



Town of Hamilton Select Board Monday, October 2, 2023

- Shawn Farrell, Chair
- Bill Wilson
- Caroline Beaulieu
- Tom Myers
- Bill Olson

7:00 PM
Hamilton Town Hall, Memorial Room
577 Bay Road, Hamilton, MA

AGENDA

The Select Board will continue to utilize Zoom to allow for a hybrid meeting environment, to make the meetings more accessible:

Join Zoom Meeting

<https://us02web.zoom.us/j/81832411847?pwd=cXozeE9ac2N2N3Fvb1F4cUFwQndwQT09>

Meeting ID: 818 3241 1847

Passcode: 184938

One tap mobile

+13052241968,,81832411847#,,,,*184938# US

+13092053325,,81832411847#,,,,*184938# US

Dial by your location

• +1 305 224 1968 US

• +1 309 205 3325 US

• +1 312 626 6799 US (Chicago)

7:00 p.m.	Call to order - Memorial Room
ANNOUNCEMENTS & BOARD OPENINGS	
	<p>Board and Committee openings:</p> <ul style="list-style-type: none"> • Finance and Advisory Committee - 1 associate opening • Historic District Commission - 2 openings for 3 year terms, 2 openings for 2 year terms (one must be a resident of the Historic District and one must be a resident Realtor) • Human Rights Commission - 1 opening Hamilton Housing Authority resident • Planning Board - 1 associate opening • Zoning Board of Appeals – 1 Associate opening
	Public Comment (3 minutes on topics not already on the agenda)
CONSENT AGENDA	
	<ul style="list-style-type: none"> • Minutes of August 21, 2023 Select Board meeting

Items may be heard out of the listed order. The agenda items listed are those items which were reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed on the agenda may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

AGENDA

7:15 p.m.

- Joint with Finance and Advisory Committee to review Final Warrant
 - Vote to Open Warrant
 - Discuss and Vote on BHOD related and CPC articles
 - Vote to Close Warrant
 - Vote on recommendations of Articles
- Discuss and Vote on FY'25 Budget goals and review new Budget format
- End Joint meeting with Finance and Advisory Committee
- Review and Vote proposed parking regulations for Downtown Business District – specifically Railroad Avenue and Willow Street
- Review and discuss approach to energy efficiency upgrades at Town Hall
- New Business

Cemetery Deed #1258



Town of Hamilton
 Select Board
 Meeting Minutes of August 21, 2023

Pursuant to the Open Meeting Law, MGL Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Select Board members, a meeting of the Hamilton Select Board was posted for August 21, 2023 at 7pm in Memorial Hall, Town Hall, 577 Bay Road. This meeting was held in hybrid format (in person/Zoom) and recorded by HWCAM.

The Select Board functions as the Chief Executive body of the Town. Its five members are elected to three year terms with one or two seats up for election each year. The Board acts as the chief policy making body of the Town and directly supervises the activities of the Town Manager. The Town Manager is responsible for supervising the day to day operation of all town departments falling under the direct control of the Select Board. Select Board members: Shawn Farrell (2024); Caroline Beaulieu (2025); Thomas Myers; (2025); William Olson (2024); Bill Wilson (2026).

Call the meeting to order: *With a quorum present, the Chair called the meeting to order at PM, identified the meeting was being recorded and those members present:* S. Farrell, Chair; C. Beaulieu, Vice Chair; T. Myers, Clerk; W. Olson; B. Wilson.

Others present: Town Manager, Joseph Domelowicz

Announcements & Board openings – Additional information is on the town website

- Conservation Commission - 2 openings for 3 year terms
- Council on Aging - 1 opening for a 3 year term and 2 associate openings
- Finance and Advisory Committee - 1 associate opening
- Historic District Commission - 2 openings for 3 year terms, 2 openings for 2 year terms (one must be a resident of the Historic District and one must be a resident Realtor)
- Human Rights Commission - 1 opening Hamilton Housing Authority resident
- Planning Board - 1 associate opening
- Zoning Board of Appeals – 1 Associate opening

The following upcoming events were announced:

- Hamilton Wenham Fall Festival September 17

Public Comment

- Emmet Holt - On behalf of the Environmental Impact Committee, Mr. Holt informed the Select Board that the Committee wants to get more engaged and more effective to help the Select Board and town to achieve the equipment of carbon neutral by 2040.

As a green community, Hamilton, starting in 2009 has a commitment to have had a 25% reduction of carbon footprints by 2025. The Town is currently 7% away from achieving this goal. The town hall project would make up half of this in the next 2 years. Mr. Holt asked the Board how the Committee could be more effective to inform residents and make the town hall renovation the showcase project, opining if town hall doesn't become 100% green, there's no way the town will be 100% green by 2040. The Committee was asked to attend a Select Board meeting. The Board will regroup and discuss. Mr. Holt fielded questions from the Board

- Jeannie Mirand, representing Environmental Impact Committee, discussed the Hamilton Community Choice aggregation electricity. She wanted residents to make sure that their bill says “constellation” on it so that they know that they are a part of this aggregation. Residents can sign up for this program at HamiltonCCA.com and also choose how much “green” electricity they want.

Reports:

- Review and discuss proposed IMA for shared Conservation Agent- The Town is looking to hire for this position in September. Michelle Maloney, Human Resource Director was present and updated the board that the current Conservation

Agent has submitted a Letter of Resignation. The town is setting up an Inter-Municipal Agreement (IMA) with another town for a shared position. The position was advertised as an interim position, but now will become a full time position, possibly hosted by another town, if desired.

- Review and discuss options for Select Board meeting locations while Town Hall is operating at the Patton Homestead
 - The meeting room at the library or the multipurpose room at the middle school is not set up for live broadcasting.
 - Go remote until March of 2025

After a brief discussion the Board preferred the library and asked for the hours to be confirmed, and HWCAM.

- Discuss & Vote on September 5 Select Board meeting location & Format – *This agenda item has been resolved and passed over.*
- Review & discuss plans and schedule for moving Town Hall operations to Patton Homestead - This process will get started on September 16th.

New Business

- Steering committee met on 8/7. Looking to have a public meeting in late October for an update.
- Request from planning board to amend the stormwater management bylaw - Marnie Crouch, Planning Board Chair requisition to open the Fall Special Town Meeting warrant to allow for an article to amend the stormwater management bylaw. This was last amended on November 9th, 2021 to be current with new criteria in state and federal to improve best management practice regarding advancement, drainage, and storm water management techniques.
- Goodhue Street residents have contacted the town over concerns about speeding and dangerous driving. Public works and safety team have some recommendations and are prepping for this for a presentation at the Select Board meeting on September 5th.
- Bridge St construction and Gordon Conwell property will be discussed on September 5th with the Planning Board.
- Tax deferment will also be discussed on the 5th.

Next meeting: September 5th, 2023.

Adjournment – *The Board voted unanimously to adjourn at 9:20pm*

Respectfully submitted by
Erin Carroll, Recording Secretary
9.17.23

The minutes were prepared from video.

9/28/23 12:58 PM



WARRANT

For

Special Town Meeting

November 6, 2023
7:00 p.m.

Hamilton-Wenham Regional High School

Please recycle this warrant after the Town Meeting.

Town By-Laws

CHAPTER II

RULES AND PROCEDURE OF TOWN MEETINGS

SECTION 1. All articles in the warrant shall be taken up in the order of their arrangement, unless otherwise decided by a two-thirds vote, except that unanimous consent shall be required for inclusion of an Article in a "Consent Motion" group of Articles that will be taken up by the meeting for voting on the group.

SECTION 2. In case of motions to amend, or to fill out blanks, the one expressing the largest sum or the longest time shall be put first, and an affirmative vote thereon shall be a negative vote on any smaller sum or shorter time.

SECTION 3. The report of a committee shall be deemed properly before a meeting if a request for its acceptance is included in an article of the warrant and a copy is published in the Special Report or is filed with the Town Clerk fifteen days prior to the meeting. A vote to accept a final report shall discharge the committee but shall not be equivalent to a vote to carry out its recommendations. A vote on recommendations included in a committee report shall only be in order under an article to that effect in the warrant. A vote to accept a report of progress shall continue the committee under its original authority unless otherwise specified.

SECTION 4. If an article of the Warrant has once been acted upon and disposed of, it shall not be again considered at the meeting except by a two-thirds vote.

SECTION 5. No money shall be appropriated from the Stabilization Fund except by a 2/3 vote at a Town Meeting.

SECTION 6. Only registered voters of the Town shall be admitted and entitled to vote at any Annual or Special meeting provided that upon prior request the Moderator may admit to the meeting persons who are not registered voters and in his discretion may permit them to speak on a subject. Any person so permitted to speak at a meeting shall announce his full name and address to the meeting.

SECTION 7. Motions at Town Meeting shall be made orally, but the Moderator may require any motion also to be submitted in writing. Unless otherwise directed thereby the Moderator shall appoint all committees created by the vote of the Town.

SECTION 8. The conduct of all Town Meetings not prescribed by law or by the foregoing rules shall be determined by the rules of practice contained in the most current edition of Town Meeting Time, A Handbook of Parliamentary Law.

SECTION 9. On matters requiring a two-thirds vote, either by statute or these By-Laws, a count need not be taken and the vote need not be recorded unless the vote declared is immediately questioned by seven or more voters as provided in General Laws, Chapter 39, Section 15.

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Commented [TM1]: This will need to be revised once the articles are finalized.

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ESSEX, SS

TO THE CONSTABLE OF THE TOWN OF HAMILTON:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hamilton qualified to vote in election and town affairs, to meet at Hamilton-Wenham Regional High School, 775 Bay Road in said town, on Monday, the sixth day of November, in the year Two Thousand Twenty-three (November 6, 2023) at seven o'clock in the evening (7:00 p.m.), then and there to act on the following articles.

SECTION 1: ELECTIONS, REPORTS, PROCEDURES

<p>ARTICLE 2023/11 1-1 <i>Article for Consent Motion</i></p>	<p>To see if the Town will consolidate in one consent motion containing the motions for those articles that, in the opinion of the Moderator, are not controversial and can be passed without debate, or take any action thereon or relative thereto.</p>
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Commented [TME2]: I left this in, but it can be removed if we are not going to have a consent motion.

