



Town of Hamilton Select Board Monday, March 4, 2024

- 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

This is an IN PERSON meeting. As courtesy for the public, zoom access will also be provided via the below link. However, the meeting will not be terminated in the event that technological issues disrupt the zoom broadcast.

Join Zoom Meeting

<https://us02web.zoom.us/j/83964203509?pwd=TEpuc21Hdk40RFhJcXcwdG92TmxsUT09>

Meeting ID: 839 6420 3509

Passcode: 155477

One tap mobile

+19292056099,,83964203509#,,,,*155477# US (New York)
+13017158592,,83964203509#,,,,*155477# US (Washington DC)

Dial by your location

- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
 - +1 305 224 1968 US
 - +1 309 205 3325 US

7:00 p.m.	Call to order - Memorial Room
ANNOUNCEMENTS & BOARD OPENINGS	
	<p>Board and Committee openings:</p> <ul style="list-style-type: none"> • Community Preservation Committee – 1 opening • Conservation Commission – 2 openings • Council on Aging - 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 • Planning Board - 1 associate opening • Zoning Board of Appeals – 1 associate opening

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.

	Public Comment (3 minutes on topics not already on the agenda)
CONSENT AGENDA	
<ul style="list-style-type: none"> • Approve minutes of February 5, 2024 Select Board Meeting 	
AGENDA	
7:15 p.m.	<ul style="list-style-type: none"> • Approve new Common Victualler’s License for Meadowbrook Farm – Review and Vote • Approve Letter to National Grid regarding the Town Hall project and related Rooftop Solar project on the DPW Garage – Review and Vote • Joint with the Finance and Advisory Committee <ul style="list-style-type: none"> ○ Review Draft Warrant for Annual Town Meeting ○ Re-open Warrant to add/remove article(s) ○ Close Warrant ○ Vote Select Board and Finance and Advisory Committee Recommendations on Articles ○ Close Joint Session with Finance and Advisory Committee • Discuss Perambulation of Town Boundary with neighboring towns – Discuss possible dates • New Business

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.



Town of Hamilton
Select Board
Meeting Minutes of February 5, 2024

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 February 5, 2024 at 6:30pm in Memorial Hall, 577 Bay Road. This meeting was held in person, with Zoom access provided to the public as a courtesy, and was 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 policymaking body of the Town and directly supervises the activities of the Town Manager. The Select Board typically meets the first and third Monday evening at 7:00 p.m.
Select Board: Shawn Farrell (2024); William Olsen (2024); Caroline Beaulieu (2025); Thomas Myers; (2025); Bill Wilson (2026).

Call to order: *With a quorum present, Chair Farrell called the meeting to order at 7:02 PM, identified the meeting was being recorded and those present:* B. Wilson, T. Myers, Clerk; C. Beaulieu, Vice Chair. Not present: S. Farrell, Chair, W. Olson.
Also present: Joseph J. Domelowicz Jr., Town Manager; and others as noted.

The Chair announced Board and Committee openings as displayed on the agenda:

- Community Preservation Committee - 1 opening
- Conservation Commission - 1 opening
- Human Rights Commission - 1 opening
- Zoning Board of Appeals - 1 associate opening
- Historic District Commission - 2 openings for 3 year terms, 2 openings for 2 year terms
- Council on Aging - 2 associate openings
- Finance & Advisory Committee - 1 associate opening
- Planning Board - 1 associate opening

Public Comment: Carin Kale, Town Clerk noted that the local election is April 11, nomination papers are available and due back on February 22 by 5:00pm. There are a number of seats up for election, please see the website. The Presidential primary is March 5 in Massachusetts. Please return vote by mail requests as soon as possible. Census forms are due back, they are now overdue, please try to get those in. Conflict of interest acknowledgement forms are due for elected and appointed officials.

Consent Agenda:

- Approve requests by Yukanrun for two (2) road races April 21, 2024 and September 15, 2024
- Approve Minutes of Select Board meeting January 8, 2024

Vote: *The Board voted unanimously to approve the consent agenda.*

Public Hearing: Town of Hamilton Cable Television, Cable License Renewal Proceedings with Attorney Bill August. The Public Hearing was called to order at 7:09, and Vice-Chair Beaulieu read the hearing notice into the record.

There were no comments from the public.

Bill Melville of HWCAM spoke about the license renewal and described it as win-win. He noted the changes in the agreement and noted how pleased he is with the outcome. Attorney August also noted the positive elements and that it is a strong license. One upgrade is the local channel being broadcast in high definition.

Vote: *The Board voted unanimously to close the public hearing.*

Motion: *Acting in its capacity as the statutory cable television license Issuing Authority pursuant to Mass General Laws Chapter 166A, and finding that the cable license renewal proposal of Comcast, the Towns' current cable Licensee, reasonably meets the license and cable-related renewal needs and interests of the public and Town: and Finding that Comcast's financial and technical qualifications, and local support of the local programming channels, studio, facilities and services are reasonable to meet Town cable license needs: and Based on the recommendation of the Town's renewal negotiations counsel, The Hamilton Select Board hereby approves the Comcast-proposed non-exclusive renewal license effective March 2, 2024 immediately following the expiration of the current license on March 1, 2014.*

Vote: *The Board voted unanimously to approve the motion.*

Agenda:

- **Recognize Firefighter Ben Tuneberg for off-duty rescue** – Fire Chief Ray Brunet and Captain Andrew Ellison recognized Firefighter Ben Tuneberg with a letter of commendation. Firefighter Tuneberg performed a life-saving rescue during a medical emergency at a local restaurant while he was off-duty on January 27, 2024. Firefighter Tuneberg was recognized with a round of applause, and he spoke briefly and expressed his appreciation.

- **Review request by Chief Ray Brunet to place an article on the ATM Warrant for the Town to adopt the provisions of MGL Chapter 32, section 4 (2)(b)** - Chief Brunet explained that this is local adoption of Mass General Law, allowing call firefighters who transition to full-time permanent employees to have their prior service be credited towards retirement and pension. It standardizes the process where previously it was not standardized. All towns now need to adopt this locally in order to follow the state law appropriately.

Vote: The Board voted unanimously to place on the warrant the provisions of MGL Chapter 32, section 4(2)(b).

- **Hamilton Wenham Little League (HWLL) request to hang banners on outfield fences at Patton Park – Recreation Director Sean Timmons and HWLL Board – Discuss & Vote**

S. Timmons noted the request to hang no more than 10 banners on the fences at Patton Park, similar to what was done last year. The banners were up last year from mid-April through October.

Vote: The Board voted unanimously to allow the banners at Patton Park.

- **HWLL proposal to improve base of scoreboards** - Recreation Director Sean Timmons – Discuss & Vote

S. Timmons noted that they would like to place shrubbery at the base of the scoreboards to make it look better and create a buffer around the scoreboard base to prevent kids from running into it.

Vote: The Board voted unanimously to improve the base of the scoreboards.

- **Review request add an Article to Town Meeting Warrant to create a special revenue fund for Opioid Settlement Funds**

Vote: The Board voted unanimously to add to the warrant creating a special revenue fund for the opioid settlement.

- **Review previous vote to re-open the HWRSD school agreement with HWRSD and Wenham – Discuss and Vote**

The Hamilton Select Board has previously voted to open the agreement, and the School Committee voted to open it last year but the Wenham Select Board at the time declined. Hamilton is reaffirming their vote tonight, and the Wenham Select Board has it on their next meeting agenda. Hamilton and Wenham will both be represented by KP Law.

Vote: The Board voted unanimously to agree to open the HWRSD agreement.

