-5227

F: 978-468-5582

tolson@hamiltonma.gov

When writing or responding, please remember that the Secretary of State's Office has determined that email is a public record and is subject to requests under MGL c.66 §10. This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please indicate to the sender that you have received this email in error, and delete the copy you received. Please do not print, copy, retransmit, disseminate, or otherwise use the information.

From: Calderazzo, Peter [mailto:PCALDERAZZO@Dewberry.com]

Sent: Monday, November 29, 2021 3:32 PM

To: Tim Olson <tolson@hamiltonma.gov>

Subject: BP Assembly cost

Here is an estimate for the backflow device at Asbury Grove, I attached a PDF of what the costs are based on:

- 6" Watts double check valve assembly w/ strainer - \$6,500
- 6" Omni Sensus Compound Meter w/ reader - \$7,700
- 9.5' x 7' x 6.5' ID Precast concrete vault w/ 42" x 42" single leaf hatch, sump, ladder and link seals - \$15,000
- 3- 6" DI Flanged Spool Pieces w/ 2-90 Deg. 6" Elbows & 6" flanged Adapter - \$2,500
- Labor to install precast vault & interior piping - \$20,000 (assume 5 crew days @ \$4,000 a day/crew)
- Furnish & install 15' of 6" DI MJ pipe w/ 2-6" Tees, 3-6" gate valves for bypass & couplings - \$18,000
- Site work (saw cut ex. paving, permanent trench paving, removal of ex. meter chamber, etc) - \$2,500

Total Cost - \$72,200

15% Contingency - \$11,000

Total Budgeted Cost - \$82,200, say \$85,000

Peter Calderazzo, PE

Associate, Senior Project Manager
99 Summer Street, Suite 700
Boston, MA 02110-1200
D [617.531.0748](tel:617.531.0748) C [978-996-9773](tel:978-996-9773)



www.dewberry.com

Visit Dewberry's website at www.dewberry.com If you've received this email even though it's intended for someone else, then please delete the email, don't share its contents with others, and don't read its attachments. Thank you.



Town of Hamilton
Finance Department
577 Bay Rd.
Hamilton, MA 01936
P: 978.626.5215
www.hamiltonma.gov

Alex Magee
Finance Director/Town Accountant

TO: Joseph Domelowicz, Town Manager
FROM: Alex Magee, Finance Director
DATE: December 1, 2021
SUBJECT: ARPA Funding Request – Town of Hamilton Premium Pay

The FinCom and Board of Selectmen* have proposed utilizing a portion of the Town's ARPA funding as premium pay for the Town's dedicated employees, which is one of the few eligible use categories for ARPA funding. The Town Administration suggests a single, one-time stipend to all currently active town employees in recognition of the extraordinary efforts put forth over the last 20+ months during these difficult times, as well as the continued effort into the future as the pandemic grinds on.

The Finance Director, at the direction of the Town Manager, projected out some stipend options to discuss with each Department Head, and ultimately settled on the below broad categories and stipend amounts. The Finance Director met individually with each Department Head to review each of their employees, and determined suggested stipend amounts. The discussions included topics such as broad work duties, duration of employment, weekly hours regularly worked, response rate/duration when called into duty, potential for increased COVID exposure, etc. Each employee's suggested stipend amount has been reviewed and approved with each department head.

Employees were split into two general categories – Category 1 ("Front Line" Town employees, including all public safety, public health, and public works employees), and Category 2 (all other Town employees). All category 1 employees are suggested to receive premium-pay stipends in amounts ranging from \$500-\$2,000, while all category 2 employees are suggested to receive premium-pay stipends in amounts ranging from \$250-\$1,500.

In total, the suggested stipends add up to a one-time use of ARPA funding totaling \$139,750. For reference, the town's bi-weekly payroll cost is approximately \$220,000. Upon potential approval of this request, the Finance Director will work to ensure stipend disbursements in time to impact holiday spending.

Please do not hesitate to reach out with any questions on this matter.

For approval by the Board of Selectmen at the meeting of December 6, 2021

Application for Non-Profit Club Change of Manager at the American Legion

Background:

The prior manager of the American Legion resigned as of November 1, 2021.

The Post voted Zachary Jermyn, who is also the new Commander, to be the Building Manager and Trophy Room Manager on November 2, 2021.

Packet of Information required by the Alcoholic Beverages Control Commission:

Licensing Authority Certification - to be signed by the Select Board upon approval

Receipt for \$200 fee via ePay

Change of Manager Application

Vote of the Post signed by approved officer

CORI Authorization – notarized by Anne Hughen

Proof of Citizenship – copy of birth certificate, original was presented to Anne Hughen

Letter stating the Current Officers of the American Legion



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

HAMILTON

City/Town

00005-CL-0486

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/
Directors/LLC Managers
- Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other _____
- Change of DBA

APPLICANT INFORMATION

Name of Licensee: AMERICAN LEGION A. P. GARDNER POST 194 DBA: _____

Street Address: 37 SCHOOL STREET Zip Code: 01982

Manager: ZACHARY M. JERMYN

Granted under Special Legislation? Yes No

If Yes, Chapter _____ of the Acts of (year) _____

\$12 Veterans Club Annual All Alcoholic Beverages

Type (i.e. restaurant, package store) Class (Annual or Seasonal) Category (i.e. Wines and Malts / All Alcohol)

DESCRIPTION OF PREMISES

Complete description of the licensed premises

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date 11/16/21 Time _____

Advertised Yes No Date Published _____ Publication _____

Abutters Notified: Yes No Date of Notice _____

Date APPROVED by LLA 12/6/21 Decision of the LLA Approves this Application

Additional remarks or conditions (E.g. Days and hours) _____

For Transfers ONLY:
Seller License Number: _____ Seller Name: _____

The Local Licensing Authorities By: *Hamilton Board of Selectmen*

*William Olson, chair
James Knudsen
Daxcyl Dale
Rosemary Kennedy
Shawn Farrell*

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Joe Domelowicz

From: Brian Colleran
Sent: Wednesday, November 24, 2021 9:50 AM
To: Laurie Wilson; Joe Domelowicz; sandy.codding121@gmail.com
Subject: New Conservation Commissioner

Joe & Laurie,

Sandy Codding, copied here, was on our mildly disastrous Commission meeting last night, and the Commission is supportive of his appointment.

If you could please get him on the SelectBoard agenda for the 6th, we would appreciate that. We're having quorum issues. He could then be sworn in on the 7th or 8th, and be able to vote on things for the 8th. Which we would appreciate. Things are a little close to the bone these days. We took no votes last night due to a lack of quorum.