SECTION 2: FINANCIAL ACTIONS

<p>ARTICLE 2023/11 2-1 <i>Prior Year Bills</i></p>	<p>To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to pay any unpaid bills incurred in prior years, or take any action thereon or relative thereto. (Expected request \$ _____)</p> <p><i>Brief Summary: This article provides for payment of all prior year bills which were not submitted or received by the Town prior to the fiscal year ending on June 30, 2023.</i></p> <p><i>A 9/10 vote is required to approve this Article.</i></p> <p><i>Fiscal Year 2024 Tax Rate Impact: Payment of these bills will have a negligible effect on the tax rate.</i></p> <p><i>The Select Board (_ - _) recommends favorable action. The Finance and Advisory Committee (_) recommends favorable action.</i></p>
<p>ARTICLE 2023/11 2-2 <i>Community Preservation – Amendment of Budget</i></p>	<p>To see if the Town will vote to amend the vote taken under Article 2023/4 2-12 to revise the amounts appropriated for the Fiscal Year 2024 Community Preservation Budget as follows:</p>

Commented [TM3]: These figures need to be confirmed. Also, with respect to the administration expenses, the statute provides that the annual appropriation cannot exceed 5%. It does not require an appropriation of 5%. Therefore, the amount can be increased to \$36,000, which would be 5%, but it is not required.

	<table border="1"> <thead> <tr> <th data-bbox="349 411 560 472">Account</th> <th data-bbox="560 411 755 472">ATM Amount</th> <th data-bbox="755 411 1117 472">Amended Amount</th> </tr> </thead> <tbody> <tr> <td data-bbox="349 472 560 535">Historic Preservation</td> <td data-bbox="560 472 755 535">\$60,000</td> <td data-bbox="755 472 1117 535">\$71,000</td> </tr> <tr> <td data-bbox="349 535 560 598">Community Housing</td> <td data-bbox="560 535 755 598">\$60,000</td> <td data-bbox="755 535 1117 598">\$71,000</td> </tr> <tr> <td data-bbox="349 598 560 661">Administration</td> <td data-bbox="560 598 755 661">\$29,315.63</td> <td data-bbox="755 598 1117 661">\$ _____</td> </tr> </tbody> </table>	Account	ATM Amount	Amended Amount	Historic Preservation	\$60,000	\$71,000	Community Housing	\$60,000	\$71,000	Administration	\$29,315.63	\$ _____
Account	ATM Amount	Amended Amount											
Historic Preservation	\$60,000	\$71,000											
Community Housing	\$60,000	\$71,000											
Administration	\$29,315.63	\$ _____											
<p>ARTICLE 2023/11 2-3</p> <p><i>Community Preservation – Town Hall Building Project</i></p>	<p>, or take any action thereon or relative thereto.</p> <p><i>Brief Summary: The Community Preservation Budget supports many requests made by different groups and organizations each year. The budget that was approved at the Annual Town Meeting needs to be amended because _____.</i></p> <p><i>Fiscal Year 2024 Tax Rate Impact: The Community Preservation Budget is funded from a 2% surcharge on to the property tax plus State matching funds. This is noted as a separate line item on your tax bill.</i></p> <p><i>The Select Board (_ - _) recommends favorable action (_ - _). The CPC recommends favorable action (_ - _). The Finance and Advisory Committee (_ - _) recommends favorable action.</i></p> <p>To see if the Town will vote, pursuant to G.L. c.44B, to appropriate \$172,675.00 from the Community Preservation Fund Historic Reserves Account and 327,325.00 from the Community Preservation Fund Undesignated Reserve Fund Account, for a total appropriation of \$500,000.00, which sum shall supplement the funds previously appropriated under Article 2020/11 2-7 and Article 2021/5 2-14, as amended by Article 2022/10 3-2, for the restoration, rehabilitation and preservation of the historic Town Hall located at 577 Bay Road, including but not limited to design, project management costs, construction and all incidental and related costs; provided, however, that the expenditure of these funds shall not be authorized if Town Meeting fails to approve Article 2023/11 2-4, or if construction of the Town Hall project fails to commence by November 15, 2024; and further, if construction has not commenced by November 15, 2024, any funds from this appropriation will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect, or take any action thereon or relative thereto.</p> <p><i>Brief Summary: This article seeks to appropriate additional CPA funds to supplement prior appropriations for the Town Hall Building Project that commenced with the establishment of a Town Hall Building Committee by Town</i></p>												

	<p><i>Meeting in April 2017. If approved, these funds, together with funds appropriated by previous Town Meetings and additional funds sought in a related article on this warrant, will enable the Town to proceed with the construction of the Town Hall Project.</i></p> <p><i>Fiscal Year 2024 Tax Rate Impact: The Community Preservation Budget is allocated from a 2% surcharge on to the property tax plus State matching funds. This is noted as a separate line item on your tax bill.</i></p> <p><i>The Select Board (__ - __) recommends favorable action. The CPC (__ - __) recommends favorable action. The Finance and Advisory Committee (__ - __) recommends favorable action.</i></p>
<p>ARTICLE 2023/11 2-4 <i>Town Hall Project</i></p>	<p>To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money for the purpose of funding the Town Hall Renovation Project, including all incidental and related costs, or take any action thereon or relative thereto. <i>(Expected request \$2,000,000 from Free Cash)</i></p> <p><i>Brief Summary: This article seeks additional funding for the Town Hall Renovation Project and is intended to cover those costs which are not eligible for CPA funding. _____.</i></p> <p><i>Fiscal Year 2024 Tax Rate Impact: _____.</i></p> <p><i>The Select Board (__ - __) recommends favorable action. The Finance and Advisory Committee (__ - __) recommends favorable action.</i></p>

SECTION 3: OTHER APPROPRIATIONS AND ACTIONS

<p>ARTICLE 2023/11 3-1 <i>Zoning Bylaws – Brown’s Hill (Gordon Conwell) Overlay District</i></p>	<p>To see if the Town will vote to amend the Town’s Zoning Bylaw, by inserting a new section, _____, Brown’s Hill Overlay District, as set forth in Appendix _____, or take any action thereon or relative thereto.</p> <p><i>Brief Summary: This article seeks to amend the Town’s Zoning Bylaw to create a new overlay district for Brown’s Hill, which is part of the Gordon Conwell Theological Seminary campus, as set forth in Appendix _____.</i></p> <p><i>A 2/3 vote is required to approve this Article.</i></p>
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Commented [TM4]: I have not seen the final version of the Bylaw. We will need to obtain it from the Planning Board or Attorney Witten.

Commented [TM5]: This will need to be confirmed.

	<p><i>Fiscal Year 2024 Tax Rate Impact: None.</i></p> <p><i>The Select Board(___ - ___) recommends favorable action. The Finance and Advisory Committee (___ - ___) recommends favorable action. The Planning Board (___ - ___) recommends favorable action.</i></p>
<p>ARTICLE 2023/11 3-2</p> <p>____ Bylaws – Amendment to Groundwater Protection District</p>	<p>To see if the Town will vote to amend _____, as set forth in Appendix _____, or take any other action thereon or relative thereto.</p> <p><i>Brief Summary: This article seeks to amend _____ which affects Brown’s Hill.</i></p> <p><i>A 2/3 vote is required to approve this Article</i></p> <p><i>Fiscal Year 2024 Tax Rate Impact: None.</i></p> <p><i>The Select Board (___ - ___) recommends favorable action. The Finance and Advisory Committee (___ - ___) recommends favorable action. Planning Board ??</i></p>
<p>ARTICLE 2023/11 3-3</p> <p>General Bylaws – Amendment to Stormwater Management Bylaw</p>	<p>To see if the Town will vote to amend Chapter XXIX of the Town’s General Bylaws, Groundwater Management, by deleting the language shown in strike-through and adding the language shown in bold, as set forth in Appendix _____, or take any other action thereon or relative thereto.</p> <p><i>Brief Summary: This article seeks to amend Chapter XXIX of the Town’s General Bylaws, which regulates stormwater management. _____.</i></p> <p><i>Fiscal Year 2024 Tax Rate Impact: None.</i></p> <p><i>The Select Board (___ - ___) recommends favorable action. The Finance and Advisory Committee (___ - ___) recommends favorable action. Planning Board ??</i></p>
<p>ARTICLE 2023/11 3-4</p> <p>Amendment to Income Limitations for Senior Tax Deferral G.L. c.59, §5, Clause 41A</p>	<p>To see if the Town will vote to increase the current eligibility limits for senior property tax deferrals under G.L. c.59, §5, Clause 41A, as authorized by Chapter 190 of the Acts of 2008, by setting the maximum qualifying gross receipts beginning in FY2024 at \$64,000.00; and further, to establish the interest rate for deferred taxes in any given fiscal year commencing in FY2024 at 2%; or take any action thereon or relative thereto.</p> <p><i>Brief Summary: The Town adopted Chapter 59, Section 5, Clause 41A originally in 2002 to allow seniors to delay payment of their property taxes. A property tax deferral does not discharge the tax obligation but instead defers payment until the senior sells the property or passes away. A deferral allows</i></p>

Commented [TM6]: We do not have any information on this Article.

Commented [TM7]: This will need to be confirmed.

	<p><i>seniors to use resources that would go to pay taxes to defray living expenses instead. Taxpayers who qualify for a personal exemption (for example, for seniors, disabled veterans, blind persons or surviving spouses) may defer all or part of the balance of their reduced taxes. This article raises the income eligibility to include more seniors and also establishes the interest rate on deferred taxes at 2%.</i></p> <p>Fiscal Year 2024 Tax Rate Impact: None.</p> <p>The Select Board (___ - ___) recommends favorable action. The Finance and Advisory Committee (___ - ___) recommends favorable action.</p>
<p>ARTICLE 2023/11 3-5</p> <p><i>Home Rule Petition Income Limitations for Senior Tax Deferral G.L. c.59, §5, Clause 41A</i></p>	<p>To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to increase the eligibility limits for senior property tax deferrals under G.L. c.59, §5, Clause 41A, as set forth in Appendix ___; provided, however, that the General Court may make clerical or editorial changes of form only to the bill unless the Select Board approves amendments to the bill before enactment by the General Court, and to authorize the Select Board to approve amendments within the scope of the general objectives of the petition, or take any other action thereon or relative thereto.</p> <p>Brief Summary: <i>This article is required as part of the process to seek a Home Rule Petition, and if approved, will allow the Town to increase the eligibility limits for senior property tax deferrals above the statutory limitation so that the limitation will equal the so-called circuit breaker income limitation for married filing jointly taxpayers regardless of marital status.</i></p> <p>Fiscal Year 2024 Tax Rate Impact: None.</p> <p>The Select Board (___ - ___) recommends favorable action. The Finance and Advisory Committee (___ - ___) recommends favorable action.</p>
<p>ARTICLE 2023/11 3-6</p> <p><i>Septic Loan Program</i></p>	<p>To see if the Town will vote to appropriate a sum of money for purposes of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements between the Board of Health and residential property owners for repayment of project and financing costs by such property owners; including without limitation, the payment of all costs thereof as defined in Section 1 of Chapter 29C of the Massachusetts General Laws; and to determine whether this amount shall be raised by borrowing, including a borrowing through the Community Septic Management Program offered through the Massachusetts Clean Water Trust, or otherwise; or take any other action thereon or relative thereto.</p> <p>Brief Summary: <i>This article seeks to enable the Town to request the Commonwealth of Massachusetts set aside funds from its Clean Water Trust to be used to fund the repair or replacement of septic systems that have failed Title V inspection, which funds will be borrowed by residents as a loan and which will be repaid by the residents, all under terms and conditions established by the Town.</i></p>

Commented [TM8]: Since this article contemplates borrowing, I recommend that you forward a copy of this article to bond counsel for review and approval.