Town Manager update: J. Domelowicz noted that an administrative coordinator was hired over the summer along with part-time recording secretaries who have been working diligently to clear the backlog of minutes on boards and committees. There were technical difficulties that were discovered in that the approved minutes were not getting correctly uploaded to the website, so that the progress was not visible. That is being corrected, and the backlog continues to be cleared.

Adjournment Vote: The Select Board voted unanimously to adjourn the meeting at 7:50PM.

Meeting Packet Enclosures:

- Email from Yukanrun re: 2024 road race, certificate of insurance, race map
- Meeting minutes of January 8, 2024
- Legal notice: Cable License Renewal Proceedings
- Email from Att August re: public hearing, opening statement & motion for license renewal, Xfinity letter noting Senior citizen discount
- Email from Chief Brunet re: firefighter commendation
- Proposed Articles for 2024 Town Meeting Warrant
- Town of Newbury Certificate of Vote to adopt MGL Chapter 32, Section 4
- Email from Chief Brunet re: adoption of MGL Chapter 32, Section 4 and text of MGL
- Email from Timothy Zessin, KP Law re: MGL Chapter 32, Section 4
- Email from Sean Timmons re: banners at Patton Park

Respectfully submitted by D. Pierotti, Recording Secretary, 2/7/24.

The minutes were prepared from video.

TOWN OF HAMILTON

RECEIVED
TOWN CLERK
HAMILTON, MA

Common Victualler's License Application

9999 FEB -8 PM 2: 24

Massachusetts General Laws, Chapter 140

Fee: \$50.00

Section I:

Date of Application: 2/6/24

Name of Applicant: Ronald Vandi

Applicant's Address: 247 Essex St

City: So. Hamilton

State and Zip Code: MA 01982

Phone Number: 978 408 3030

Address of building where business is to be conducted: 247 Essex St

City: Hamilton

State and Zip Code: MA, 01982

Description of Premises: Farm stand

Former Activity of Premises: Operating Farm stand Since it's inception

Zoning District: R1B

2/8/24
8:50
OK# 2241



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

Phone
Fax
Web site

(978) 626-5202
(978) 468-2682
<http://www.hamiltonma.gov>

TOWN OF HAMILTON

Section 2:

1. Have you received site plan approval from the Planning Board? No Yes Date: N/A
2. Are the premises completed? No Yes Date: _____
3. Have you obtained an Occupancy Permit? No Yes Date: N/A
4. Are the premises equipped with fixtures or supplied with necessary implements and facilities to conduct the business? No Yes Date: For many years since 1975
5. Have you obtained a Food Service Permit from the Health Agent? No Yes Date: For many years yearly since 1975
6. Have you attached a plan of the premises describing the location of all exits, restrooms, facilities and permanent fixtures? No Yes Date: 1975

It's an open Air market

Section 3:

Signature of Applicant: _____

Ronald Handl

My signature above indicates that all statements contained herein are true to the best of my available knowledge, and that I am aware of and shall comply with the statutes.

Section 4: To be completed by Town Officials.

Do you recommend approval for the Select Board to approve this request?

1. Building Inspector *[Signature]* Yes No Date: 2/14/24
2. Health Agent *[Signature]* Yes No Date: 2/16/24
3. Fire Chief *[Signature]* Yes No Date: 2/14/24



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Hamilton, MA 01936

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

Unofficial Property Record Card - Hamilton, MA

General Property Data

Parcel ID 65-131	Account Number 2030
Prior Parcel ID ..	
Property Owner VANDI RONALD J TRST OF THE VANDI R J TRST OF THE R J VAND	Property Location 247 ESSEX ST Property Use Comm. / Res.
Mailing Address 247 ESSEX ST	Most Recent Sale Date 01/17/2016 Legal Reference 36170-312 Grantor VANDI RONALD J & SUCCESSORS TR
City SOUTH HAMILTON	Sale Price 1
Mailing State MA Zip 01982	Land Area 2.040 acres
Parcel Zoning R1B	

Current Property Assessment

Land Value 332,700	Building Value 200,400	Total Value 578,700
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Building Description

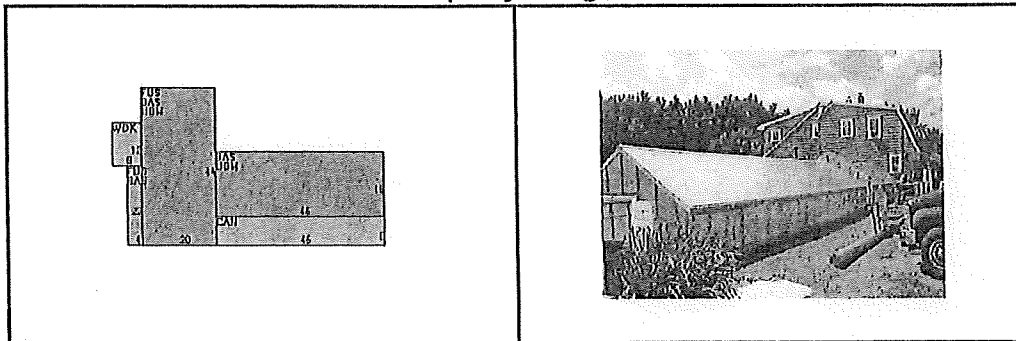
Building Style STORE	Foundation Type CONCRETE	Flooring Type HARDWOOD
# of Living Units 1	Frame Type WOOD	Basement Floor N/A
Year Built 1975	Roof Structure GABLE	Heating Type FORCED HW
Building Grade AVERAGE	Roof Cover ASPHALT	Heating Fuel OIL
Building Condition Average	Siding WOOD SHING	Air Conditioning 0%
Finished Area (SF) 2764	Interior Walls DRYWALL	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 3	# of Full Baths 1
# of 3/4 Baths 0	# of 1/2 Baths 1	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 2.040 acres of land mainly classified as Comm. / Res. with a(n) STORE style building, built about 1975, having WOOD SHING exterior and ASPHALT roof cover, with 1 unit(s), 0 room(s), 3 bedroom(s), 1 bath(s), 1 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

License Number: 2023-122

Fee: \$50.00



THE COMMONWEALTH OF MASSACHUSETTS
Town of Hamilton

This is to Certify that **Meadowbrook Farms**

IS HEREBY GRANTED A
COMMON VICTUALLER'S LICENSE

In said 247 Essex Street, Hamilton, MA 01982 and at that place only and expires on 12/31/2024, unless sooner suspended or revoked for violation of the laws of the Commonwealth respecting the licensing of common victuallers. This license is issued in conformity with the authority granted to the licensing authorities by General Laws, Chapter 140, and amendments thereto.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures.