Thank you,

Brian

~~~~~  
Brian Colleran, PWS, CERP, AFB  
Conservation Administrator  
978.626.5247 ext. 70247  
577 Bay Road, Hamilton MA 01936  
[bcolleran@hamiltonma.gov](mailto:bcolleran@hamiltonma.gov)  
Conservation Commission - Town of Hamilton, MA ([hamiltonma.gov](http://hamiltonma.gov))

**APPLICATION FOR APPOINTMENT  
FOR BOARD/COMMITTEE MEMBERSHIP**

Board/Committee of Interest:

1. Conservation Commission 2. \_\_\_\_\_  
3. \_\_\_\_\_ 4. \_\_\_\_\_

Would you consider another Committee:

Yes

For how long should we keep your application on file?

3 years

Full Name: Anthony S. Coddington, Jr

Nickname: Sandy

Preferred Title (please circle) Mr / Ms. / Mrs. / Other: \_\_\_\_\_

Home Address: 121 Chebacco Rd, S. Hamilton, MA 01982

Length of Residence in Hamilton: 10 years

Occupation: Insurance

Work Address:

121 Chebacco Rd., S. Hamilton, MA 01982

Phone: Home 978.468.0073 Work \_\_\_\_\_ Fax \_\_\_\_\_

Cell 978.626.6014

E-mail: Work: \_\_\_\_\_ Home: sandy.coddington121@gmail.com

If you currently serve on a Board or Committee, please identify:

N/A

Special Training, Interests, Qualifications:

Have you been asked by a Committee to become a member?

No

How did you hear about the Committee?

Attended meetings related to the 133 Essex St. project

Please attach a current resume, if possible. Add any comments below or on a separate page.

Signature: [Signature] Date: 11/17/21

I am an abutter to the property at 133 Essex St.

**Anthony "Sandy" Coddling, Jr. (he/him)**  
121 Chebacco Road  
South Hamilton, MA 01982  
sandy.coddling121@gmail.com  
978-626-6014

**Proven Skills**

- Profitably growing a business
- Building and executing business steering, strategies and budgets
- Designing underwriting methodologies, rate plans, and policy wording
- Relationship management
- Developing new products
- Hiring, supervising, and training staff
- Collaborating
- Assessing Cyber and Errors & Omission risk
- Providing client service

**Experience**

**Swiss Re Corporate Solutions**

*South Hamilton, MA*

2018 - Present

Cyber & Technology Underwriting Unit

*Global Head, Senior Vice President*

Lead a global team of Cyber, Technology E&O and Media underwriters and product experts. Responsible for portfolio management & steering including underwriting guidelines, profitability, rating, policy wording and distribution relationships, including an MGA relationship. Member of Group Cyber Council. Accomplishments include:

- Grew the portfolio gross written premium to \$45 million from \$16 million.
- Led the renegotiated of the MGA agreement.
- Revised underwriting guidelines and introduced a new rating tool.
- Steering member of silent cyber project team.

**Marsh USA**

*Boston, MA & New York, NY*

2005 – 2018

U.S. Cyber and E&O Center of Excellence

*Complex Client Advisor, Managing Director (2014 – 2018)*

Senior advisor responsible for working with clients who present a complex Cyber and E&O risk profile. Led the continuing development of Marsh's proprietary Cyber and E&O Risk Assessment offering and served as the project leader on many of these engagements. Collaborated on technical, product, and content development; conducted training. My specializations included Cyber, Technology E&O, Media and Miscellaneous Professional. Accomplishments included:

- Lead client advisor on a portfolio of accounts generating \$2.5 million in annual revenue.
- Participated as a core team member on winning an average of \$500,000 in new revenue per year.
- Retained over 96% of clients.

U.S. Cyber and E&O Practice

*Leader, Managing Director (2005 – 2014)*

Led a practice placing \$235 million in premium. Responsible for setting practice strategy, delivering growth, improving product expertise, resource and tool development, knowledge management, and staffing decisions. Accomplishments included:

- Grew the practice by at an average 10% annual rate.
- Achieved over a 92% client retention rate.
- Developed Marsh's E&O Risk Assessment methodology and tools.

**Quanta US Holdings**

*New York, NY*

2003 – 2005

Professional Liability Division

*Senior Vice President*

Established and managed the Commercial E&O Unit of a start-up specialty lines insurance and reinsurance company. Products in this unit included Cyber, Technology E&O, Miscellaneous Professional, Lawyers Professional, Accountants Professional and Architects & Engineers Professional. Accomplishments included:

- Grew the annual gross written premium to \$13 million in the first year of operation.
- Supervised policy form and application development for all products.
- Developed and supervised the financial reporting for the Professional Liability Division.
- Developed a producer base.
- Participated on the Quanta workflow development project team.
- Evaluated program opportunities.

**CNA**

*New York, NY*

1999 – 2003

Custom Miscellaneous Professional Liability Division

*Vice President*

Established and managed a spin-off large account unit. Accomplishments included:

- Grew the annual gross written premium to \$45 million from \$4 million.
- Designed corrective action for the pre-existing unprofitable portfolio.
- Improved the combined ratio to 83% from 101%.
- Broadened the active producer base.

**American International Group**

*New York, NY*

1986 – 1999

Professional Liability Division

*Divisional Senior Vice President (1997 – 1999)*

Managed the Specialty Professional Liability unit and the Lawyers Professional Liability unit with combined annual gross written premium of \$235 million and a national staff of 70. Accomplishments included:

- Grew the annual gross written and net written premium by 17%.
- Improved the combined ratio to 94% from 104%.
- Led new product development, including the introduction of Cyber insurance.

*Divisional Vice President (1995 – 1997)*

Managed the Specialty Professional Liability unit. Accomplishments included:

- Grew the annual gross written premium by an annual average of 15% to \$136 million while maintaining a combined ratio of 95%.

*Divisional Assistant Vice President (1994 – 1995)*

Managed new product development including developing policy language, applications, underwriting methodologies, and rate plans.

Management Liability Division

*Various positions from Underwriter to Divisional Assistant Vice President (1986 – 1994)*

Managed and underwrote Directors & Officers and Fiduciary (ERISA) insurance.

Education

**Colby College**

Waterville, ME

Bachelor of Arts, 1985

Double Major: Business, Economics

**Phillips Exeter Academy**

Exeter, NH

Graduated 1981

References available on request.

**Liquor License Renewals 2022**

| License       | Entity                                 | On Premise | Application Received | Amount Payment Received | Tax Compliance Certificate | Liquor Liability Certificate |
|---------------|----------------------------------------|------------|----------------------|-------------------------|----------------------------|------------------------------|