A 2/3 vote is required to approve this Article.

Fiscal Year 2024 Tax Rate Impact: _____.

*The Select Board (___ - ___) recommends favorable action. The Finance and
Advisory Committee (___ - ___) recommends favorable action.*

ADJOURNMENT

Given under our hands this _____ day of _____, 2023.

HAMILTON SELECT BOARD

Shawn M. Farrell, Chair

Caroline Q. Beaulieu

Thomas B. Myers

William A. Olson

Bill Wilson

Hamilton, Massachusetts

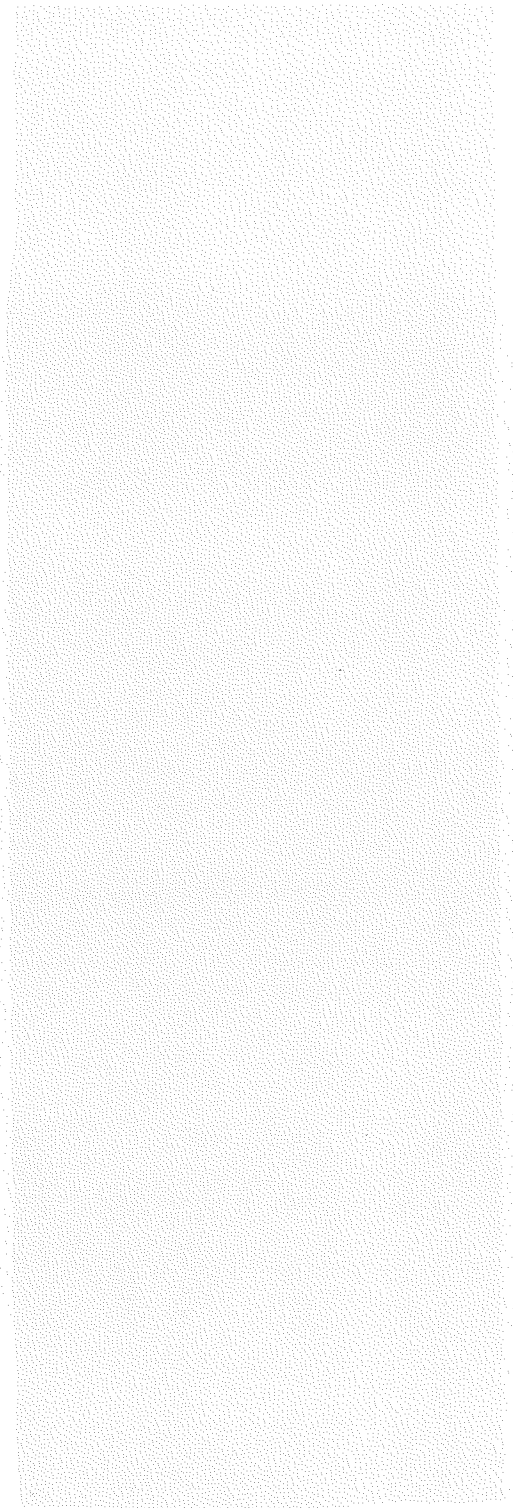
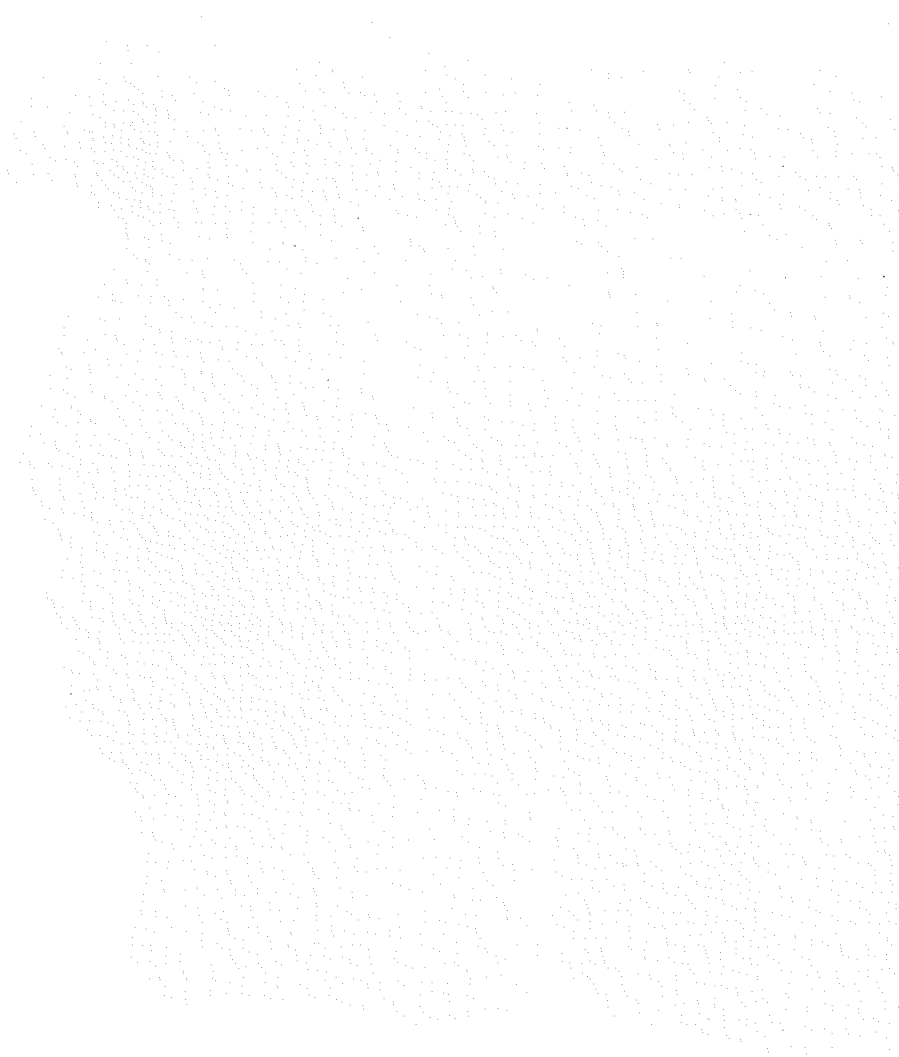
I have this day served this warrant as directed by Chapter 1, Section 1b of the Town By-laws.

Constable, Town of Hamilton

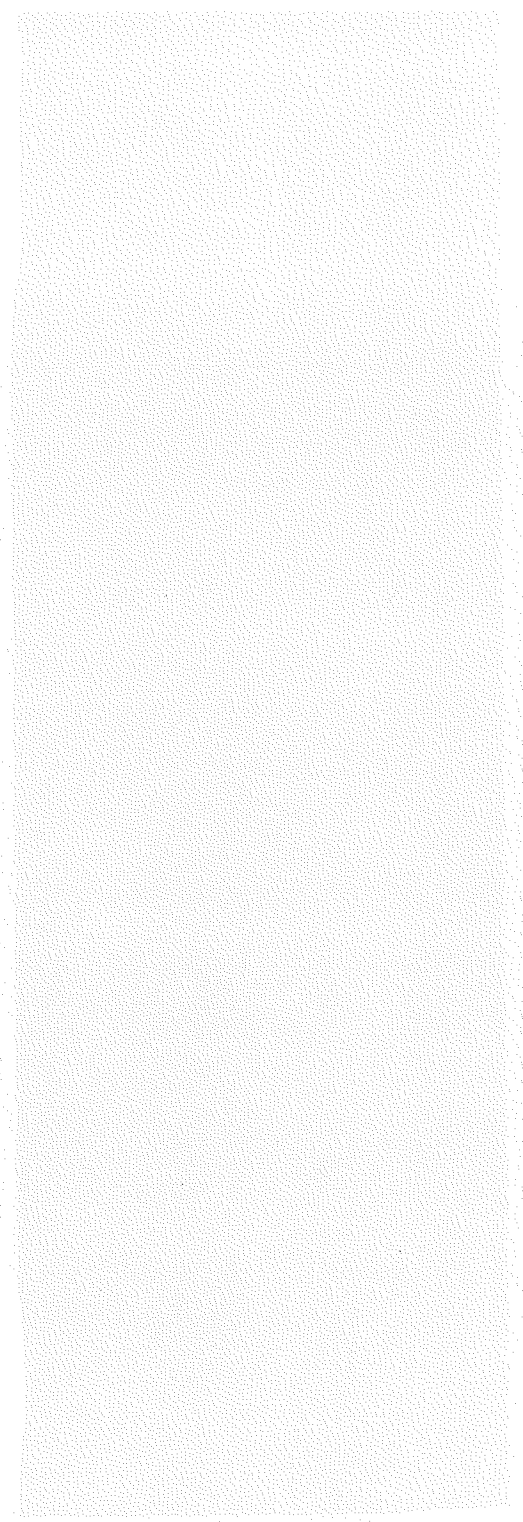
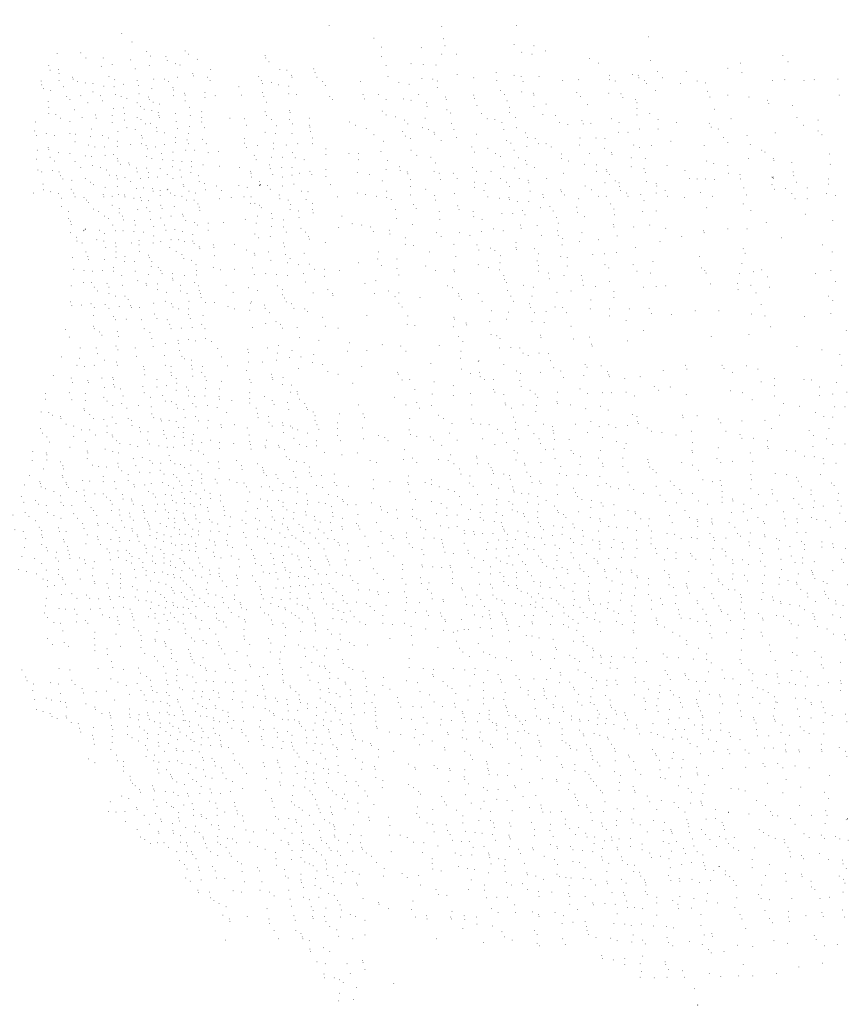
Date