FOR THE TOWN OF HAMILTON
Select Board, Licensing Authority

DATE: March 4, 2024

Shawn Farrell

William Wilson

William Olson

Caroline Beaulieu

Thomas Myers

NOT TRANSFERABLE
THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ

Joe Domelowicz

From: Jeanne Maurand <jeannemaurand@gmail.com>
Sent: Friday, February 23, 2024 12:06 PM
To: Caroline Beaulieu; s.farrell@hamiltonma.gov; Joe Domelowicz; Shawn Farrell; Thomas Myers; Bill Olson; wwilson@hamiltonma.gov
Cc: Jack Simons; Don Perkins; Emmett Holt; Kimberly Strovink; Vicky Masone; Laurie Wilson
Subject: External Email Warning HEIC request re: Electrification of Town Hall
Attachments: Hamilton Select Board request from HEIC to Nat Grid Feb 2024 (1).docx

Hamilton Select Board and Town Manager,
Please find our letter attached. And share with all members of the Select Board as I was unsure of everyone's email address.
Thank you,
Jeanne Maurand
HEIC, Chair

To: Hamilton Select Board

Cc: Joe Domelowicz, Town Manager
Vicky Masone, Energy Manager
Tim Olson, DPW Director

From: Hamilton Environmental Impact Committee:
Jeanne Maurand, Chair
Emmett Holt
Don Perkins
Kim Strovink
Jack Simons

Date: February 12, 2024

Re: Request to National Grid to accelerate approval of solar connection for Town Hall renovation project

As you likely know, the project to renovate Hamilton Town Hall consists of two parts: first, renovation of the building shell, weatherization, and bringing the building into ADA and code compliance, and second, installation of a HVAC and domestic hot water system using a geothermal loop powered by a new solar array to be located on the roof of the DPW garage. The second component would make the building a state of the art zero-carbon facility and would help the town meet its goal of being carbon neutral by 2040. According to the town Energy Manager, Vicky Masone, it is essential from a construction management point of view that both components be able to proceed together.

The solar installation will require interconnection approval from National Grid. Large solar installations (such as that at the Hamilton landfill, 930 kilowatts) are sometimes problematic for the grid, which must be able to accept the energy produced. For this reason, National Grid often requires a time-consuming study of the utility-owned electrical infrastructure prior to approval of interconnection for large solar arrays. But the Town Hall array will be relatively small (around 46 kilowatts, similar to what a few households would typically consume). Nonetheless, National Grid has placed our project in a study (Cape Ann Group Study 002) and has refused a request from our Energy Services Contractor, Solect Energy, to remove us from the study. We anticipate that this study, which has not even begun yet, will significantly delay the electrification component of the Town Hall renovation by up to 36 months, endangering the timetable for the entire project.

We have heard that our legislators might be able to intercede with National Grid to remove our project from the Group Study. Both Senator Bruce Tarr and Representative Kristen Kassner have

expressed interest in helping us on this important issue. On February 6, Senator Tarr met with Mr. Domelowicz, DPW Director Tim Olson, Energy Manager Vicky Masone, and with members of our committee to explore this issue. Senator Tarr, a knowledgeable proponent of green energy, expressed his admiration for the project (“I am thrilled by this”) and his desire to help move it forward. He requested that Vicky send him technical details about the solar / geothermal project, and that the Select Board send to National Grid a formal request that our project be exempted from the Study Group process.

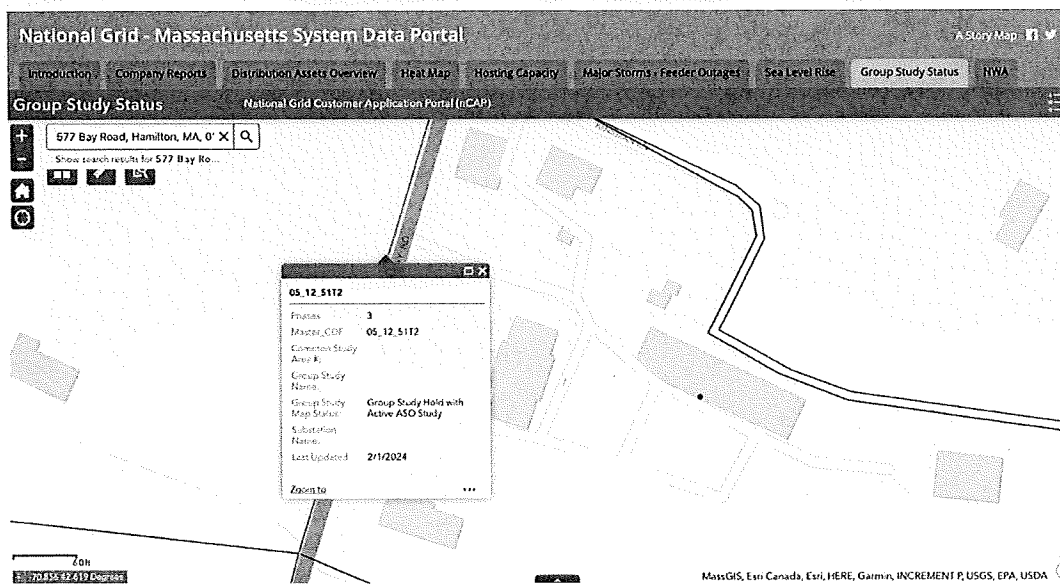
We therefore request the Select Board address a letter to the following contacts at National Grid:

Stephen Woerner, President of NGRID New England
Work Tel # (413) 884-5104
Email: Stephen.Woerner@nationalgrid.com

Michael Porcaro, Director of Innovative Grid Solutions & New England Distributed Generation Ombudsperson
Chair of the Massachusetts Technical Standards Review Group (TSRG)
Work Tel # (508) 860-6084
Email: Michael.Porcaro@nationalgrid.com

The letter could contain the following:

The Town of Hamilton understands that its critical rooftop solar project for the historic Hamilton Town Hall has been placed by National Grid in Cape Ann Group Study 002, which will result in a significant delay in approval of system interconnection by National Grid. Below is a screenshot from National Grid’s Massachusetts System Data Portal showing the status of the project as of February 1, 2024.



This project involves a relatively small solar array of approximately 46 kilowatts, the impact of which on the grid will be further reduced by the Town Hall's consumption of electricity behind the meter. Given the small impact of the project on the grid, the importance of the project to all residents of the town, and the good will that will accrue to the company by facilitating the renovation of an historic building using state of the art green technologies including geothermal heat pumps, the Select Board respectfully requests that the project be expedited by being removed from the Group Study. If the project remains in the Group Study and is therefore delayed, we fear that the construction and financing timetable for the entire renovation project may be endangered. We look forward to hearing from you as soon as possible.

The Board may wish to copy Senator Tarr and Representative Kassner on the letter.

Thank you for your prompt attention to this issue. Please contact Vicky Masone with technical questions and contact Jeanne Maurand with any questions for the Committee.

TOWN OF HAMILTON

SELECT BOARD

March 5, 2024

Stephen Woerner
President NGrid New England

Stephen.Woerner@nationalgrid.com

Mr. Woerner,

I am writing to ask for your assistance in helping the Town of Hamilton move forward with a critically important energy efficiency project at our historic Town Hall.

Late last year, the Town of Hamilton authorized a renovation and de-carbonization project at our historic Town Hall located at 577 Bay Road. A key part of the de-carbonization relies on a small rooftop solar array, which will be installed on the roof of our adjacent Public Works garage, which is being sought to provide power to the Town Hall.

The Town of Hamilton understands that its critical rooftop solar project for the historic Hamilton Town Hall has been placed by National Grid in Cape Ann Group Study 002, which will result in a significant delay in approval of system interconnection by National Grid.

This project involves a relatively small solar array of approximately 46 kilowatts, the impact of which on the grid will be further reduced by the Town Hall's consumption of electricity behind the meter. Given the small impact of the project on the grid, the importance of the project to all residents of the town, and the good will that will accrue to the company by facilitating the renovation of an historic building using state of the art green technologies including geothermal heat pumps, the Select Board respectfully requests that the project be expedited by being removed from the Group Study. If the project remains in the Group Study and is therefore delayed, we fear that the construction and financing timetable for the entire renovation project may be endangered. We look forward to hearing from you as soon as possible.