| 00003-RS-0486 | Myopla Hunt Club                       | Yes        | 11/24/21             | \$1,500                 | yes                        | yes                          |
| 00004-RS-0486 | Weathervane Tavern                     | Yes        | 11/30/21             | \$1,500                 | yes                        | yes                          |
| 00005-CL-0486 | American Legion A.P. Gardner Post 194  | Yes        | 11/22/21             | \$1,500                 | yes                        | yes                          |
| 00010-RS-0486 | Black Cow Restaurant                   | Yes        | 11/23/21             | \$1,500                 | yes                        | yes                          |
| 00015-RS-0486 | 15 Walnut (Indigo Restaurant Corp)     | Yes        | 11/24/21             | \$1,500                 | yes                        | yes                          |
| 00007-PK-0486 | Harrigan's Liquor Store                | No         | 11/23/21             | \$1,500                 | yes                        | N/A                          |
| 00008-PK-0486 | Community Package Store (Marcole Corp) | No         | 11/16/21             | \$1,500                 | yes                        | N/A                          |
| 00013-PK-0486 | Crosby's Marketplace                   | No         | 11/29/21             | \$1,000                 | yes                        | N/A                          |
| 00014-PK-0486 | Hamilton Convenience Inc (Aksbar Inc)  | No         | 11/18/21             | \$1,000                 | yes                        | N/A                          |
| 89041-PK-0486 | Honeycomb (Turnbuckle LLC)             | No         | 11/22/21             | \$1,000                 | yes                        | N/A                          |
| 89905-PK-0486 | A & M Convenience                      | No         | 11/29/21             | \$1,000                 | yes                        | N/A                          |
|               |                                        |            | <b>Total</b>         | <b>\$11,500</b>         |                            |                              |



## TOWN OF HAMILTON ONE DAY LIQUOR LICENSE POLICY

**Purpose** The purpose of this policy is to set forth the requirements that apply to any event that seeks to offer the sale or service of alcohol within the Town of Hamilton pursuant to G.L. c.138 s. 14 and 204 CMR 7.00. The goals of this policy are to protect the public welfare and safety. Regulations listed herein are not exhaustive and may be amended by the Select Board to include further restrictions or requirements, such as a police detail, as circumstances may warrant.

**A. For any event held on public property**, including but not limited to the Patton Homestead, a 12C licensed Caterer or Bartender Service must be contracted to serve alcohol at the event. The serving entity is further required to obtain a one-day license pursuant to M.G.L c. 138, sec 14, and display it during the event. These requirements apply whether the event is private or open to the public.

**Requirements and regulations.** For all events on public property where alcohol is to be served, the Town requires that the serving entity apply for the license and provide:

1. A copy of the entity's M.G.L. c. 138, sec 12C license issued by the Alcoholic Beverage Control commission ( "ABCC");
2. A certificate of insurance (ACORD) indicating that the serving entity maintains liability insurance in accordance with the requirements of G.L. c. 138 and any applicable regulations and in an amount deemed sufficient by the Select Board, and not less than \$1,000,000.00 per occurrence and \$2,000,000 in the aggregate. The Town of Hamilton must be listed as an additional insured on the policy. The insurance shall be in effect and include coverage for set up and clean up dates;
3. A sketch plan showing the area where alcohol will be stored, served, and consumed; minors are not allowed in the serving area, and individuals may not carry their beverages outside the area approved for consumption;
4. The proposed hours for the event, which may not exceed five (5) hours, within the time frame of 11AM to 10 PM for indoor events and 11 AM to 9 PM for outdoor events;
5. Documentation confirming that all servers have completed a Massachusetts alcoholic beverage server training program (i.e., TIPS). All servers must work for an independent, licensed, and insured service company or caterer. For a private event, the server CANNOT be a relative of the party hosting the event;
6. Documentation confirming that the alcohol was purchased from an ABCC approved wholesaler or distributor.

7. In the case of a nonprofit entity only, for whom a public event is being held, organized pursuant to G.L. c. 180 and who is registered with the State division of public charities, that nonprofit entity may accept donated alcoholic beverages from an individual, from an entity licensed to manufacture alcoholic beverages, or from an entity licensed to sell alcoholic beverages at retail or wholesale.
8. Type of alcohol allowed to be served at a public event is governed by G.L. c. 138 s. 14 based upon whether the applicant is a for profit (beer and wine only) , nonprofit, or not for profit entity (all alcohol or beer and wine only). The applicant must present supporting legal documentation of nonprofit status pursuant to 501(c)(3) or 501(c)(6).
9. Alcohol types allowed at private events on public property will be governed by the types of alcohol allowed under the applicant's 12C license. A private event, not open to the public, for purposes of a 12C license is one that has a host, has restricted access to invited guests only, and was not publicly advertised.

#### **B. For any Event not held on Town owned Property**

Note: Event venues who possess a state issued liquor license are not required to apply for a one-day license. Venues which are in the process of applying for a state liquor license are not eligible for a one-day license. See G.L. c. 138 s.14 and regs. for other restrictions.

Note: A one day license is not required for private social events at one's private residence. See section 9 above for the definition of a private event. Examples include a graduation party, wedding or baby shower, or birthday party.

#### **Requirements and regulations.**

The applicant must be the entity who will be serving the alcohol. The Town strongly prefers applicants be 12C licensed bartending entities, but may consider non-licensed entities who otherwise conform to requirements:

1. A copy of the entity's M.G.L. c. 138, sec 12C license issued by the Alcoholic Beverage Control commission ( "ABCC");
2. A certificate of insurance liability (ACORD) indicating that the serving entity maintains alcohol service insurance in accordance with the requirements of G.L. c. 138 and any applicable regulations and in an amount deemed sufficient by the Select Board, and not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate. The Town

[Type here]