878068/HAML/0001

APPENDIX A
Brown's Hill Overlay District



APPENDIX B
Groundwater Protection District



APPENDIX C
Stormwater Management Bylaw Amendments

APPENDIX D
Home Rule Petition

AN ACT RELATIVE TO REAL PROPERTY TAX DEFERRALS IN THE TOWN OF
HAMILTON.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding clause forty-first A of section 5 of chapter 59 of the General Laws or any general or special law to the contrary, the town of Hamilton may, by vote of its town meeting and with the approval of its select board, adopt a maximum qualifying gross receipts amount in excess of the limitation set forth in said clause forty-first A; provided, however, that such maximum qualifying gross receipts amount shall not exceed the income limit determined by the commissioner of revenue for the purposes of subsection (k) of section 6 of chapter 62 of the General Laws for married persons filing jointly, regardless of the taxpayer's marital status.

SECTION 2. This act shall take effect upon its passage.

**BULK RATE
U.S. POSTAGE PAID
PERMIT #24
HAMILTON, MA
01936**

POSTAL PATRON

Visit our website at www.hamiltonma.gov

Please join us

Monday, November 6, 2023

SPECIAL TOWN MEETING

Hamilton-Wenham Regional High School

7:00 p.m.

DEMOCRACY IS NOT A SPECTATOR SPORT

Please bring this warrant with you to the Town Meeting. Thank you.

878068/HAML/0001

TOWN OF HAMILTON

TOWN MANAGER

Date: September 27, 2023
TO: Select Board and Finance and Advisory Committee
FROM: Town Manager Joseph Domelowicz Jr. & Public Works Director Tim Olson
RE: Town Hall Projects memo

On behalf of the Town Hall project team, please accept this memo as an update on the current Town Hall projects.

At current, town staff is planning for two separate town hall projects to take place simultaneously, coordinated through the town's assigned Owner's Project Managers: Public Works Director Tim Olson; and Building Commissioner Rich Maloney.

The two projects include a building Preservation and Resoration Project that improves the functionality of the building, protects the building structure and preserves the historical character and important design features of the building, as well as a separate but equally important Decarbonization Project that will upgrade and improve the efficiency of all building mechanical systems and moves the town toward its 2040 net zero carbon goals.

A complete cost estimation of the two projects is currently being refined by our architects, along with an updated set of building plans that will show some of the programmatic and design changes that have been incorporated since the town abandoned the larger, single building project due to lack of funds.

However, in general it is safe to say that the Preservation and Restoration Project has an anticipated construction cost of approximately \$6.5 million dollars and the Decarbonization Project has an estimated project cost between \$1.5 and \$2 million.

The Preservation Project includes, but is not limited to:

- Exterior building preservation
- ADA accessibility (elevator and ramps)
- Grounds improvements (incl. parking)
- Renovation of office spaces, meeting rooms, storage spaces
- Renovation and expansion of restroom facilities
- Fire suppression improvements

The Decarbonization Project includes, but is not limited to:

- HVAC
- Mechanical systems and controls
- Lighting

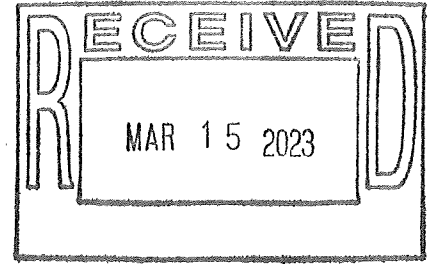


P.O. Box 429
577 Bay Road
Hamilton, MA 01936

Phone
Fax
Web site

(978) 468-5572
(978) 468-2682
<http://www.hamiltonma.gov>

Quadrant Health Strategies, Inc
500 Cummings Center
Suite 4350
Beverly, MA 01915
Phone: 978-532-2428
FEIN: 043352527



Invoice

May 09, 2022

Bill to: Laurie Wilson
Hamilton, Town Administration
lwilson@hamiltonma.gov
Hamilton Town Hall, PO Box 429
Hamilton, MA 01936

For: Hamilton, Town of

Invoice # 82998

Date	Description	Qty	Charge	Receipt	Adjust	Balance
05/09/2022	Physical Exam Comprehensive	1.00	100.00			100.00
05/09/2022	Screen TB/PPD/mantoux	1.00	28.00			28.00
05/09/2022	Respirator Questionnaire	1.00	45.00			45.00
05/09/2022	X-ray Chest 2v	1.00	175.00			175.00
05/09/2022	PFT /spirometry	1.00	85.00			85.00
05/09/2022	Hep B Surface Ab	1.00	40.00			40.00
05/09/2022	Screen Audiometry/Hearing	1.00	35.00			35.00
05/09/2022	Drug Screen QHS NON DOT 10 panel/OXY	1.00	85.00			85.00

XXX-XX-1726 Balance Due: 593.00

Invoice # 82998 Balance Due: 593.00

***** PAYMENT DUE UPON RECEIPT*****



Cut and return with payment

Please place invoice number 82998 on check

Please remit 593.00 to

Quadrant Health Strategies, Inc
500 Cummings Center Suite4350
Suite 4350
Beverly, MA 01915-
Phone: 978-998-3174

MasterCard Visa

Card Number _____

Exp. Date ____/____/____ CVV Number _____ Signature of Cardholder _____



Greenbacker Renewable Energy Corporation

PO BOX 15007
Portland, Maine 04112-5007
(646) 720-9463 option 3
accountsreceivable@greenbackercapital.com

Invoice

Bill To:
Town of Hamilton
577 Bay Road
PO Box 429
Hamilton, MA 01936

Invoice Number: 2446173
Invoice Date: 03/27/2023
Invoice Due Date: 04/26/2023
Payment Terms: Net 30
Customer PO#:

Site Address:
Hamilton
500 Chebacco Rd
Hamilton, MA 01982

Description		Quantity	Rate	Amount
Charges for electricity supplied 5/1 - 5/31/2022	KWH	151,204.057	0.0837	\$12,655.78
			Invoice Total	\$12,655.78

Send Payment By Check To:
East to West Solar LLC
PO Box 15007
Portland, Maine 04112-5007

Bank: Chase
Account Name: East to West Solar x7319
Acct #: 000000682507319
Bank Routing #: 102001017 (for ACH or Wire Payment)

Town of Hamilton, Massachusetts
Suggested Forms of Article and Motion

Article: To see if the Town will vote to appropriate borrow a sum of money for purposes of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements between the Board of Health and residential property owners for repayment of project and financing costs by such property owners; including without limitation, the payment of all costs thereof as defined in Section 1 of Chapter 29C of the Massachusetts General Laws; to determine whether this amount shall be raised by borrowing, including a borrowing through the Community Septic Management Program offered through the Massachusetts Clean Water Trust, or otherwise ~~and to meet this appropriation the Treasurer, with the approval of the Select Board is authorized to borrow such sum or sums of money under G.L. c.44 or any other enabling authority, which amount may be borrowed through the Community Septic Management Program offered through the Massachusetts Clean Water Trust, or otherwise; and further to authorize the Select Board to take any other action necessary to carry out this project; or to~~ take any other action thereon or relative thereto.

Motion: That To see if the the Town appropriates \$ _____ will vote to borrow a sum of money for purposes of financing the to pay costs of the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements between the Board of Health and residential property owners for repayment of project and financing costs by such property owners; including without limitation, the payment of all costs thereof as defined in Section 1 of Chapter 29C of the Massachusetts General Laws; and to meet this appropriation the Treasurer, with the approval of the Select Board is authorized to borrow said amount under such sum or sums of money under G.L. c. 111, §127B½44 or any other enabling authority, all or any portion of which amount may be borrowed through the Community Septic Management Program offered through the Massachusetts Clean Water Trust, ~~or otherwise~~; and further, that the to authorize the Select Board is authorized to take any other action necessary to carry out this project; ~~or take any other action thereon or relative thereto.~~

TOWN OF HAMILTON

TOWN MANAGER

Date: September 26, 2023
TO: Select Board and Finance and Advisory Committee
FROM: Town Manager Joseph Domelowicz Jr.
& Finance Director Wendy Markiewicz
RE: Fiscal Year 2025 budget goals and guidance

A principle step in the creation of a GFOA budget document, is the adoption of goals for the coming fiscal year, which are then articulated into programming and service delivery objectivesw in the budget document itself.

To assist in a discussion about the town's goals for next fiscal year (2025), we have included below a list of the budget goals that were established in our discussions with the Select Board and Finance and Advisory Committee last year. However, it is not necessary to focus only on budget goals in this discussion. If the Select Board or Finance and Advisory Committee wish to have town staff focus on new projects, programs or services or would like us to find ways to improve in these areas, this Goals Discussion is a good time to bring it up. It will encourage the leadership team to be creative as we develop our new budget document and ideas brought forward can always be put aside if they don't align with other budget realities or conflict with other goals.