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

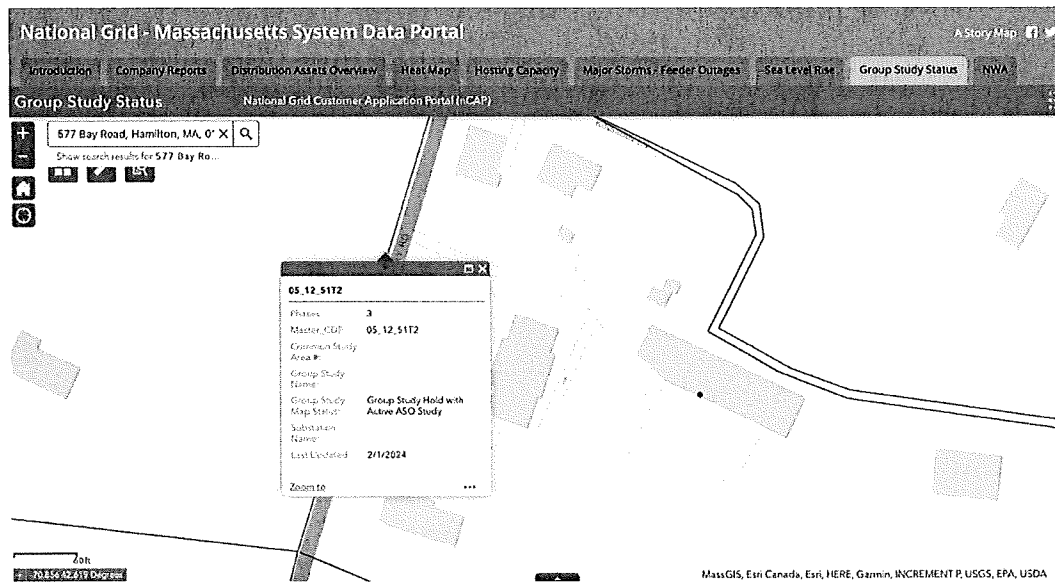
Phone
Fax
Web site

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

TOWN OF HAMILTON

SELECT BOARD

Below is a screenshot from National Grid's Massachusetts System Data Portal showing the status of the project as of February 1, 2024.



Unfortunately, the timing of the National Grid Study group and our timeline for completing our Town Hall renovations are not currently aligned. Our project is ready to go to bid for a general contractor and we already have an Energy Services Company under contract. In order for this project to move forward as designed, we ask that you allow the small solar project to be pulled from the Study Group and allowed to proceed.

If you have any questions or need further information about this project, please contact Hamilton Town Manager Joseph Domelowicz at jdomelowicz@hamiltonma.gov or 978-626-5201.

Best regards,
Shawn Farrell
Chairman Hamilton Select Board

CC: Michael Porcaro, Chair of Massachusetts TRSG
Senator Bruce Tarr
Representative Kristin Kassner



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

Phone
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2/29/24 2:15 PM



WARRANT

For

Annual Town Meeting

April 6, 2024
9:00 a.m.
Hamilton-Wenham Regional High School
Auditorium

Annual Town Election

April 11, 2024
7:00 a.m. – 8:00 p.m.
Hamilton-Wenham Recreation Gymnasium

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 updated.

Commented [WM2]: This can be removed



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 the Hamilton-Wenham Regional High School Auditorium, 775 Bay Road in said town, on Saturday, the sixth day of April, in the year Two Thousand Twenty-four (April 6, 2024) at nine o'clock in the morning (9:00 a.m.), then and there to act on the following articles.

SECTION 1: ELECTIONS, REPORTS, PROCEDURES

<p>ARTICLE 2024/4 1-1</p> <p><i>Election of Officers</i></p>	<p>To elect the following Town and School District Officers at the Annual Town Election on Thursday, April 11, 2024 from 7:00 a.m. to 8:00 p.m. at the Hamilton-Wenham Recreation Gymnasium, located at 16 Union Street, Hamilton, Massachusetts.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Town Moderator for one year <input type="checkbox"/> Two members of the Select Board for three years <input type="checkbox"/> One member of the Board of Assessors for three years <input type="checkbox"/> Two members of the Planning Board for three years <input type="checkbox"/> One member of the Housing Authority for five years <input type="checkbox"/> Two Hamilton-Wenham Public Library Trustees (at large) for three years <input type="checkbox"/> One member of the Hamilton-Wenham Regional School Committee for two years (unexpired term) <input type="checkbox"/> Two members of the Hamilton-Wenham Regional School Committee for three years
<p>ARTICLE 2024/4 1-2</p> <p><i>Reports</i></p>	<p>To hear reports of Town Officers and selected committees and to take action thereon or relative thereto. Reports will appear in the Town Report for Fiscal Year 2023 and be posted to the Town of Hamilton website.</p>
<p>ARTICLE 2024/4 1-3</p> <p><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> <p>Expected Consent Motion to include articles: ARTICLES _____.</p>

Commented [TM3]: Please confirm.

SECTION 2: FINANCIAL ACTIONS

<p>ARTICLE 2024/4 2-1</p> <p align="center"><i>Compensation/ Classification Table</i></p>	<p>To see if the Town will amend the Personnel Bylaw by adopting changes to the classification and compensation table as set forth in Appendix A, or take any action thereon or relative thereto.</p> <p>[The Proposed Compensation/Classification Table appears as Appendix A to the 2024 Appendix Book.]</p> <p>Brief Summary: <i>The Classification/Compensation table reflects a cost of living increase for settled contracts and non-union employees. Collective Bargaining Agreements under negotiation are identified as such and do not reflect any cost of living increases. Anticipated increases are currently budgeted in a salary reserve account to accommodate for prospective increases for unsettled union contracts.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>The tax rate impact of this article is reflected in Article 2-3, the Town budget article, as the Classification/Compensation Table is only one part of a formula used to determine the various wages and salaries contained within the Town budget.</i></p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-2</p> <p><i>Prior Year Bills</i></p>	<p>To see if the Town will 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>A 4/5 vote is required to approve this article.</p> <p>Brief Summary: <i>This article provides for payment of prior year bills which were not submitted or processed prior to the fiscal year ending on June 30, 2023. _____.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>Payment of these bills will have no effect on the tax rate.</i></p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-3</p> <p align="center"><i>General Town Departmental Appropriations</i></p>	<p>To see if the Town will raise and appropriate, or transfer from available funds, a sum of money to defray the expenses of schools and all other Town expenses for the Fiscal Year beginning July 1, 2024, or take any action thereon or relative thereto. (Expected requests Town - \$14,838,731 and all educational expenses, including HWRSD and ENSATSD - <u>\$25,240,225</u>)</p> <p>[The proposed budget appears as Appendix B to the 2024 Appendix Book.]</p>

Commented [WM4]: This article is not needed for this ATM

Commented [TMS]: I included this article in case it is needed. If not, it can be deleted.

Commented [WM6]: These totals do not include the retirement payout of \$147,671. I will have to add them and rerun the numbers if we decide to include that amount.