of Hamilton must be listed as an additional insured on the policy. The insurance shall be in effect and include coverage for set up and clean up dates;

3. A sketch plan showing the area where alcohol will be stored, served, and consumed; minors are not allowed in the serving area, and individuals may not carry their beverages outside the area approved for consumption;
4. The proposed hours for the event, which may not exceed five (5) hours, within the time frame of 11AM to 10 PM for indoor events and 11 AM to 9 PM for outdoor events;
5. Documentation confirming that all servers have completed a Massachusetts alcoholic beverage server training program (i.e., TIPS). All servers must work for an independent, licensed (strongly preferred), and insured service company or caterer. For a private event, the server CANNOT be a relative of the party hosting the event;
6. Documentation confirming that the alcohol was purchased from an ABCC approved wholesaler or distributor.
7. In the case of a nonprofit entity only, for whom a public event is being held, organized pursuant to G.L. c. 180 and who is registered with the State division of public charities, that nonprofit entity may accept donated alcoholic beverages from an individual, from an entity licensed to manufacture alcoholic beverages, or from an entity licensed to sell alcoholic beverages at retail or wholesale.
8. Type of alcohol allowed to be served at a public event is governed by G.L. c. 138 s. 14 and based upon whether the applicant is a for profit (beer and wine only) , nonprofit or not for profit entity (all alcohol or beer and wine only). The applicant must present supporting legal documentation of nonprofit status pursuant to 501(c)(3) or 501(c)(6).
9. Alcohol types allowed at private events not on public property will be governed by the types of alcohol allowed under the applicant's 12C license. If an applicant is not a 12C licensed bartending service or caterer, the alcohol served will be limited to beer and wine. A private event, not open to the public, for purposes of a 12C license is one that has a host, has restricted access to invited guests only, and was not publicly advertised.

**Failure to abide by the above Town of Hamilton requirements and regulations or Massachusetts laws pertaining to alcoholic beverages shall be grounds to deny, revoke, or suspend any special license issued under M.G.L. c. 138 s. 14 and 204 CMR 7.00.**

[Type here]

[Type here]

## Joe Domelowicz

---

**From:** THOMAS MC ENANEY <TMcEnaney@k-plaw.com>  
**Sent:** Friday, November 12, 2021 6:41 PM  
**To:** Joe Domelowicz  
**Cc:** THOMAS MC ENANEY  
**Subject:** HAML--Liquor Licensing Policy  
**Attachments:** KP-#782038-v1-upton\_one-day\_liquor\_policies\_1\_.PDF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Joe:

It seems that there may be a few different versions of the policy that have been prepared, as it does not appear that my previous comments and changes appear in this version. As we discussed, in my opinion, there are a few items that should be addressed:

1. I recommend that the Board add indemnification and release language:

**INDEMNIFICATION AND RELEASE.** Permission to serve alcohol on Town-owned land shall only be granted on the condition that the permit holder acknowledges that the possession and consumption of alcoholic beverages will not be supplied, supervised or controlled by the Town of Hamilton and that any person who chooses to possess and/or consume alcohol does so at their own risk. Applicants are reminded that Massachusetts General Laws, Chapter 138, section 34, prohibits the delivery of alcoholic beverages to any person under the age of 21 years. Said approval shall be subject to the further condition that the applicant shall release, forever discharge and agree to indemnify and hold harmless the Town of Hamilton and its officers, employees and agents from and against any liability for any and all loss, damage, costs, claims, expenses and compensation arising out of any bodily injury or property damage or loss that the Applicant or any member, volunteer, agent or attendee or any other party receives or incurs, in connection with the event.

2. It appears that the Board is requiring a person or entity to obtain a Section 14 one-day license for events on Town property even if the event is not open to the public and catered by a caterer with a Section 12C license. As you may recall, I contacted the ABCC regarding this issue as the ABCC website seems to indicate that a Section 14 license would be required for all events on Town property. However, the ABCC General Counsel informed me that the ABCC does not take the position that a Section 14 license is required for a private event on Town-owned property if the event is catered by a caterer with a Section 12C license. Therefore, a Section 14 license would not be required if the caterer for the event has a Section 12C license. I note that even though a Section 14 license would not be required, Hamilton has a bylaw that requires Board approval to consume alcohol on public property, which, in my opinion, would still apply.
3. If you have not already done so, I recommend that you confer with the Town's insurance advisor regarding the insurance requirements to confirm that they are adequate.
4. The policy indicates that the types of alcohol allowed at private events on public property will be governed by the types of alcohol allowed under the caterer's Section 12C license. However, since a Section 14 license is required, in my opinion, this could pose a conflict as Section 14 provides that for profit entities can only obtain a one-day license for wine/malt beverages, not for all alcohol.
5. It was my understanding that the Board had decided to only address the service of alcohol on Town-owned property. The policy includes a section regarding events on private property, so I presume that the Board has decided to expand the scope of its policy. I note that last paragraph of this section has the same issue as noted in No. 4 above.

6. Finally, I have attached a sample policy from the Town of Upton, which you may find helpful, as it has, in my opinion, a good description of the Section 14 license requirements and when a license is required.

If you have any questions, please do not hesitate to contact me.

Thanks.

Tom

Thomas W. McEnaney, Esq.

KP | LAW

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 556 0007 \*\*dial 9999 if prompted for a 4-digit code

F: (617) 654 1735

C: (781) 771 0506

[tmcenaney@k-plaw.com](mailto:tmcenaney@k-plaw.com)

[www.k-plaw.com](http://www.k-plaw.com)

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

**From:** Joe Domelowicz <[jdomelowicz@hamiltonma.gov](mailto:jdomelowicz@hamiltonma.gov)>

**Sent:** Monday, November 8, 2021 1:42 PM

**To:** THOMAS MC ENANEY <[TMcEnaney@k-plaw.com](mailto:TMcEnaney@k-plaw.com)>

**Subject:** Can you please have these quickly reviewed?

The Select Board may take these items up again either next Monday or on Dec. 6, I just want to make sure there is nothing in the ew language that raises red flags with elgal.