FY 2024 Budget goals and guidance:

- To avoid an override situation by minimizing any expenditure increases while working in partnership with all relevant stakeholders within our financial limits, including the HWRSD administration;
- To continue to offer the same services that residents of Hamilton have come to enjoy (a "level-service budget");
- To ensure staffing levels are appropriate to complete all necessary tasks within the Town's operational umbrella;
- To maintain all Capital Assets at or above their current level, including buildings, roadways, underground infrastructure, and equipment;
- To meet required financial-policy funding of all reserve accounts, to include Free Cash, Stabilization Funds, Retained Earnings in the Water Enterprise, Trust Funds, and the Overlay;
- To fund a reasonable amount of capital projects as funding allows;
- If anticipated FY2024 revenue and excess free cash from FY2022 is insufficient for funding the entire FY2024 budget, then identifying options for specific expense reductions and/or new revenue sources to balance projected expenses with funding
- To produce and submit a GFOA budget document, which will educate, inform, and highlight our operations for our residents
- To improve service delivery through program consolidation, and/or other efficiency measures



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

Phone
Fax
Web site

(978) 468-5572
(978) 468-2682
<http://www.hamiltonma.gov>



Town Manager

Contact	Phone & Email	Location
Joseph J. Domelowicz, Jr. Town Manager	978-626-5202 jdomelowicz@hamiltonma.gov	Town Hall 577 Bay Road

Mission Statement & Departmental Activities

Under the direction of the Select Board, the Town Manager serves as the chief administrative staff person and is responsible for on-going project management and implementation of Selectmen policy decisions. The Town Manager fosters and promotes effective working relationships within all Town boards, departments, commissions, and committees and is accountable for all Town functions under the jurisdiction of the Board of Selectmen. The Town Manager also provides administrative direction and control over department heads and staff as authorized by the Selectmen. The Assistant to the Town Manager is also the Coordinator for the Community Preservation Committee, the Affordable Housing Trust, and the Historic District Commission.

Brief Description of the Department

Organizational Chart

FY22 Accomplishments

- Implemented evaluation system for department heads.
- Completed an initial goal setting for all department heads.
- Execute new contracts with Police, Fire, and Clerical Unions as well as the Police and Fire Chiefs.

FY23 Accomplishments

- Insert accomplishment
- Insert accomplishment
- Insert accomplishment

FY24 Goal Updates

- Insert Goal Update
- Insert Goal Update
- Insert Goal Update



FY25 Goals

GOAL #1	
Objective	
How will you measure success/achievement/completion?	
Timing	

GOAL #2	
Objective	
How will you measure success/achievement/completion?	
Timing	

GOAL #3	
Objective	
How will you measure success/achievement/completion?	
Timing	

Trends/Metrics

Description	FY2022	FY2023	FY2024 (2 nd Qtr.)	FY2025 (Target)

Note: Financial and personnel data will be collected separately and combined with the above in the FY2025 budget document.



Budget

Select Board						
	FY2022 Budget	FY2023 Budget	FY2024 Budget	FY2025 Proposed Budget	FY2024 vs. FY2025 Variance	
Salaries	42,539	43,613	44,467	0	915,347	-100.00%
Expenses	3,300	4,800	4,800	0	113,852	-100.00%
<i>Total</i>	<i>45,839</i>	<i>48,413</i>	<i>49,267</i>	<i>0</i>	<i>(49,267)</i>	<i>-100.00%</i>



Budget

Town Manager						
	FY2022 Budget	FY2023 Budget	FY2024 Budget	FY2025 Proposed Budget	FY2024 vs. FY2025 Variance	
Salaries	213,959	218,676	224,389	0	915,347	-100.00%
Expenses	102,484	125,275	129,817	0	113,852	-100.00%
Total	316,443	343,951	354,206	0	(354,206)	-100.00%
Finance Committee / Reserve						
	FY2022 Budget	FY2023 Budget	FY2024 Budget	FY2025 Proposed Budget	FY2024 vs. FY2025 Variance	
Salaries	425	425	425	0	915,347	-100.00%
Expenses	100,000	100,000	100,000	0	113,852	-100.00%
Total	100,425	100,425	100,425	0	(100,425)	-100.00%
Town Counsel						
	FY2022 Budget	FY2023 Budget	FY2024 Budget	FY2025 Proposed Budget	FY2024 vs. FY2025 Variance	
Retainer	84,000	84,000	42,000	0	915,347	-100.00%
Expenses	42,000	42,000	84,000	0	113,852	-100.00%
Total	126,000	126,000	126,000	0	(126,000)	-100.00%

Budget: FY2022-FY2025

Department Budget: Town Manager

	FY2022 Budget	FY2023 Budget	FY2024 Budget	FY2025 Proposed Budget	FY2024 vs. FY2025 Variance	
Salaries	213,959	218,676	224,389	-	(224,389)	-100.00%
Expenses	102,484	125,275	129,817	-	(129,817)	-100.00%
<i>Total</i>	<i>316,443</i>	<i>343,951</i>	<i>354,206</i>	<i>-</i>	<i>(354,206)</i>	<i>-100.00%</i>

Department Budget: Selectmen

	FY2022 Budget	FY2023 Budget	FY2024 Budget	FY2025 Proposed Budget	FY2024 vs. FY2025 Variance	
Salaries	42,539	43,613	44,467	-	(44,467)	-100.00%
Expenses	3,300	4,800	4,800	-	(4,800)	-100.00%
<i>Total</i>	<i>45,839</i>	<i>48,413</i>	<i>49,267</i>	<i>-</i>	<i>(49,267)</i>	<i>-100.00%</i>

Department Budget: Finance Committee / Reserve

	FY2022 Budget	FY2023 Budget	FY2024 Budget	FY2025 Proposed Budget	FY2024 vs. FY2025 Variance	
Salaries	425	425	425	-	(425)	-100.00%
Expenses	100,000	100,000	100,000	-	(100,000)	-100.00%
<i>Total</i>	<i>100,425</i>	<i>100,425</i>	<i>100,425</i>	<i>-</i>	<i>(100,425)</i>	<i>-100.00%</i>

Department Budget: Town Counsel

	FY2022 Budget	FY2023 Budget	FY2024 Budget	FY2025 Proposed Budget	FY2024 vs. FY2025 Variance	
Retainer	84,000	84,000	42,000	-	(42,000)	-100.00%
Expenses	42,000	42,000	84,000	-	(84,000)	-100.00%
<i>Total</i>	<i>126,000</i>	<i>126,000</i>	<i>126,000</i>	<i>-</i>	<i>(126,000)</i>	<i>-100.00%</i>

Town of Hamilton - FY2025 DRAFT Budget Preparation Schedule			
Code	Updated Dates	Meeting Type	Activity
1	9/29/2023	Internal	GFOA Department Summary Requests
1	10/2/2023	Public	Select Board Meeting/FinCom Trial Meeting - Budget Goals
3	10/11/2023	Public	FinCom Meeting
2	10/16/2023	Internal	Finance Director completes Revenue Projections
8	10/16/2023	Public	Select Board Meeting
4	10/17/2023	Internal	Budget Instructions and Request Templates Distributed to All Department Heads
5	10/25/2023	Public	FinCom Meeting
6	10/30/2023	Internal	Budget Request input into Munis by All Department Heads
8	10/30/2023	Public	Select Board Meeting
8	11/6/2023	Public	Special Town Meeting
7	11/7/2023	Hybrid	Capital Requests to CapCom Liaison for independent review with Dept. Head, CapCom Liaison, and FinCom Liaison
9	11/7 - 11/16/23	Internal	Department Specific Budget Hearings/Reviews with Finance Director, Town Manager, FinCom Liaison
10	11/7 - 11/16/23	Hybrid	Town Clerk and Elections
11	11/7 - 11/16/23	Hybrid	Public Health
12	11/7 - 11/16/23	Hybrid	Inspections
13	11/7 - 11/16/23	Hybrid	Planning and Conservation
14	11/7 - 11/16/23	Hybrid	Recreation
15	11/7 - 11/16/23	Hybrid	Public Works and Water
16	11/7 - 11/16/23	Hybrid	ECO
17	11/7 - 11/16/23	Hybrid	Fire
18	11/7 - 11/16/23	Hybrid	Police
19	11/7 - 11/16/23	Hybrid	COA
20	11/7 - 11/16/23	Hybrid	Finance (Incl. Treasury, Assessor, and Accounting)
21	11/7 - 11/16/23	Hybrid	Town Manager
22	11/8/2023	Public	FinCom Meeting
23		Internal	Distribution of Manpower Sheets to All Department Heads
24		Internal	Capital Requests to Finance Director and Town Manager for Review
25	11/22/2023	Public	FinCom Meeting
28		Public	School Superintendent Presents Budget to School Committee
29	11/29/2023	Internal	Five Chairs Meeting - 4:00 PM
30	11/20/2023	Public	Select Board Meeting
31		Internal	Planning Board to Submit Zoning Articles to SB
28		Public	2nd FY25 School Budget Meeting
32	12/13/2023	Public	FinCom Meeting
33		Internal	Towns + Schools Admin Only Meeting
34	11/29/2023	Public	5 Boards Meeting - 6:30 PM @ Buker
35		Public	CapCom Draft Capital Plan delivered to Town Manager
36	12/4/2023	Public	Select Board Meeting
36	12/18/2023	Public	Select Board Meeting
37	12/27/2023	Public	FinCom Meeting
38		Internal	CapCom Final Review & Recommendation to Town Manager
39		Internal	ATM Articles Due to Town Manager from Town Departments
40	1/10/2024	Public	FinCom Meeting
41	1/2/2024	Public	Select Board Meeting
42	1/15/2024	Public	Select Board Meeting - Open Warrant for ATM
43	1/24/2024	Public	FinCom Meeting
44		Public	Joint Meeting with Wenham to discuss Joint Programs Budget
45		Public	Joint H-W Finance Committee Meetings with HWRSD with Select Board (Meeting #2)
46		Public	School Committee holds 1st Public Hearing on School Budget
47		Public	Presentation of Town Budget and Capital Plan to BOS and FinCom
48		Public	Select Board Zoning Article Referrals
49	2/14/2024	Public	FinCom Meeting
50		Public	Select Board Completes Budget Reviews
51		Internal	Draft Warrant Articles to FinCom and Town Counsel
52		Hybrid	Board and Committee Reports due to Town Clerk, Town Manager
53	2/28/2024	Public	FinCom Meeting
54		Public	School Committee Vote to adopt School Budget
55		Public	Select Board Meeting
56		Public	Select Board Meeting/Public Hearing - Close ATM Warrant (to include certified citizen petitions)
57		Public	Select Board Vote on Budget and Place Ballot Questions on Ballot
58		Public	FinCom Meeting
59		Public	Joint SB/FinCom Meeting to Finalize Warrant/Vote Recommendations
60		Public	FinCom Meeting
61		Hybrid	Fincom Votes Book of Recommendations to Supplement Warrant
62		Internal	ATM Warrant & Ballot Published (Sent to Printer)
63		Internal	FinCom Book of Recommendations Published (Sent to Printer)
64		Public	Select Board Meeting
65		Hybrid	ATM Script Drafted with Finance Director, Town Manager, Town Counsel, and Town Moderator
66		Public	FinCom Meeting
68		Internal	Warrant and Book of Recommendations Mailed to Residents
69		Internal	ATM Powerpoint Information due to Town Manager's Office
70		Hybrid	ATM Script Finalized with Finance Director, Town Manager, Town Counsel, and Town Moderator
67		Internal	ATM Warrant Posted by Town Clerk
71		Internal	Final Day for ATM Powerpoint Info
72	4/6/2024	Public	Annual Town Meeting