	<p>[The approved school budget appears as Appendix C to the 2024 Appendix Book.]</p> <p>Brief Summary: This article is to approve the general operating budget for the Town and Schools, which totals \$<u>40,078,956</u>. The total FY25 budget represents an increase of <u>7.45</u>% over FY24. This article does not include the portions of the Town or School budgets that are funded in separate warrant articles.</p> <p>The HWRSD budget request represents an increase of total school spending of \$902,115 <u>2,388,873</u> an increase of <u>7.47</u>% or \$<u>1,724,374</u> for Hamilton. The Hamilton increase includes the adjustment for the enrollment shift.</p> <p>The ENSATSD budget represents an increase <u>decrease</u> in total school spending of \$<u>2,873,617</u> – an increase <u>decrease</u> of <u>38.67</u>% or \$ <u>118,901</u> for Hamilton. This is due to enrollment at ENSATSD dropping from — students to — students, with modest increases in per-pupil costs, and a slight reduction in debt service. <u>The Hamilton increase includes the adjustment for the enrollment shift.</u></p> <p>The Select Board recommends () favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-4</p> <p>Capital Expenditures</p>	<p>To see if the Town will raise and appropriate, borrow or transfer from available funds a sum of money for the purpose of funding capital expenditures and further, to authorize the Town Manager to administer and expend funds from said accounts, or take any action thereon or relative thereto. (Expected request \$<u>1,610,788</u>)</p> <p>Brief Summary: This article would provide funds for various projects contained within the Fiscal Year 2025 Capital Projects Plan.</p> <p>[Please refer to Appendix D to the 202<u>43</u> Appendix Book.]</p> <p>Fiscal Year 2025 Tax Rate Impact: The request if funded by taxation would represent approximately \$___ per \$1,000 assessed valuation, or \$___ tax assessment on the average home valued at \$_____. However, it is expected that Free Cash, retained earnings, water enterprise debt (no impact on tax rate) and other available funding sources will be utilized for these appropriations; therefore, this should have no impact on the FY2025 tax rate.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-5</p> <p>Water Enterprise Budget</p>	<p>To see if the Town will approve the FY2025 Water Enterprise Budget, as set forth in Appendix E, or take any action thereon or relative thereto. (Expected request \$<u>2,243,203</u>)</p> <p>[The proposed budget appears as Appendix E to the 2024 Appendix Book.]</p>

Commented [TM7]: If borrowing, a 2/3 vote is required. I also recommend that you forward a copy of the article and motion to bond counsel for review and approval.

	<p>Brief Summary: The FY25 operating budget for the Water Enterprise represents a decrease increase of \$42,500 or 1.86%. Retained earnings were not used to balance the budget this year.</p> <p>Fiscal Year 2025 Tax Rate Impact: The Water Department is supported by water fees; adoption of the budget will not impact the tax rate.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-6</p> <p><i>Annual Financial Actions</i></p>	<p>To see if the Town will authorize the following financial actions, or take any action thereon or relative thereto.</p> <p>A. To transfer \$2,000 from the Cemetery Sale of Lots and Graves Fund to the General Fund to be used for cemetery purposes;</p> <p>B. To transfer \$_____ from the Water Enterprise Fund to the General Fund to be used for indirect expenses;</p> <p>C. To transfer \$_____ from the interest of the Clark Fund to the Conservation Trust fund for conservation related expenses.</p> <p>Brief Summary: This article occurs annually as part of the budget process.</p> <p>Fiscal Year 2025 Tax Rate Impact: The proposed transfers will reduce the estimated tax rate by approximately \$_____ per \$1,000 assessed valuation, or \$___ tax assessment on the average home valued at \$_____.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-7</p> <p><i>Hamilton Development Corporation</i></p>	<p>To see if the Town will raise and appropriate the sum of \$58,000 to the Hamilton Development Corporation, or take any action thereon or relative thereto. (Expected request is \$58,000)</p> <p>Brief Summary: At the 2010 Annual Town Meeting, the Town accepted the provisions of M.G.L. c.64L, Section 2(a) to impose a local meals excise tax. At the same meeting, the Town approved that such funds were to be used for the purpose of supporting economic development in the downtown commercially zoned district.</p> <p>Fiscal Year 2025 Tax Rate Impact: None. The Meals tax is paid by residents of other towns as well as our own to restaurants and collected by the Commonwealth, per Mass General Law. The amounts collected are returned in their entirety to the Town exclusively for the benefit of downtown economic development and this warrant article transfers those funds to the Hamilton Development Corporation for that purpose.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>

<p>ARTICLE 2024/4 2-8</p> <p><i>OPEB Trust Fund</i></p>	<p>To see if the Town will raise and appropriate the sum of transfer <u>\$125,000</u> from <u>Free Cash</u> for the purpose of funding the Other Post-Employment Benefits (OPEB) Liability Trust Fund, or take any action thereon or relative thereto.</p> <p>Brief Summary: <i>This article proposes to appropriate \$125,000 towards the Town's unfunded liability for health and life insurance benefits of both current and future retired employees. Appropriations for this liability were first made at the 2010 Annual Town Meeting. Governmental Accounting Standards requires all local governments to account for other post-employment benefits (OPEB) using an accrual methodology over participants' active working career. The Town's most recent actuarial study (as of July 1, 2022) indicated that the Town had an actuarially determined unfunded liability of approximately \$5.96 million. The Town has already set aside approximately \$1,198,272 for this long-term liability.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>The allocation of these funds to the OPEB Trust Fund will increase the estimated tax rate by approximately \$___ per \$1,000 assessed valuation, or \$___ tax assessment on the average home valued at \$_____.</i></p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-9</p> <p><i>Stabilization Fund</i></p>	<p>To see if the Town will transfer <u>\$82,781</u> from <u>Free Cash</u> to the General Stabilization Fund, or take any action thereon or relative thereto. (Expected request is <u>\$82,781</u>)</p> <p>Brief Summary: <i>This article requests an appropriation to be added to the Stabilization Fund. This fund may be used for any purpose in the future, but requires a vote of Town Meeting in order to transfer and spend any of these funds. The Town has approved a policy to maintain a minimum balance of 5% of the current general fund operating budget in its general stabilization fund and to annually appropriate a minimum of 5% of general fund operating revenues to this fund until the target minimum balance is met. The requested amount represents .02% of the general fund operating revenues. The Town has already set aside approximately \$2,021,451 to this fund, representing 4.98% of general fund operating revenues.</i></p> <p><i>A 2/3 vote is required to approve this Article pursuant to Chapter II, Section 5 of the Town's General Bylaws.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>None, as it is anticipated that the funds will come from Free Cash.</i></p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-10</p>	<p>To see if the Town will transfer <u>\$235,000</u> from <u>Free Cash</u> to the Capital Stabilization Fund, or take any action thereon or relative thereto.</p>

Commented [WM8]: No tax rate impact, coming from Free Cash

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<p><i>Capital Stabilization Fund</i></p>	<p>(Expected request is \$<u>235,000</u>)</p> <p>Brief Summary: This article requests an appropriation to be added to the Capital Stabilization Fund. <u>\$235,000</u>.</p> <p>A 2/3 vote is required to approve this Article pursuant to Chapter II, Section 5 of the Town's General Bylaws.</p> <p>Fiscal Year 2025 Tax Rate Impact: None, as it is anticipated that the funds will come from Free Cash.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-11</p> <p><i>Athletic Fields Stabilization Fund</i></p>	<p>To see if the Town will transfer \$_____ from the Athletic Fields Stabilization Fund for the purpose of funding the Town's portion of the debt service for the Hamilton Wenham Regional School District athletic fields project, or take any action thereon or relative thereto. (Expected request is \$_____)</p> <p>Brief Summary: This article requests an appropriation to be added to the Athletic Fields Stabilization Fund. _____.</p> <p>A 2/3 vote is required to approve this Article pursuant to Chapter II, Section 5 of the Town's General Bylaws.</p> <p>Fiscal Year 2025 Tax Rate Impact: None.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-12</p> <p><i>Town Center Comprehensive Plan</i></p>	<p>To see if the Town will transfer from Free Cash the sum of \$125,000 to fund a Town Center Comprehensive Plan, including all incidental and related costs, or take any action thereon or relative thereto. (Expected request is 125,000)</p> <p>Brief Summary: This article seeks funding for a comprehensive plan for the Town Center area. _____.</p> <p>Fiscal Year 2025 Tax Rate Impact: None, as it is anticipated that the funds will come from Free Cash.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-13</p> <p><i>Community Preservation Budget</i></p>	<p>To see if the Town will act on the Report of the Community Preservation Committee on the Fiscal Year 2025 Community Preservation Budget and specified other projects and appropriate or reserve for later appropriation monies from community preservation fund annual revenues, specific reserves or other available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of</p>

Commented [TM11]: Please confirm that this is the correct name of the fund.

