

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 4<sup>th</sup> 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 4<sup>th</sup> 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 be 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 12/6/21 meeting.

Prepared by:

Mary Alice Cookson, 12/6/2021

Mary Alice Cookson Date  
BOS/Select Board Minutes Secretary

Attest:

Darcy Dale, 12-30-2021

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 4<sup>th</sup> 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