Finance Committee Involvement
Select Board Involvement
Internal Meeting or Deadline
School Admin/Committee Involvement



HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT

FY25 Budget Calendar

Date	Milestone
Wednesday, September 13, 2023	Capital Planning/Finance Subcommittee Meeting (4:00-5:30)
Thursday, September 21, 2023	Distribution of the Draft FY25 Budget Calendar
Monday, September 25, 2023	First FY25 Budget Meeting 10:00 - 11:30 (Super., Assist. Super., Town Man./Adm.)
Wednesday, October 4, 2023	First Quintuple-Board Chairs Meeting 4:00-5:30 (Chairs Only - H/W BOS/Fin. Com. & SC/CFSC)
Thursday, October 5, 2023	Distribution of the Final FY25 Budget Calendar
Monday, October 16, 2023	FY25 Budget Process Roll Out to Leadership Team
Wednesday, October 18, 2023	Capital Planning/Finance Subcommittee Meeting (3:30-4:30)
Monday, October 16, 2023	Leadership Team Develops Building Based Level Service Budget
Friday, October 27, 2023	
Friday, October 27, 2023	District submits FY23 E&D to MA DOR for Certification
Monday, October 30, 2023	One-on-One Level Services Assessment and Proposals by Responsibility Center (Principals & Hiring Managers to Super. & Assist. Super.)
Thursday, November 9, 2023	
Tuesday, November 7, 2023	Distribution of Resident Enrollment Data to Towns
Wednesday, November 8, 2023	Budget 101 Session 4:00 - 5:30
Thursday, November 16, 2023	Capital Planning/Finance Subcommittee Meeting (6:00-7:00) FY25 Capital Budget Recommendation, and FY25 Preliminary Budget (Super. to School Committee)
Monday, November 20, 2023	Second Quintuple-Board Chairs Meeting 4:00-5:30 (Chairs Only - H/W BOS/Fin. Com. & SC/CFSC)
Monday, November 27, 2023	Second FY25 Budget Meeting 9:00 - 10:30 (Super., Assist. Super., Town Man./Adm. & Fin. Dir.)
Wednesday, November 29, 2023	First Quintuple-Board Meeting 6:30-8:30 (All Members)
Wednesday, December 6, 2023	FY25 Budget Review School Committee Meeting (5 Principals to School Committee)
Wednesday, December 20, 2023	Capital Planning/Finance Subcommittee Meeting (3:30-5:00)
Thursday, December 21, 2023	FY25 Budget Review School Committee Meeting (Athletics, IT, FMO, to School Committee)
Thursday, January 4, 2024	FY25 Budget Review School Committee Meeting (Student Services, T&L, & Central Office to School Committee) SC Approves Superintendent TENTATIVE FY25 Budget Proposal
Monday, January 8, 2024	Assist. Super. delivers adopted Tentative FY25 Budget to Towns
Wednesday, January 10, 2024	Third Quintuple-Board Chairs Meeting 4:00-5:30 (Chairs Only - H/W BOS/Fin. Com. & SC/CFSC) SC advertises FY25 Budget Public Hearing #1 & #2
Wednesday, January 17, 2024	Capital Planning/Finance Subcommittee Meeting (3:30-5:00)
Thursday, January 18, 2024	SC holds FY25 Budget Public Hearing #1 Presentation/Review of any additional budget items requested by School Committee members
Tuesday, January 30, 2024	Second Quintuple-Board Meeting 6:30-8:30 (All Members)
Thursday, February 1, 2024	Presentation/Review of any additional budget items requested by School Committee members
Thursday, February 8, 2024 off cycle week	SC holds FY25 Budget Public Hearing #2 SC Adopts Final FY25 Budget
Monday, February 12, 2024	Assist. Super. delivers adopted Final FY25 Budget to Towns
Thursday, February 15, 2024	Backup Date for Final FY25 Budget Vote
Saturday, April 6, 2024	Annual Town Meeting

TOWN OF HAMILTON

TOWN MANAGER

Date: September 25, 2023
TO: Select Board
FROM: Town Manager Joseph Domelowicz Jr. & Public Works Director Tim Olson
RE: Proposed new parking regulations for Willow Street and Railroad Avenue between Bay Road and Willow

Town staff including the Public Works Director, Public Safety chiefs and Planning Director met internally with the Town Manager on Monday, August 7 to review the recommendations of parking and engineering consultants with regard to the public on-street parking spaces on Willow Street and on Railroad Avenue between Bay Road and Willow Street, an area commonly referred to as the Downtown District.

Based on the guidance of the parking consultants and engineers the following recommendations are presented to the Select Board, acting in their capacity as the town's Traffic Commissioners, to adopt the following new parking regulations for Willow Street and the eastern portion of Railroad Avenue.

- Two-hour parking along both sides of Railroad Avenue from Bay Road to Willow Street between the hours of 8 a.m. and 6 p.m.
- Two-hour parking along the western side of Willow Street between Linden Street and Railroad Avenue – No Parking along the eastern side of Willow Street between Linden and Railroad between the hours of 8 a.m. and 6 p.m.
- Two-hour parking on eastern side of Willow Street from Railroad Avenue to the 203 Willow Street between the hours of 8 a.m. and 6 p.m. – No Parking on the western side of Willow Street from Railroad Avenue to the 300 Willow Street.
- No Overnight Parking on the western side of Willow Street in front of 300 Willow Street – No Parking on the eastern side of Willow Street from the 203 Willow Street to Asbury Street.

All previously existing parking regulations for these streets will cease to be in place upon the adoption of these new regulations.

If adopted the Public Works and Public Safety staffs will work with the Town Manager to educate all residents and business owners of the neighborhood about the new regulations and will install appropriate signage identifying the new regulations along both streets. Enforcement of the new regulations would not begin until both streets are properly re-striped and marked for parking and traffic flows, including new crosswalks.



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

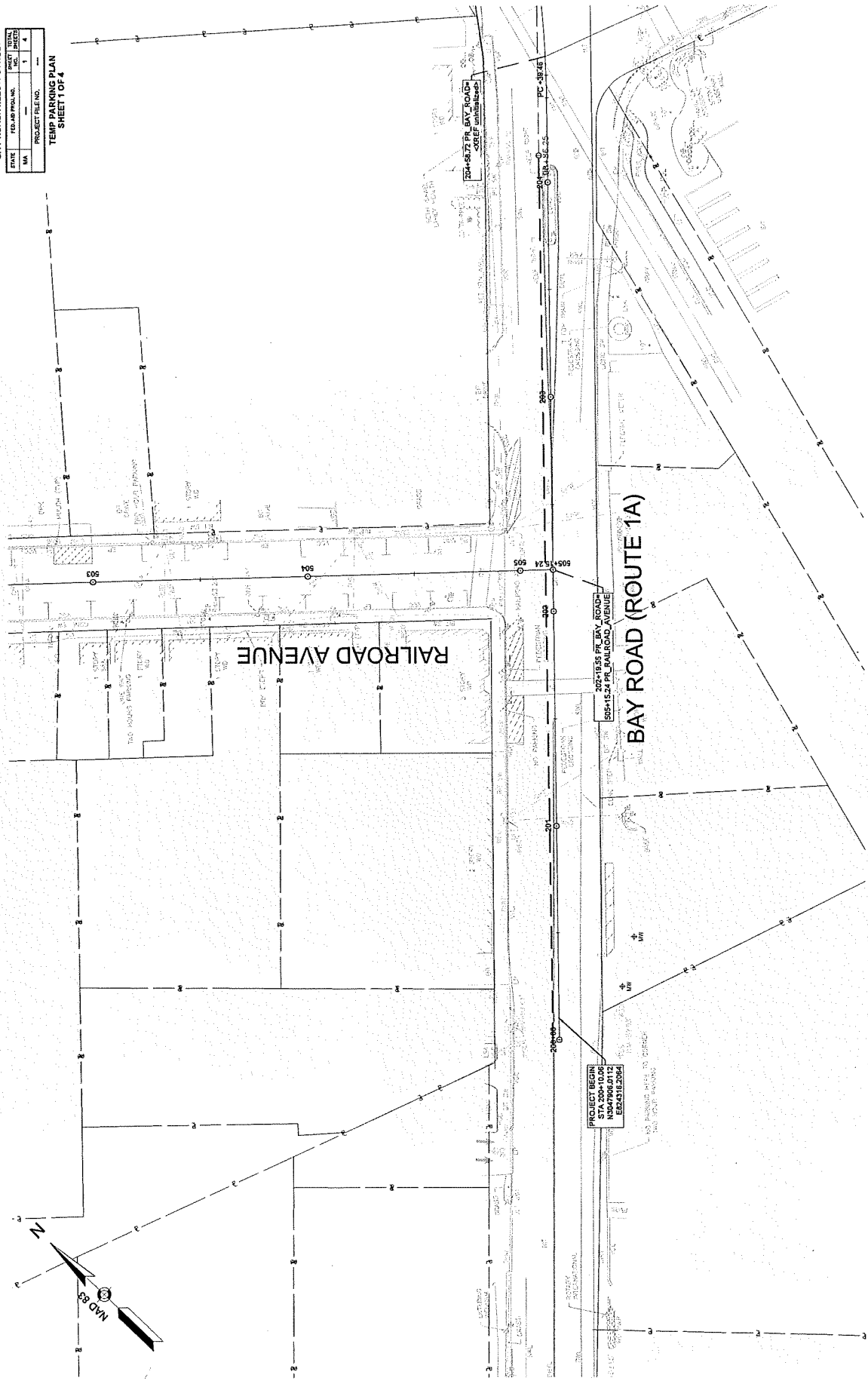
Phone (978) 468-5572
Fax (978) 468-2682
Web site <http://www.hamiltonma.gov>