Commented [TM12]: Please confirm.

	<p>community preservation projects and all other necessary and proper expenses for the year, as set forth in Appendix F, or take any action thereon or relative thereto.</p> <p>[The Budget appears in Appendix F of the 2024 Appendix Book.]</p> <p>Brief Summary: <i>The Community Preservation Budget supports many requests made by different groups and organizations each year. Please refer to Warrant Appendices for list of projects.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>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>The Select Board recommends favorable action (___). The CPC recommends favorable action (___). The Finance and Advisory Committee (5-0) recommends favorable action.</p>
<p>ARTICLE 2024/4 2-14</p> <p><i>Community Preservation – Affordable Housing Trust</i></p>	<p>To see if the Town will vote, pursuant to G.L. c.44B, to appropriate \$500,000 from the Community Preservation Fund _____ Account to the Hamilton Affordable Housing Trust as a grant for the purpose of supporting development projects that will lead to the creation of affordable housing, and further, to authorize the Select Board to enter into a Grant Agreement with the Hamilton Affordable Housing Trust setting the terms for such grant, including a requirement that the owners of any dwellings subsequently receiving any of these appropriated monies from the Trust grant to the Town an Affordable Housing Restriction in said dwellings, and that such requirement be included in any grant agreement involving these funds; and further, to authorize the Select Board to accept such restrictions; provided further that any funds from this appropriation remaining unspent after _____ 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>Brief Summary: <i>This article seeks to allocate funds from the Community Preservation Fund _____ Account for the purpose of aiding the development of Affordable Housing in the community.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>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>The Select Board (___) recommends favorable action. The CPC (___) recommends favorable action. The Finance and Advisory Committee (___) recommends favorable action.</p>

Commented [WM13]: \$310,945 will be from the Community Housing Reserve
 \$189,055 will be from the Unreserved Fund Balance

<p>ARTICLE 2024/4 2-15</p> <p style="text-align: center;"><i>Community Preservation – Housing Production Plan</i></p>	<p>To see if the Town will vote, pursuant to G.L. c.44B, to appropriate \$40,000 from the Community Preservation Fund _____ Account _____ for the purpose of funding a Housing Production Plan, including all incidental and related costs; any funds from this appropriation remaining unspent after _____ 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>Brief Summary: <i>This article seeks to allocate funds set aside in the Community Preservation Fund _____ Account for the purpose of funding a Housing production Plan.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>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>The Select Board () recommends favorable action. The CPC () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-16</p> <p style="text-align: center;"><i>Community Preservation – Antique Fire Truck Building</i></p>	<p>To see if the Town will vote, pursuant to G.L. c.44B, to appropriate \$150,000 from the Community Preservation Fund _____ Account _____ for the purpose of funding the design and construction of a building to store Chemical Engine No. 1, a historic Model-T fire apparatus, including all incidental and related costs; any funds from this appropriation remaining unspent after _____ 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>Brief Summary: <i>This article seeks to allocate funds set aside in the Community Preservation Fund _____ Account for the purpose of funding the design and construction of a building to house Chemical Engine No. 1, a historic, antique Model-T fire apparatus, which was the first fire truck owned by the Town. _____.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>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>The Select Board () recommends favorable action. The CPC () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 2-17</p>	<p>To see if the Town will vote in accordance with the provisions of Chapter 77 of the Acts of 2023 to transfer the sum of \$ _____ from Free</p>

Commented [WM14]: This will come from the Unreserved Fund Balance

Commented [WM15]: This will come from the Unreserved Fund Balance

<p><i>Opioid Special Revenue Fund</i></p>	<p>Cash, the amount equivalent to that received by the Town for settlements of the nationwide opioid litigation matters, to a Special Opioid Revenue Fund approved by the Director of Accounts pursuant to said Chapter 77, which fund may be expended without further appropriation for all of the purposes allowed by law, including those outlined in applicable opioid litigation settlement documents; or take any action thereon or relative thereto.</p> <p>Brief Summary: <i>This article seeks to allocate funds paid to the Town as settlements in the opioid litigation matters to a special revenue account in accordance with Chapter 77 of the Acts of 2023. The funds can only be expended for the specific purposes set forth in the settlement agreements.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>None.</i></p> <p>The Select Board () recommends favorable action. The CPC () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
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SECTION 3: OTHER APPROPRIATIONS AND ACTIONS

<p>ARTICLE 2024/4 3-1</p> <p><i>Resolution – State Flag and Seal</i></p>	<p>To see if the Town will vote to approve the resolution in support of changing the state flag and seal of the Commonwealth of Massachusetts set forth in Appendix G, or take any action thereon or relative thereto.</p> <p>Brief Summary: <i>This article seeks Town Meeting’s approval of a resolution in support of changing the state flag and seal of the Commonwealth of Massachusetts. _____.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>None.</i></p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2023/4 3-2</p> <p><i>Acceptance of G.L. c.32, §4(2)(b)</i></p>	<p>To see if the Town will vote to accept the provisions of G.L. c.32, §4(2)(b), which allows call firefighters and reserve police officers who subsequently become permanent members of the Fire Department or Police Department, and thus members of the Essex Regional Retirement System, to be credited for more than the five (5) years of service allowed by statute, or take any action thereon or relative thereto.</p> <p>Brief Summary: <i>This article seeks to accept the provisions of G.L. c.32, §4(2)(b), which which allows call firefighters and reserve police officers who subsequently become permanent members of the Fire Department or Police Department, and thus members of the Essex Regional Retirement System, to be credited for more than the five (5) years of service authorized by statute.</i></p>

Commented [TM16]: We will need additional information regarding the proposed resolution.

Commented [TM17]: Please see comment in transmitting email. In short, this article likely can be deleted.

	<p>Fiscal Year 2025 Tax Rate Impact: None.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 3-3</p> <p><i>Amend Town Manager Act</i></p>	<p>To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend the so-called Hamilton Town Manager Act, Chapter 114 of the Acts of 2009, to authorize the Select Board to appoint a Town Manager for a term of up to five (5) years; 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 seeks authorization to petition the state legislature to amend the Town Manager Act to authorize the Select Board to appoint a Town Manager for a term of up to five (5) years. The Town Manager Act currently permits the Select Board to appoint a Town Manager for a term of up to three (3) years.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: None.</p> <p>The Select Board () recommends favorable action. The Finance and Advisory Committee () recommends favorable action.</p>
<p>ARTICLE 2024/4 3-4</p> <p><i>Citizens' Petition – Resolution on Use of Artificial Turf at HWRSD Athletic Fields Project</i></p>	<p>To see if the Town will vote that it does not support the use of artificial turf for the proposed Hamilton-Wenham Regional High School athletic improvements project and therefore instructs the Hamilton representatives to the Regional School Committee to inform the Regional School Committee of the Town's position, and if the representatives are given the opportunity to vote on the matter, that the representatives announce the Town's wishes expressed above, or take any action thereon or relative thereto.</p> <p>Brief Summary: <i>This article seeks a vote on whether Town Meeting supports the use of artificial turf at the Hamilton Wenham Regional High School athletic fields.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: None.</p> <p>The Select Board () recommends _____ action. The Finance and Advisory Committee () recommends _____ action.</p>

Commented [TM18]: Please confirm.