The policies have come along way and I think we're closing in on consensus on these issues...Please let me know of any trouble spots.

Best,

Joe



City of Boston  
Mayor Kim Janey

June 22, 2021

Senator Rebecca L. Rausch  
Chair, Joint Committee on Environment,  
Natural Resources and Agriculture  
State House, Room 218  
Boston, MA 02133

Representative Carolyn C. Dykema  
Chair, Joint Committee on Environment,  
Natural Resources and Agriculture  
State House, Room 473-F  
Boston, MA 0213

Dear Chair Rausch, Chair Dykema, and Members of the Committee:

The City of Boston strongly supports measures that would apply the principle of Extended Producer Responsibility (EPR) to more segments of the Commonwealth's solid waste stream, as proposed in several bills before your committee. EPR makes manufacturers and others in the supply chain responsible for the waste that the use of their products inevitably produces. It incentivizes manufacturers to create products that are more easily reused and recycled and ensures that such reuse and recycling actually occurs. This would relieve Massachusetts municipalities, including Boston, of the expense for collecting, recycling, and disposing of these items, especially at a time when the costs for these activities has increased substantially. Also, EPR is an important component of the City of Boston's Zero Waste Plan.

Several bills before your committee apply the EPR principle, whether or not it is explicitly called out, to important parts of Boston's waste stream. For example, H878/S610 /S517 *An Act to Save Recycling Costs in the Commonwealth*, filed by Rep. Michael Day, Sen. Michael Rush, and Sen. Sal DiDomenico, would potentially save the City of Boston between \$4 and \$13 million dollars per year in recycling and collection costs, because paper and packaging make up most of what is in residential recycling. The bill would engage the paper and product manufacturers that sell products in Massachusetts to develop, finance, implement and report on plans for the collection and recovery of their post-consumer packaging, containers and paper.

Some studies estimate that about 10 percent of paint purchased is unused, which means that Bostonians accumulate about 60,000 gallons of unused paint every year. To dispose of that paint at the City's household hazardous waste collections or in the trash would cost close to \$100,000 per year. H938 *Relative to Paint Recycling*, filed by Representative Patricia Haddad, would establish a collection and recycling program operated and financed by the paint industry. It is supported by the American Coating Association. Similar measures have been successful in Connecticut, Rhode Island, Vermont, and Maine.

H988 *An Act to establish a mattress recycling program in the Commonwealth*, filed by Representative Edward Phillips, calls for a plan to establish a mattress stewardship program. The potential savings to the City is close to \$250,000 per year.

Thank you for your consideration of all these matters. If you have any questions, please do not hesitate to reach out to me directly or you may contact Alyssa Ring in the Office of Intergovernmental Relations at (617) 635-1994.

Sincerely,

A handwritten signature in black ink, appearing to read 'M White-Hammond', written in a cursive style.

Mariama White-Hammond  
Chief of Environment, Energy, and Open Space



**Testimony of Michael Orr, Recycling Director for the City of Cambridge, before a hearing of a Joint Committee of Environment, Natural Resources and Agriculture held on June 22, 2021. Subsequently submitted in written form.**

Good afternoon & Thank you Madame Chair! I'm Michael Orr, Recycling Director for City of Cambridge.

As program costs continue to rise & disposal capacity in MA continue to shrink, Cambridge is seeking action from the Legislature to shift costs away from municipalities and to reduce our impact on the environment. There are four extended producer responsibility (or EPR) bills that the City of Cambridge urges the Joint Committee to move favorably on.

**City of Cambridge asks the Joint Committee to move favorably on House Bill 938, House Bill 988, House Bill 878, & House Bill 979, passing EPR legislation on paint, mattresses, paper & packaging and electronic waste.**

**On Paint:**

Ten states & Washington DC have passed an identical bill. The American Coatings Association, who represents paint manufacturers, supports this law. Current paint EPR laws have shown that there is net savings to consumers and taxpayers. Furthermore, EPR legislation would help curtail improper paint disposal, which leads to pollution in our watersheds.

**On mattresses:**

Programs in place in Connecticut, Rhode Island, and California have a proven record of managing mattresses. This bill is important because:

- Cost savings have been demonstrated by other states. **Connecticut reports \$1.6 million saved annually.**
- Mattress recycling creates new jobs.

With MassDEP intending to ban mattresses from trash disposal by Fall 2021, a mattress EPR law would reduce costs to municipalities. Without EPR, it costs \$16/mattress in Cambridge (and across MA), whereas it costs \$9/mattress in CT with an EPR law.

**On Paper and Packaging:**

There is little incentive for producers to make recycling their products easy, clear, or accessible. EPR for packaging and paper would assist municipalities with the financial burdens and would incentivize producers to design products and packaging that would actually help municipalities and waste management professionals.

The EU, several Canadian provinces, Brazil, Japan, South Africa, and several other countries have enacted EPR for packaging. Several States are actively pursuing this legislation this year too.

**Summary:**

In summary, Cambridge supports EPR legislation because they have the best and longest lasting impact to make waste management more sustainable financially and environmentally. All actors in the marketplace (consumers, producers, government and waste management) can work collaboratively to create a more just and more efficient waste management system.

Thank you for taking the time to discuss this increasingly important topic.

On the question from Rep Owens about e-waste costs, Cambridge spends approx \$100,000 per year to manage e-waste.



Massachusetts  
Municipal  
Association

One Winthrop Square, Boston, MA 02110  
617-426-7272 • 800-882-1498 • fax 617-695-1314  
www.mma.org

June 22, 2021

The Honorable Carolyn Dykema, House Chair  
The Honorable Rebecca Rausch, Senate Chair  
Joint Committee on Environment, Natural Resources, and Agriculture  
State House  
Boston, MA 02133

*Delivered Electronically*

Dear Chair Dykema, Chair Rausch, and Members of the Committee,