HAMILTON
BAY ROAD/WILLOW STREET

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA		1	1

PROJECT FILE NO. _____

TEMP PARKING PLAN
SHEET 1 OF 4



HAMILTON
 BAY ROAD/WILLOW STREET
 TEMP PAVEMENT PAVING PLAN
 SHEET 2 OF 4

STATE	NO.	DATE
MA	2	4

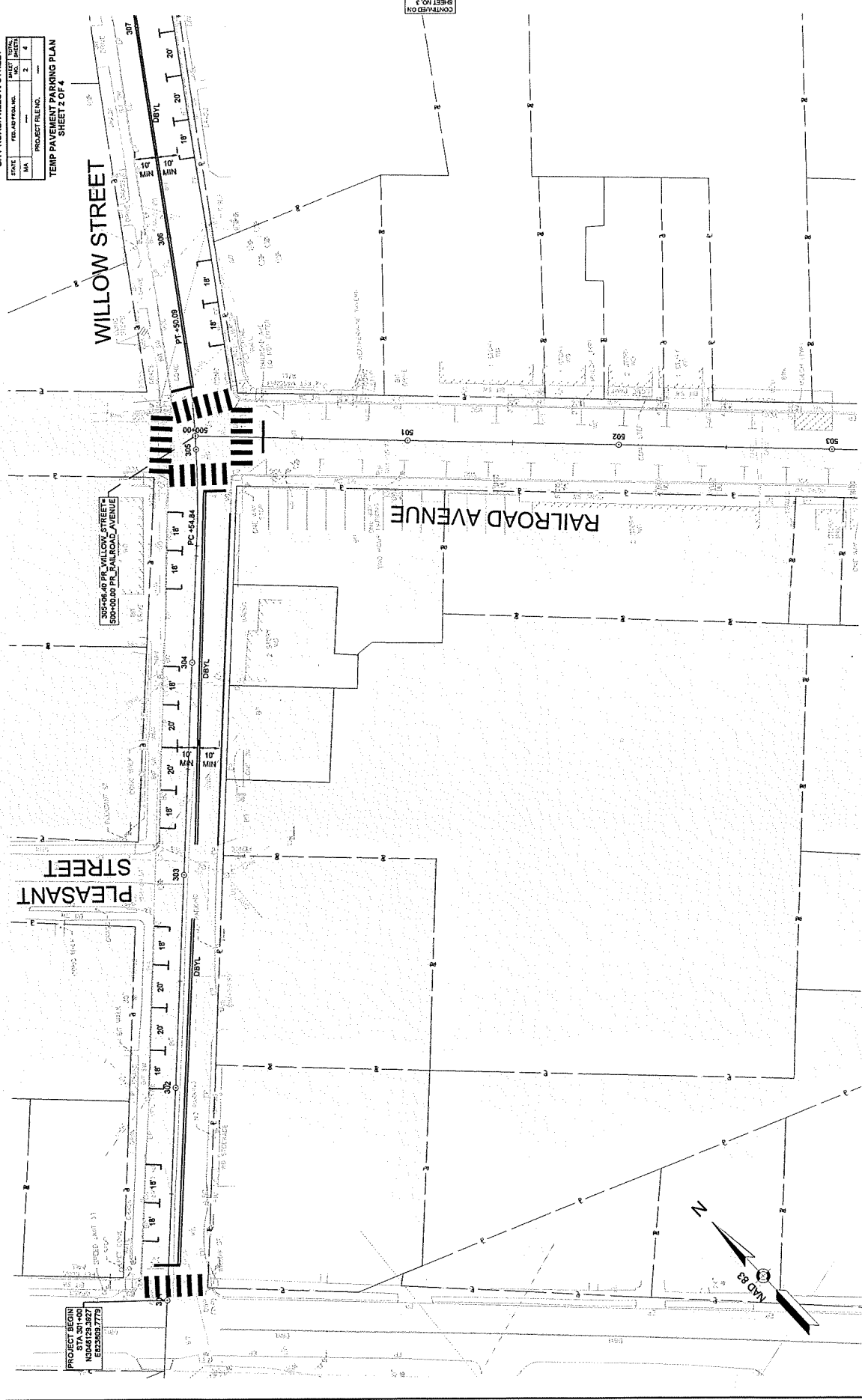
FED. PROJ. NO.:
 PROJECT FILE NO.:

PROJECT BEGIN
 STA 301+00
 END STA 307+00
 ELEVATION 2770

WILLOW STREET

PLEASANT STREET

RAILROAD AVENUE



CONTINUED ON
 SHEET NO. 3

SCALE: 1" = 20'

CHAPTER XXIX

STORMWATER MANAGEMENT

1. PURPOSE AND INTENT:

The purpose and intent of this bylaw are to:

- A. Protect water resources;
- B. Require practices that mitigate soil erosion and sedimentation and control the volume and rate of stormwater runoff resulting from land disturbance activities;
- C. Promote infiltration and the recharge of groundwater;
- D. Ensure that soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process, and are implemented and maintained;
- E. Encourage the use of Low-Impact Development practices such as reducing impervious cover and the preservation of green space and other natural areas, to the maximum extent practicable;
- F. Comply with state and federal statutes and regulations relating to stormwater discharges;
- G. Establish the Town of Hamilton as the legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

2. DEFINITIONS

ABUTTER: The owner(s) of land abutting the legal boundaries of the land on which the land-disturbing activity is proposed.

AGRICULTURE: The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act M.G.L. c. 131, §40, and its implementing regulations.

ALTERATION OF DRAINAGE CHARACTERISTICS: Any activity on an area of land that changes the water quality, force, direction, timing, or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined or discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a Stormwater Management Permit and/or Administrative Land Disturbance Review for proposed land-disturbance activity.

AUTHORIZED ENFORCEMENT AGENCY: The Planning Board, the Zoning Board of Appeals, and/or their respective employees or agents designated to enforce this by-law.

BEST MANAGEMENT PRACTICE (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

CLEARING: Any activity that removes the vegetative surface cover.

COMMON PLAN OF DEVELOPMENT OR SALE: A contiguous area where multiple separate and distinct development or redevelopment activities have occurred, are occurring, or are proposed to occur under one plan. The “plan” in a “common plan of development or sale” is broadly defined as any announcement or piece of documentation (including, but not limited to, a sign, public notice or hearing, advertisement, drawing, permit application) or physical demarcation (including, but not limited to, boundary signs, lot stakes, surveyor markings).

If the project is part of a common plan of development or sale, the disturbed area of the entire plan shall be used in determining permit requirements. Examples include: 1) phased projects and projects with multiple filings or lots, even if the separate phases or filings/lots will be constructed under separate contract or by separate owners (e.g. a development where lots are sold to separate builders); 2) a development plan that may be phased over multiple years, but is still under a consistent plan for long-term development; and 3) projects in a contiguous area that may be unrelated but still under the same contract, such as construction of a building extension and a new parking lot at the same facility.

DEVELOPMENT: The modification of land to accommodate a new use or expansion of use, usually involving construction.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

GRADING: Changing the level or shape of the ground surface.

GRUBBING: The act of clearing land surface by digging up roots and stumps

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and roof tops.

LAND-DISTURBING ACTIVITY: Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material, including tree cutting, grubbing, clearing, grading or excavation.

LOW IMPACT DEVELOPMENT: A set of strategies that seek to maintain natural systems during the development process. The idea is to create homes and businesses that are integrated into the landscape, not imposed on it. Natural areas and important features are protected, and stormwater is managed with a distributed network of swales and rain gardens, rather than a centralized system of pipes and ponds.

MASSACHUSETTS STORMWATER MANAGEMENT POLICY: The Policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands

Protection Act M.G.L. c. 131 §40 and Massachusetts Clean Waters Act M.G.L. c. 21, §26-53. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or municipal storm drain system: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Hamilton.

OPERATION AND MAINTENANCE PLAN: A plan setting up the functional, financial, and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OUTFALL: The point at which stormwater flows out from a point source discernible, confined, and discrete conveyance into waters of the Commonwealth.

OWNER: A person with a legal or equitable interest in property.

PERMIT AUTHORITY: The Planning Board or the Zoning Board of Appeals, as outlined in Section 5.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE: Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

PRE-CONSTRUCTION: All activity in preparation for construction.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition, or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

SLOPE: The elevation difference between the highest point and lowest point within the disturbed land divided by the horizontal distance between the two points that, when expressed as a percentage, is $\text{Vertical Distance} \div \text{Horizontal Distance} \times 100 = \% \text{ Slope}$.

SOIL: Any earth, sand, rock, gravel, or similar material.

STORMWATER: Stormwater runoff, snow melt runoff, and surface water runoff and drainage.

STORMWATER MANAGEMENT PERMIT (“SMP” and/or “Permit”): A permit issued by the Permit Authority, after review of an application, plans, calculations, and other supporting documents, which shows that the proposed project is designed to protect the environment of the Town from the deleterious affects of uncontrolled and untreated stormwater runoff.

STORMWATER MANAGEMENT PLAN: A plan required as part of the application for a Stormwater Management Permit. See Section 6 and Planning Board Rules and Regulations. A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbance activities.

VERNAL POOLS: Temporary bodies of freshwater which provide critical habitat for a number of vertebrate and invertebrate wildlife species.

3. AUTHORITY

- A. This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the federal Clean Water Act found at 40 CFR §22.34
- B. Nothing in this Bylaw is intended to replace the requirements of any other bylaw that has been made or may be adopted by the Town of Hamilton.

4. APPLICABILITY

- A. This bylaw shall apply to all activities that result in disturbance of one or more acres of land that drains to the Municipal Separate Storm Sewer System. A permit from the Permit Authority shall be required for any construction activity including tree cutting, grubbing, clearing, grading, excavation, and/or Alteration of Drainage Characteristics that results in a land disturbance that will disturb equal to or greater than one acre of land, or will disturb less than one acre of land but which is part of a larger common plan of development or sale which will ultimately disturb equal to or greater than one acre of land, draining to the Town’s Municipal Separate Storm Sewer System.
- B. Administrative Land Disturbance Review is required for projects that result in the disturbance of land between 5,000 square feet and 43,559 square feet. The purpose of the Administrative Land Disturbance Review is to determine whether an Administrative Approval or Stormwater Management Permit is required.
- C. A Stormwater Management Permit from the Permit Authority shall be required for any construction activity including tree cutting, grubbing, clearing, grading and excavation, that results in the following:
 - 1) Any land disturbance that will result in a proposed use that would have a higher potential

pollutant loads pursuant to the Massachusetts Stormwater Management Standards; or

- 2) Any land disturbance that is more than 5,000 sq. ft of land with a slope equal to or greater than 25%, or disturbance that is more than 10,000 sq. ft if the lot has a slope equal to or greater than 15%, or disturbance that is more than 21,780 sq. ft with more a slope equal to or greater than 10%; or
- 3) Total cumulative added impervious surface that meets or exceed 5,000 square feet; or
- 4) Disturbance of volume greater than 1,500 cubic yards; or
- 5) Any land disturbance on a lot of any size which has caused or can reasonably be expected to cause or contribute to a violation of State Water Quality Standards or as deemed necessary by the Permit Authority for a project that would otherwise require Administrative Land Disturbance Review.