<p>ARTICLE 2024/4 3-5</p> <p><i>Citizens' Petition – Amend Vote to Appropriate Funds for the HWRSD Athletic Fields Project</i></p>	<p>To see if the Town will vote to amend the vote¹ under Article 2023/4: 5-2 of the Warrant for the 2023 Annual Town Meeting by striking the period at the end thereof and by inserting thereafter the following:</p> <p>“; and provided further that the design, construction, reconstruction, and improvements shall not include or contain artificial turf.”</p> <p>or take any action thereon or relative thereto.</p> <p>Brief Summary: <i>This article seeks to amend the vote taken at the 2023 Annual Town Meeting to approve a debt authorized by the Hamilton Wenham Regional School Committee to fund the athletic fields project by prohibiting the use of artificial turf.</i></p> <p>Fiscal Year 2025 Tax Rate Impact: <i>None.</i></p> <p>The Select Board () recommends _____ action. The Finance and Advisory Committee () recommends _____ action.</p>
<p>ARTICLE 2024/4 3-6</p> <p><i>Citizens' Petition – General Bylaw Amendment Moratorium on Artificial Turf Fields</i></p>	<p>To see if the Town will vote to amend the general by-laws to add a new by-law captioned “Moratorium on Artificial Turf” that imposes a three-year moratorium on the construction of artificial turf on all public land within the Town, including without limitation land leased or owned by the Town or the Hamilton Wenham Regional School District, as follows:</p> <p>The use of artificial turf on athletic playing fields entails myriad public health and safety, environmental, and climate concerns. Hamilton must carefully evaluate whether such use, even privately funded, is consonant with Hamilton’s athletic needs, the health and safety of its children, residents in general, and the environment. This moratorium allows the Town the opportunity (a) to examine the extent to which artificial turf is injurious to public health and safety, the environment, and the climate compared to natural grass solutions, and (b) to determine if natural grass solutions based on the use of the latest techniques for grass field construction and organic maintenance create viable alternatives for Hamilton. “Artificial turf” means any of various artificial, synthetic or partially synthetic carpet-like materials made to resemble grass, including the infill and lines, used as a surface for athletics, sports or other recreational activities. The Town of Hamilton shall</p>

¹ That the Town approve the debt authorized by the Hamilton Wenham Regional School Committee (“School Committee”) in the amount of Fifteen Million Dollars (\$15,000,000) for the purpose of designing, constructing, reconstructin, making improvements to and equipping the athletic and recreational facilities located at the Hamilton Wenham Regional High School, 775 Bay Road, Hamilton, MA including the payment of all costs incidental or related thereto; provided, however, that the vote taking hereunder shall be expressly contingent upon approval by the voters of the Town at an election to exclude from the limits imposed by Proposition 2 ½, the amounts needed to pay for the The Town’s allocated share of the principal and interest on such debt, and further, that the expenditure of funds authorized to be borrowed hereunder shall be reduced by any grants or gifts received for such purposes and by any other amount or amounts that the School Committee may, from time to time, appropriate from the District Capital Stabilization Fund, including, but not limited to the \$1,690,000 the School Committee has indicated will be earmarked for the project in FY 2024.

neither install nor authorize or allow the installation of artificial turf on any public land within the town, including with limitation land leased or owned by the Town or the Hamilton Wenham Regional School District for a period of three years from the effective date of this moratorium.

or take any action thereon or relative thereto.

Brief Summary: *This article seeks to adopt a General Bylaw imposing a three (3) moratorium on the authorization and installation of artificial turf fields on any public land in the Town, including land owned or leased by the HWRSD.*

Fiscal Year 2025 Tax Rate Impact: *None.*

The Select Board () recommends _____ action. **The Finance and Advisory Committee** () recommends _____ action.

ADJOURNMENT

Given under our hands this _____ day of _____, 2024.