On behalf of the cities and towns of the Commonwealth, the MMA is pleased to weigh in on the slate of bills related to waste management, recycling, and plastics before your committee today. The upheaval of the global recycling market, which began several years ago, has had a profound impact on municipal recycling and waste collection programs. Our 351 member municipalities have seen significant increases in the cost of their contracts with haulers and processors, calling into question the financial sustainability of the current model for managing the end of life of materials. By and large, local government is the intermediary that provides these essential services to its residents, taking on a substantial cost and materials management burden. Moreover, the environmental impact of our status quo usage of disposable plastics and the challenges of discarding certain hazardous materials cannot be denied.

In January 2019, the MMA membership approved at our Annual Business Meeting a resolution supporting a local-state-federal partnership to address the challenges to the recycling marketplace. In line with our commitments named in that resolution, the MMA supports extended producer responsibility (EPR) legislation that establishes manufacturer responsibility for end of life recycling of mattresses, paint, electronics, and other products that can be safely and sustainably diverted from the waste stream. Therefore, the MMA supports the broad goals of H.569 and S.570 on mattress recycling; H.938 on paint; H.979 on electronics; and S.500 on smoke detectors.

The MMA and our members are especially eager to see a mattress EPR bill pass this session, to coincide with the implementation of a proposed waste ban on mattresses by MassDEP. According to DEP's current proposed timeline, a mattress waste ban would go into effect as soon as October 2021. Although we expressed concerns to DEP around the feasibility of proceeding with a full ban before more comprehensive mattress recycling infrastructure is in place statewide, the legislature has an important role to play in ensuring that mattress recycling is expanded and streamlined so municipalities are not left to manage the full cost and materials burden of these bulky and costly items. Please note that the MMA is aligned with the position of the Product Stewardship Institute and its municipal partners in suggesting edits to H.569 on mattress EPR.

The MMA is delighted to support H.878, An Act to save recycling costs in the Commonwealth, a bill that would establish a comprehensive EPR system for packaging whereby the established

producer responsibility organizations would reimburse municipal recycling costs for packaging materials. This approach would shift much of the cost burden of managing the end of life of plastic packaging from local governments to producers. The MMA engaged in a working group that integrated components of previous EPR for packaging bills to arrive at a consensus position. We believe the approach outlined in H.878 will benefit municipalities while also having substantial environmental benefits. Please see the MMA's support of a sign-on letter initiated by the Conservation Law Foundation on this bill for further comments.

Lastly, the MMA supports the broad aims of H.869, An Act to reduce single-use plastics from the environment. Last session, the MMA voiced strong support for legislation that would ban plastic bags and impose a small fee on paper bags at point of sale, language which is included in this omnibus plastics-reduction bill. The MMA has also supported legislation to phase out polystyrene containers and nips bottles, two other product categories named in this bill. We believe that any effort to reduce or eliminate single-use plastics from the solid waste and recycling streams will benefit the financial bottom line for cities and towns and also have positive environmental impacts.

Municipalities have been essential partners to the state in meeting waste reduction goals through the following interventions: investing in diversion programs such as for textiles, mattresses, and organic materials; passing more than 100 local bylaws and ordinances banning plastic bags and other single use plastic; and cleaning up residential recycling streams to reduce contamination. We

Thank you very much for your partnership with cities and towns on so many issues. This is the time to make progress in addressing the cost and materials burden inherent in our recycling and solid waste management model. If you have any questions regarding our comments, or require additional information, please do not hesitate to have your office contact me or MMA Legislative Analyst Ariela Lovett at [alovett@mma.org](mailto:alovett@mma.org) or 973-634-5307 at any time.

Sincerely,



Geoffrey C. Beckwith  
Executive Director & CEO

## Joe Domelowicz

---

**From:** THOMAS MC ENANEY <TMcEnaney@k-plaw.com>  
**Sent:** Tuesday, November 23, 2021 7:20 PM  
**To:** Joe Domelowicz  
**Cc:** THOMAS MC ENANEY; Devan C. Braun  
**Subject:** HAML--Flag Policy  
**Attachments:** KP-#788691-v1-HAML\_-\_flag\_raising\_policy\_(KP\_edits).DOCX

Joe:

Attached please find a redlined version of the Flag Policy that includes our comments and proposed changes. As we discussed, the United States Supreme Court is scheduled to hear argument in January 2022 in the Shurtleff v. City of Boston case, which serves as the primary basis for our advice. Since this case is scheduled for oral argument in January and we will likely have a decision by the Summer, the Board may wish to hold off on adopting a policy at this time as depending on the Court's decision it is possible that the policy will need to be revised.

If you have any questions, please do not hesitate to contact me.

Thanks. Have a nice Thanksgiving.

Tom

Thomas W. McEnaney, Esq.

KP | LAW

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 556 0007 \*\*dial 9999 if prompted for a 4-digit code

F: (617) 654 1735

C: (781) 771 0506

[tmcenaney@k-plaw.com](mailto:tmcenaney@k-plaw.com)

[www.k-plaw.com](http://www.k-plaw.com)

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

**From:** Joe Domelowicz <jdomelowicz@hamiltonma.gov>  
**Sent:** Monday, November 8, 2021 1:42 PM  
**To:** THOMAS MC ENANEY <TMcEnaney@k-plaw.com>  
**Subject:** Can you please have these quickly reviewed?

The Select Board may take these items up again either next Monday or on Dec. 6, I just want to make sure there is nothing in the ew language that raises red flags with elgal.

The policies have come along way and I think we're closing in on consensus on these issues...Please let me know of any trouble spots.

Best,  
Joe

**TOWN OF HAMILTON**  
Board of Selectmen

**POLICY NAME:** Request for Guest Flag Policy Raising

**AFFECTED:**      All employees    Boards    Committees    Elected  
                   Appointed    Town Wide

**DATE OF VOTE:**

**EFFECTIVE DATE:**

**POLICY TYPE:**            New        Amendment

---