D. Construction activities that are exempt are:

- 1) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulations 310 CMR 10.04 and MGL Chapter 40A, §3;
- 2) Maintenance of existing landscaping, gardens, or lawn areas associated with a single-family dwelling provided such maintenance does not include the addition of more than 100 cubic yards of soil material, or alteration of drainage patterns;
- 3) The construction of fencing that will not substantially alter existing terrain or drainage patterns;
- 4) Normal maintenance of Town owned public land, ways, and appurtenances;
- 5) Repair or maintenance of an individual subsurface septic disposal system, and related elements such as pipes, etc., provided that the post-repair condition drainage is equal to the pre-repair condition.
- 6) Any work or projects for which all necessary approvals and permits have been issued before the effective date of this Bylaw section.
- 7) Maintenance, reconstruction or resurfacing of any public or private way; and the installation of drainage structures or utilities within or associated with such ways that have been approved by the appropriate authorities provided that written notice be filed with the Permit Authority fourteen (14) days prior to commencement of activity.

5. RESPONSIBILITY FOR ADMINISTRATION

A. For the purpose of this Bylaw section, as noted in B. below, the term Permit Authority shall indicate the Planning Board or the Zoning Board of Appeals, as appropriate. Any powers granted to or duties imposed upon the Permit Authority may be delegated in writing by the Permit Authority to its employees or agents.

B. To the extent that the Zoning Board of Appeals is the Permit Authority under M.G.L. Chapter

40B and for certain activity, development, construction, or reconstruction under the Zoning Bylaw for which the Applicant must also seek a Stormwater Management Permit, then the Zoning Board of Appeals shall also be the Permit Authority in that instance.

- C. For all other applications which fall under the purview of this bylaw, the Planning Board shall be the Permit Authority.
- D. Applications, plans and accompanying data under this bylaw may be filed simultaneously with and may be incorporated into those plans and documents required in other permitting processes.
- E. Planning Board Rules and Regulations. The Planning Board shall adopt and may periodically amend Rules and Regulations to effectuate the purposes of this Bylaw section. Failure by the Planning Board to promulgate such Rules and Regulations shall not have the effect of suspending or invalidating this bylaw. The Rules and Regulations shall include but shall not be limited to: the size, quantity, and distribution of plans; filing fee; required details for Stormwater Management Plan; Operation and Maintenance Plan; and Inspection and Site Supervision, etc.
- F. Stormwater Management Standards
 - 1) The Permit Authority will utilize the policy, criteria and information including specifications and standards of the latest edition of the Massachusetts Stormwater Handbook to execute the provisions of this Bylaw. This Policy includes a list of acceptable stormwater treatment practices, including the specific design criteria for each. The Policy may be updated and expanded periodically, based on improvements in engineering, science, monitoring, and local maintenance experience. Unless specifically altered in the Regulations, stormwater treatment practices that are designed, constructed, and maintained in accordance with these design and sizing criteria will be presumed to be protective of Massachusetts water quality standards.
 - 2) The Permit Authority will apply the Stormwater Management Standards as outlined in the Massachusetts Stormwater Handbook Vol 2, Chapter 1, which prioritize Site Planning and use of environmentally sensitive site design and low impact development technics.
 - 3) Stormwater Credit System. The Permit Authority may adopt a Stormwater Credit System as part of the regulations authorized by this Bylaw section. This credit system will allow applicants the option to use better site design practices to reduce some of the requirements specified in the criteria section of the Regulations. Failure of the Permit Authority to promulgate such a credit system through its Regulations or a legal declaration of its invalidity by a court shall not act to suspend or invalidate the effect of this Bylaw.

6. PERMITS AND PROCEDURES

A. Application.

A completed application for a Stormwater Management Permit (SMP) shall be filed with the Permit Authority. The Stormwater Management Permit Application package shall include:

- 1) A completed Application Form with original signatures of all owners;
- 2) A list of abutters, certified by the Assessors Office (abutters at their mailing addresses shown

on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet Of the property line of the applicant, including any in another municipality or across a body of water);

- 3) Stormwater Management Plan and project description;
- 4) Operation and Maintenance Plan;
- 5) Payment of the application and review fees;
- 6) One (1) complete copy filed with the Town Clerk, by the Applicant, which shall serve to establish the filing date.
- 7) A full electronic copy.

See Stormwater Management Permit Rules and Regulations for additional filing requirements.

B. Entry. When obtaining an Administrative Land Disturbance Review or when filing an application for a permit, the Applicant shall grant the Permit Authority or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions, after proper notification to the Applicant at least 24 hours in advance. Refusal to grant voluntary access may result in denial of a permit or administrative review application.

C. Public Hearing

- 1) If an application is filed concurrently for a Definitive Subdivision Plan approval, for a project under the Zoning Bylaw, or for a 40B filing, the public hearing and decision requirements shall follow the requirements of the particular application.
- 2) To the extent possible, required hearings of the Permit Authority shall run concurrently with the Stormwater Management Permit hearing, and every effort shall be made to handle the permitting process expeditiously.
- 3) If an application is filed independently of other filings, the Permit Authority shall hold a public hearing within sixty (60) days of the receipt of a complete application and shall take final action within sixty (60) days from the time of the close of the hearing unless such time is extended by agreement between the applicant and the Permit Authority. Notice of the public hearing shall be given by publication in a newspaper of local circulation, public posting, and by certified mail at the Applicant's expense to abutters at least fourteen (14) days prior to the hearing date. The Permit Authority shall make the application available for inspection by the public during business hours at the Hamilton Town Hall.

D. Information requests.

The applicant shall submit all additional information requested by the Permit Authority to issue a decision on the application.

E. Waivers

- 1) The Permit Authority may waive strict compliance with any requirement of this bylaw or the Rules and Regulations adopted hereunder, where:
 - (a) Such action is allowed by federal, state, and local statutes and/or regulations;
 - (b) It is in the public interest; and
 - (c) It is not inconsistent with the purpose and intent of this bylaw.
- 2) Any Applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the bylaw does not further the purpose or objectives of this bylaw.
- 3) All waiver requests shall be discussed and voted on at the Public Hearing for the project.
- 4) If in the Permit Authority's opinion, additional time or information is required for review of a waiver request, the Permit Authority may continue the hearing to a date certain announced at the meeting. In the event the Applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.

F. Actions by the Permit Authority may include:

- 1) Approve the Stormwater Management Permit Application and issue a permit if it finds that the proposed plan will protect water resources and meets the objectives and requirements of this bylaw;
- 2) Approve the Stormwater Management Permit Application and issue a permit with conditions, modifications, or restrictions that the Permit Authority determines are required to ensure that the project will protect water resources and meets the objectives and requirements of this by-law;
- 3) Disapprove the Stormwater Management Permit Application and deny the permit if it finds that the proposed plan will not protect water resources or fails to meet the objectives and requirements of this by-law.

G. Vote required. A simple majority of the Permit Authority shall be required in order to grant a Stormwater Management Permit.

H. The Permit Authority shall enforce all violations of the Stormwater Management Permit approval and conditions. See Section 12. below for enforcement of violations of this bylaw which do not fall under a valid Stormwater Management Permit.

I. Appeals A decision of the Permit Authority shall be final. Further relief of a decision by the Permit Authority made under this bylaw shall be reviewable in the Superior Court in an action filed within 60 days of the final action taken by the Permit Authority, in accordance with M.G.L. Ch. 249 §4.

7. FINAL REPORT

Upon completion of the work, the Applicant shall submit a report (including certified as-built construction plans, as outlined in Subdivision Regulations, Section IV.B.8.a), from a Registered Professional Engineer (P.E.), certifying that all erosion and sediment control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved permit. Any discrepancies should be noted in the cover letter.

8. CERTIFICATE OF COMPLETION

The Permit Authority will issue a letter certifying completion upon receipt and approval of the Final Report and/or upon otherwise determining that all work allowed by the permit has been satisfactorily completed in conformance with the permit and this Bylaw.

9. EMPLOYMENT OF OUTSIDE CONSULTANTS

The Permit Authority may employ outside consultants, at the Applicant's expense, under the terms of the Zoning Bylaw, and Planning Board Rules and Regulations, to assist in its permit decision, including but not limited to plan review, drainage, and stormwater analysis; to determine conformance with this Bylaw and other requirements; and for construction inspection, etc.

10. PERFORMANCE GUARANTEE

- A. The Permit Authority may require the Applicant to post, before the start of land disturbance activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security as performance guarantee, to be in an amount deemed sufficient by the Permit Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Permit Authority may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the Permit Authority has received the Final Report as required by Section 7 of this bylaw and issued a Certificate of Completion.
- B. The Planning Board Rules and Regulations shall establish reasonable criteria for assessing the Performance Guarantee.

11. DURATION OF STORMWATER MANAGEMENT PERMIT

A Stormwater Management Permit is granted for a period of three years from the date of its approval and shall lapse if substantial use or construction has not commenced by such date, except for good cause as shown.

12. ENFORCEMENT

- A. Land disturbance activities in excess of the thresholds established in Section 4 of this Bylaw conducted without a Stormwater Management Permit or Administrative Approval shall constitute a violation of this Bylaw. The Permit Authority, or an authorized agent of the Permit Authority, shall enforce this bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.
- B. Orders
 - 1) The Permit Authority or an authorized agent of the Permit Authority may issue a written

order to enforce the provisions of this by-law or any regulations adopted hereunder, which may include:

- (a) A requirement to cease and desist from the land-disturbing activity until there is compliance with the bylaw and provisions of the Stormwater Management Permit or administrative approval;
 - (b) Maintenance, installation or performance of additional erosion and sediment control measures;
 - (c) Monitoring, analyses, and reporting; and/or
 - (d) Remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity.
- 2) If the enforcing person determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, pursue a Court Order allowing the Town undertake such work, and requiring the property owner to reimburse the Town for all costs incurred.
 - 3) Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner shall be notified of the costs incurred by the Town of Hamilton, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Permit Authority within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Permit Authority affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall constitute a municipal charge for purposes of G.L. c. 40, §58, and a lien may be imposed on the property for the amount of the unpaid charge, pursuant to G.L. c.40, §58. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in M.G.L. c. 59 § 57 on the 31st day after the costs first become due.
- C. Criminal Penalties Any person who violates any provision of this Bylaw, regulation, or permit issued hereunder, shall be subject to fines, civil action, criminal prosecution, and tax liens, as appropriate and as lawfully established by the Town of Hamilton.
- D. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town may elect to utilize the non-criminal disposition procedure set forth in M.G.L. c. 40, §21D and General Bylaw Chapter XIII, *Penalties for Violation* in which case the Permit Authority or its agent shall be the enforcing person. The penalty for the 1st violation shall be \$100.00. The penalty for the 2nd violation shall be \$200.00. The penalty for the 3rd and subsequent violations shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- E. Appeals. The decisions or orders of the Permit Authority shall be final. Further relief shall be to a court of competent jurisdiction.

F. Remedies Not Exclusive. The remedies listed in this by-law are not exclusive of any other remedies available under any applicable federal, state, or local law.

13. SEVERABILITY

If any provision, paragraph, sentence, or clause of this by-law shall be held invalid for any reason, all other provisions shall continue in full force and effect.

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