**Comment [A1]:** As a preliminary matter, please be advised that the United States Supreme Court (SCOTUS) is currently reviewing and deciding a case on this issue, on which much of our prior advice regarding the flag raising policy relied. You may wish to consider holding off on adopting a formal policy until we receive additional guidance from SCOTUS in that case, which is being argued in January 2022.

In *Shurtleff v. City of Boston*, 928 F.3d 166 (1st Cir. 2019), the First Circuit had held that Boston could refuse to fly a flag with religious symbols on its flagpole, because the policy was “well within the established bounds” of government speech, incorporating many of the same factors as in this policy. If SCOTUS affirms the case, it may issue additional guidance on permissible and impermissible flag-raising policies. If SCOTUS overturns the case, the constitutionality of this policy (or any decisions made thereunder) may be impacted. We might expect a decision on the case in the spring/summer of 2022.

1.—**1. Purpose:** This policy governs the circumstances under which flags other than the flag of the United States of America, Commonwealth of Massachusetts and the POW/MIA Flag may be flown on flagpoles owned by the Town of Hamilton. The choice of which flag(s) to raise on Town of Hamilton-owned flagpoles and whether an application is approved or denied, is government speech communicating a message to the public, to which the stricture of the Free Speech Clause of the First Amendment does not apply. The Board of Sselectmen will review and vote on any complete applications. The Board of Selectmen reserves the right to grant or deny, or cancel approved requests as it sees fit, and in its sole discretion.

**Comment [A2]:** As we indicated in a prior review, simply stating that the policy is government speech does not make it so. Rather, courts will look at the surrounding circumstances to determine whether the government is “communicating a message” and thus making it “government speech.” The factors a court will look at include: (1) whether the town has traditionally used the message or conduct at issue to speak to the public; (2) whether persons would interpret the speech as conveying some message on the government’s behalf, and (3) whether the government maintains control over the selection of the message. *Shurtleff v. City of Boston*, 928 F.3d 166 (1st Cir. 2019), citing *Walker v. Texas Division, Sons of Confederate Veterans*, 135 C. Ct. 2239, 2247 (2015). Adding the discretion and control of the Selectmen, in my opinion, helps show that the town controls the message, along with additional suggested edits.

2.—  
The Town does not, nor has it ever, intended to designate the flagpole(s) as a public forum by permitting a third party to raise a particular flag on its flagpole(s). Accordingly, nothing contained within this policy, the Town’s choice of which flag(s) to raise or applications to grant or deny, or the manner in which the Board of Selectmen makes such decisions should be interpreted as designating the flagpole(s) as a public forum.

**2. Application Process:** A non-profit organization, with an affiliation to the Town of Hamilton, a Ttown-sponsored board or committee, or a resident may apply to have the Town of Hamilton raise a guest flag at Patton Park as well as at Town Hall by completing the guest flag-raising application. Requested and approved flag raising ceremonies will occur at Patton Park. The application can be found at [www.hamiltonma.gov](http://www.hamiltonma.gov) or by visiting the Town Manager’s Office. All applications must be submitted to the Town Manager at least 45 days prior to requested date of the flag raising to be scheduled for review by the Board of Selectmen. The Board of Selectmen has the authority to grant an exemption to the 45-day application date requirement, in its sole discretion. Whether the application is approved or denied is in the sole discretion of the Board of Selectmen, which may do so

**Comment [A3]:** This is an important issue in the SCOTUS case, discussed above. If the flag pole is deemed a public forum, the government has less authority to restrict/regulate/censor the types of messages that may be flown there under the Free Speech clause to the US Constitution.

for any reason or for no reason at all. When the application request is added to the Selectmen's meeting agenda, the applicant(s) or their representative(s) will be required to attend the Board of Selectmen meeting. In the event of conflicting date requests, the Town of Hamilton will determine the guest flag(s) to be flown.

### **3. Durations and Frequency:**

*Residents and Non-profits:* May submit up to three (3) applications per year, per resident or non-profit organization, and each request to fly a guest flag may ~~can~~ be no longer than seven (7) days. And no flag may fly more than once per year, unless specific extenuating circumstances are approved by the Board of Selectmen, in its discretion. The application must include at least 25 signatures of registered voters in the Town of Hamilton, as verified by the Town clerk/Clerk.

**Comment [A4]:** Does this mean three per person or no more than three requests will be approved for any residents and any nonprofits per year? Please clarify.

*Town of Hamilton Boards and Committees:* May submit applications that include a letter from the board/committee acknowledging that the majority of the board or committee has voted in favor of the application. No flag can fly more than once per year, unless specific extenuating circumstances are approved by the Board of Selectmen.

**Comment [A5]:** Is there going to be a formal signature certification process for the Town Clerk that needs describing? Or will the Town Clerk simply stamp and approve the application once verifying the signatures of 25 residents? Additional detail on this process might be useful.

**Formatted:** Font: Italic

For any flag raising application, ~~The~~ Board of Selectmen will only consider flags that are proposed to be flown in concurrence with or recognition of a State and/or Federally recognized events ~~or~~ and ~~Holidays,~~ which may include Sstate or Ffederal proclamations, but would require a four-fifths vote of the ~~Select~~ Board of Selectmen to be approved.

**4. Considerations:** As stated in Section 1, whether an ~~the~~ application is approved or denied, or later cancelled, lies within ~~is~~ the sole discretion of the Town of Hamilton, by and through its Board of Selectmen. The Board of Selectmen shall consider whether a currently valid government proclamation has been issued regarding the event, holiday, or cause to be commemorated. The Board of Selectmen will not consider requests for flying flags that are not associated with a State and/or Federally recognized event, holiday, or proclamation. The Board of Selectmen shall also consider whether the flag being proposed to be raised, is generally accepted as representing the event, holiday, or cause to be commemorated by the Town.

**Responsibilities of Applicant and other guidelines if request approved:** Generally, guest flag-raising must occur on normal business workdays, ~~(state and federal holidays are not normal business workdays)~~ between 10:00 a.m. and 3:00 p.m., with the exception of a State or Federal holiday. An applicant may request to raise a flag outside of the foregoing window but must then submit a sufficient reason for the Town to allow the applicant to do so. If approved, the applicant must deliver the flag to the Town Manager at least 48 hours, not including weekends and legal holidays, before the scheduled raising and retrieve the flag after the flag has come down. The flag must be clean and serviceable with dimensions no less than (3 ft by 5 ft) and no greater than (4.5 ft by 9 ft). The Town will not be responsible for flags that are not retrieved within 48 hours of being taken down, not including weekends and legal holidays. The Town also will not be responsible for any harm that may come to the flag while being flown or while it is in the possession of the Town. Applicants may be required to pay for security, custodial, or any other costs incurred by the Town in raising the proposed flag or in conducting a flag-raising ceremony. If ordered, guest flags will be lowered to comply with the U.S. Flag Code. If the Governor of the Commonwealth or other authority of competent jurisdiction orders that the U.S. Flag be flown at half-staff, no other flag may be flown higher than the U.S. Flag.

**6. Policy Review:** This policy ~~may~~ will be periodically reviewed and updated, as required.



**Town of Hamilton, Massachusetts Guest Flag Raising Application**

Please be sure to complete the application in its entirety. Incomplete applications will be denied. Duplicate applications will not be considered.

Request for:            One Time Flag Raising \_\_\_\_\_ Duration \_\_\_\_\_  
                                 Request for Annual Flag Raising \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone# \_\_\_\_\_ Email \_\_\_\_\_

Non-Commercial Organization \_\_\_\_\_

Website \_\_\_\_\_

Provide a brief overview of why you are requesting a Guest Flag Raising from the Town of Hamilton. Include a detailed narrative explaining your connection to the Town of Hamilton. (Attach separate sheet if more room is needed.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach a colored photo of the front and back of the flag.                      Dimensions of flag \_\_\_\_\_

Is the flag widely recognized as representing the event, holiday, or cause you wish to commemorate? Please explain:

\_\_\_\_\_

Is a government proclamation or legal holiday associated with the event, holiday, or cause? Yes \_\_\_ No \_\_\_

If yes, issuing government entity \_\_\_\_\_ Date issued \_\_\_\_\_

**Patton Park**

Requested Date and time of Flag Raising \_\_\_\_\_ (For approved annual requests, the applicant will need to confirm flag raising date 4530 days prior to event with the Town Manager.)

Will there be a ceremony? \_\_\_\_\_ Expected number of participants \_\_\_\_\_

What is the expected length of the ceremony? \_\_\_\_\_

*Applicant is responsible for providing podium, sound system, and all other equipment.*

**Town Hall**      Will you be requesting a flag be raised at Town Hall as well? \_\_\_\_\_

*I affirm that I am the applicant and/or authorized representative of the applicant and that I have read the Town of Hamilton's Flag Raising Policy, and I agree to abide by all the requirements and liabilities contained therein.*

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

DRAFT

## Joe Domelowicz

---

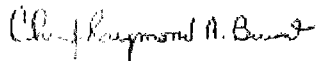
**From:** Ray Brunet  
**Sent:** Wednesday, December 1, 2021 10:16 AM  
**To:** Joe Domelowicz; Darcy Dale  
**Cc:** Alex Magee; Russell Stevens; Building Inspector  
**Subject:** RE: 3 Arabian Way/54R Berrywood Lane

Hi all,

I went out to 3 Arabian Way yesterday to conduct a site visit for the proposed address change. After talking with the police chief and the building commissioner we all recommend that the new address be changed to 45 Berrywood Lane.

Respectfully,

Ray



Raymond A. Brunet  
Fire Chief, EMD  
Hamilton Fire Department  
265 Bay Road  
Hamilton, Ma 01982

(978)-423-2565

**From:** Joe Domelowicz  
**Sent:** Tuesday, November 30, 2021 8:43 AM  
**To:** Darcy Dale <ddale@hamiltonma.gov>  
**Cc:** Alex Magee <amagee@hamiltonma.gov>; Russell Stevens <rstevens@hamiltonma.gov>; Ray Brunet <rbrunet@hamiltonma.gov>; Building Inspector <BuildingInspector@hamiltonma.gov>  
**Subject:** RE: 3 Arabian Way/54R Berrywood Lane

Darcy,  
Thanks for bringng this to me.

Public Safety will bring a recommendation to the Selec Board for the Berrywood Lane property and in an unrelated matter the Planning Board will be making recommendations for addresses to the ANR property at the corner of Bridge St and Miles River, consistent with the subdivision rules.

Once I have heard form Public Safety chiefs, I will let the building department and assessors offices know and inform the property owner.

Best regards,  
Joe D.

**From:** Darcy Dale  
**Sent:** Monday, November 29, 2021 4:14 PM  
**To:** Joe Domelowicz <[jdomelowicz@hamiltonma.gov](mailto:jdomelowicz@hamiltonma.gov)>  
**Subject:** Fw: 3 Arabian Way/54R Berrywood Lane

Hi Joe,

Please see that Ms Blomberg gets some attention on this matter, I am not sure if the USPS has a role to play here or if it's up to the Town....Thanks,  
Darcy

---

**From:** Stephanie Blomberg <[sblomberg@mrgcm.com](mailto:sblomberg@mrgcm.com)>  
**Sent:** Monday, November 29, 2021 3:19 PM  
**To:** selectmen <[selectmen@hamiltonma.gov](mailto:selectmen@hamiltonma.gov)>  
**Subject:** 3 Arabian Way/54R Berrywood Lane

Good Afternoon Mr Olson,

I am reaching out; I hope you don't mind; as my husband and I are preparing to close on the parcel of land located at 3 Arabian Way. The parcel shares a driveway with 54 Berrywood Lane and has an easement in place and recorded. I have been in contact with the Planning and Building Inspectional Services, Board of Health and Public Safety regarding buildability of the site and the need for a Berrywood Lane address for USPS and Public Safety services. See attached Buildable Lot Letter provide by Rich Maloney. Per the attached, Mr Maloney has requested we seek the address of 54R Berrywood Lane designation prior to submitting for building permit.

Since we are new to town, I'm unsure as to go about requesting and receiving the new address for the lot. Could you please let me know what the process is for assigning the address and who I will need to contact within the Town departments to assist with this request. Of course, please let me know what questions you have.

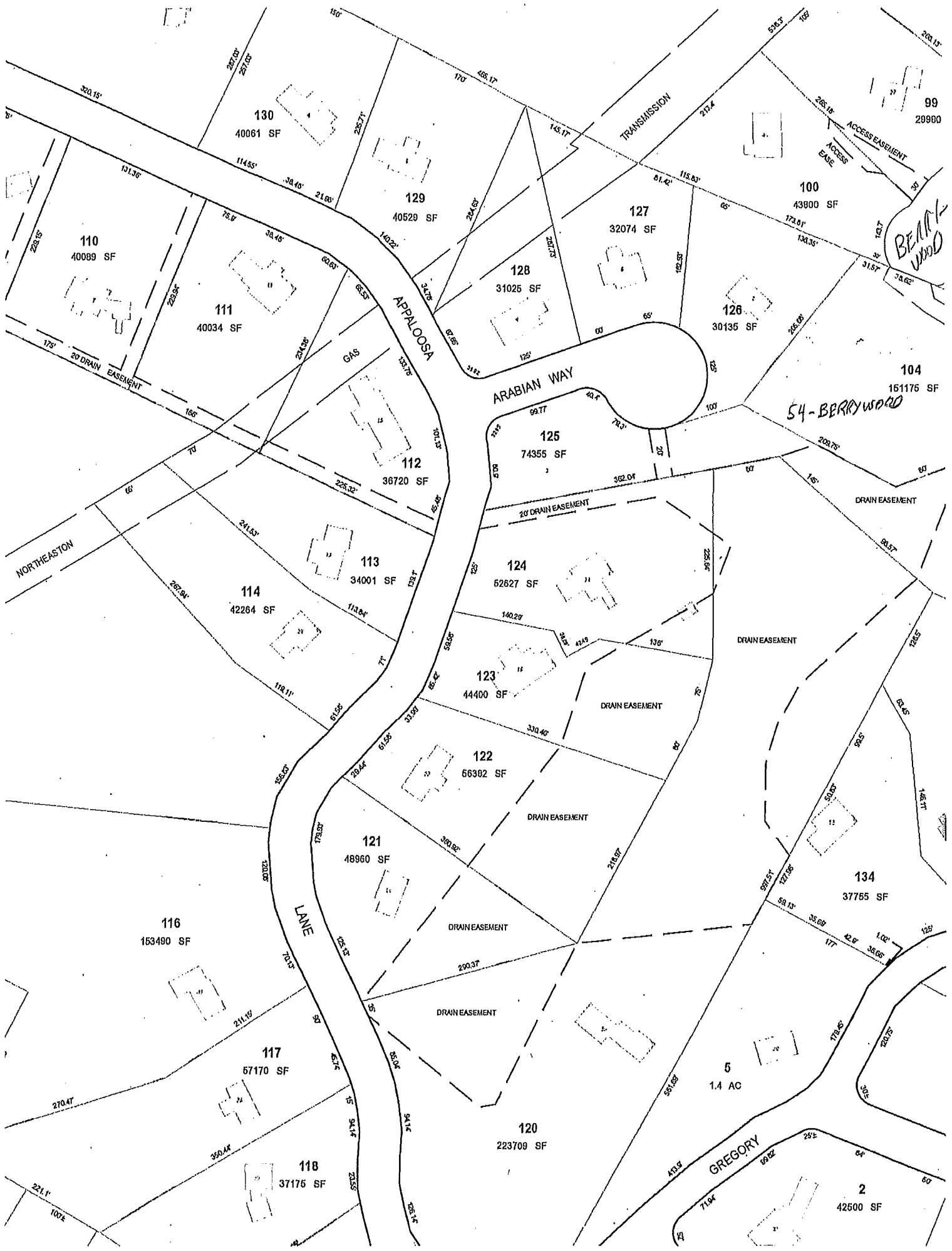
Thank you for your attention,  
Stephanie  
**Stephanie Blomberg**



3 Centennial Drive, Suite 150  
Peabody, MA 01960  
978-587-3099 Ext 106 (Phone)  
978-717-5480 (Fax)  
[www.mrgcm.com](http://www.mrgcm.com)



NOTICE: This e-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copying of this communication is strictly prohibited. Furthermore, please notify the sender immediately by email and permanently delete the original copy and any additional copies.



99  
29900

100  
43900 SF

104  
151175 SF

54-BERRYWOOD

DRAIN EASEMENT

DRAIN EASEMENT

DRAIN EASEMENT

DRAIN EASEMENT

DRAIN EASEMENT

GREGORY

5  
1.4 AC

2  
42500 SF