HAMILTON SELECT BOARD

Shawn M. Farrell, Chair

Caroline Q. Beaulieu

Thomas B. Myers

William A. Olson

William W. ~~BH~~ Wilson

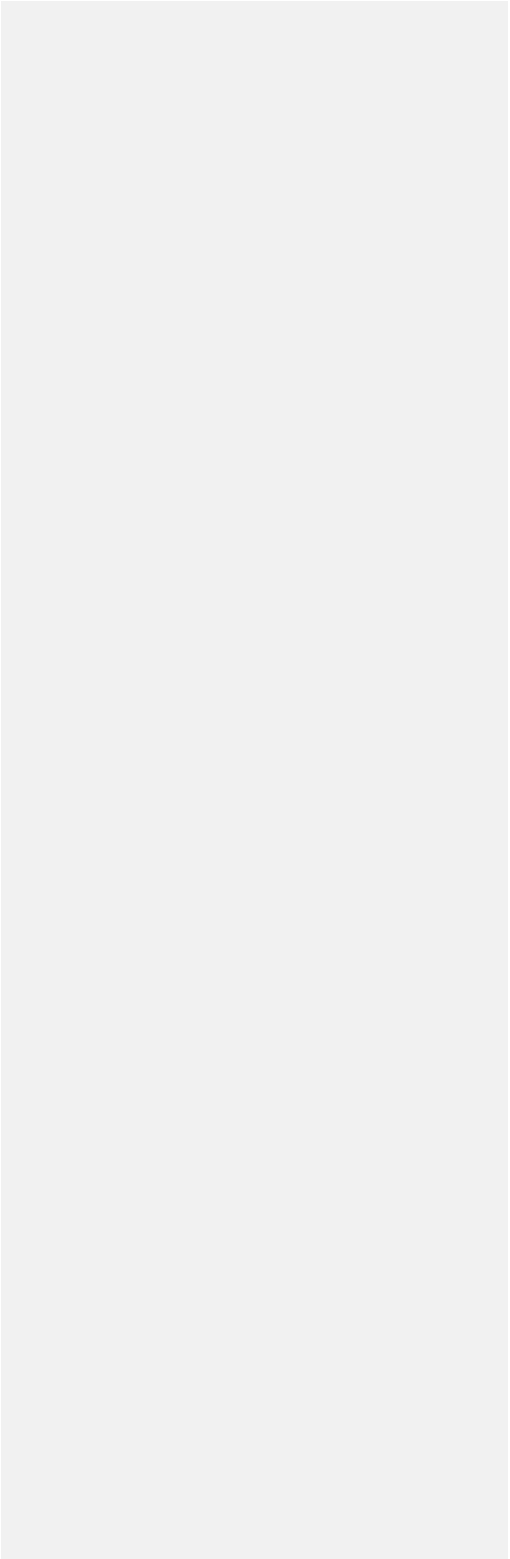
Hamilton, Massachusetts

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

Constable, Town of Hamilton

Date

905638/HAML/0001



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

POSTAL PATRON

Visit our website at www.hamiltonma.gov

Please join us

Saturday, April 6, 2024

ANNUAL TOWN MEETING

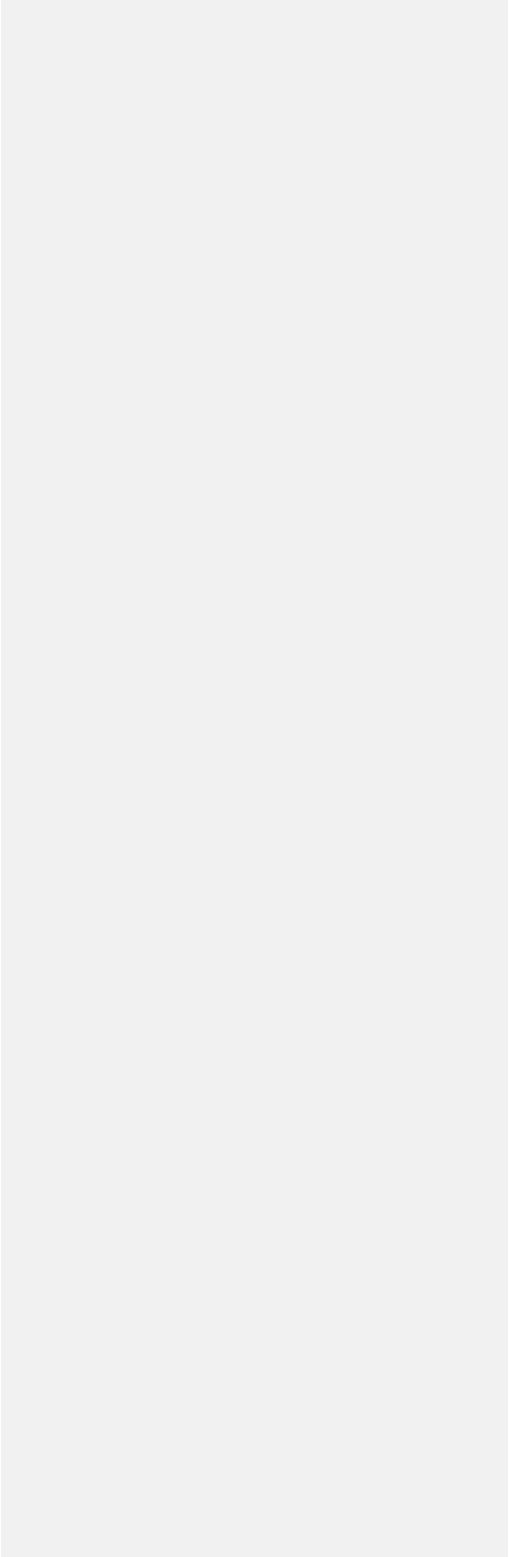
*Hamilton-Wenham Regional High School
Auditorium*

9:00 a.m.

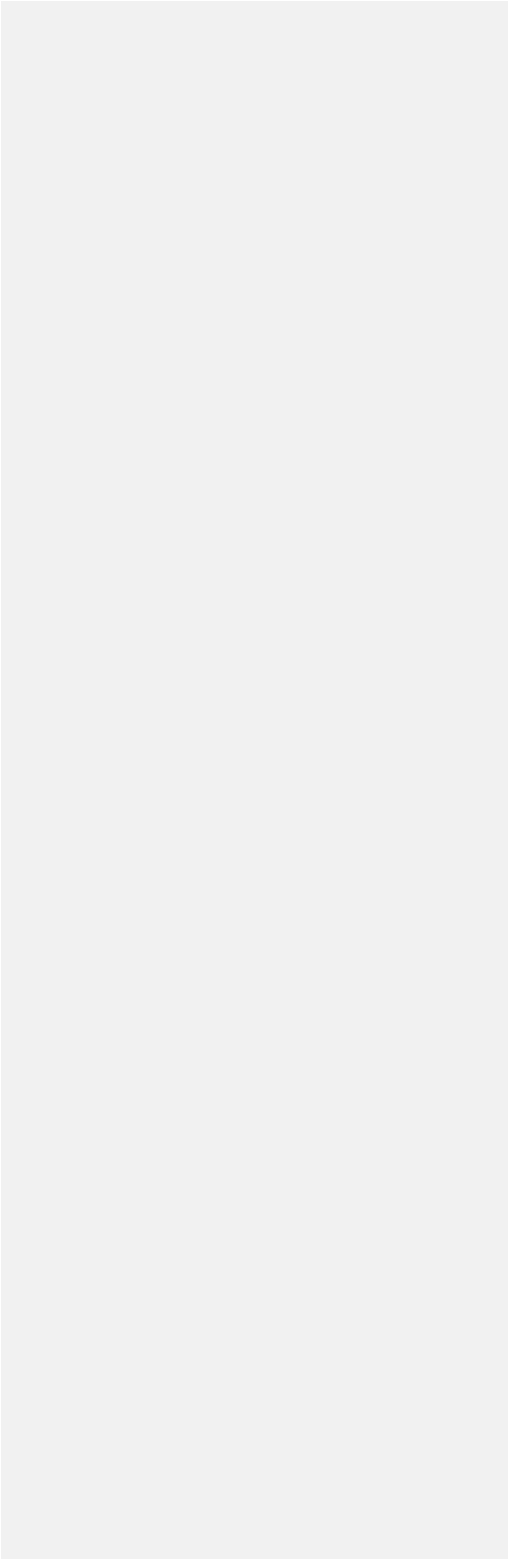
DEMOCRACY IS NOT A SPECTATOR SPORT

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

Appendix A
COMPENSATION/CLASSIFICATION TABLE



Appendix B
TOWN BUDGET



Appendix C
SCHOOL BUDGET

Appendix D
CAPITAL BUDGET

Appendix E
WATER ENTERPRISE BUDGET

Appendix F

COMMUNITY PRESERVATION COMMITTEE BUDGET

Commented [TM19]: This needs to be updated. There is a reference in your email to \$22,000 transfer from Unreserved that will need to be addressed.

Article 2024/4 2-__

1) Administration - Expense

To appropriate \$_____ of FY25 Community Preservation Fund Revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fees, signs publicizing CPA projects and salary for part-time Community Preservation Coordinator.

2) Open Space and Recreation – Project

To appropriate \$103,800 from the Community Preservation Fund Balance to fund the debt service for the Sagamore Hill conservation project. This bond will be paid in full in FY2032.

3) Historic Preservation – Project

To appropriate \$_____ from the Community Preservation Fund Balance to fund the debt service for the Town Hall project. This bond will be paid in full in FY20__.

3) Community Housing - Reserve

To reserve \$11,000 from the Community Preservation Fund Balance to the Community Housing Reserve.

4) Historic Preservation - Reserve

To reserve \$11,000 from the Community Preservation Fund Balance to the Historic Preservation Reserve.

5) Open Space and Recreation - Reserve

To reserve \$11,000 from the Community Preservation Fund Balance to the Open Space and Recreation Reserve.

Appendix G

Resolution in Support of Changing the State Flag and Seal of Massachusetts

Whereas the history of the Commonwealth of Massachusetts is replete with instances of conflict between the European Colonists and the Native Nations of the region, who first extended the hand of friendship to the Colonists on their shores in 1620, and helped them to survive starvation during the settlers' first winters on their land;

Whereas members of the Native Nation for whom the Commonwealth of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, at Wessagusett (now Weymouth) in April of 1623, barely two years after the Pilgrims arrived;

Whereas the Colonial broadsword held by a white hand above the head of the Indigenous person on the Massachusetts Flag and Seal is modeled after Myles Standish's own broadsword, borrowed for that purpose from the Pilgrim Hall in Plymouth by the illustrator Edmund Garrett in 1884;

Whereas the belt binding the Native's cloak on the Flag and Seal is modeled after a belt worn by Metacomet, known to the English as King Philip, who was among the Indigenous leaders that resorted to a mutually destructive war in 1675-76 in defense of Native lands against Colonial encroachment;

Whereas the proportions of the body of the Indigenous person on the Flag and Seal were taken from the skeleton of an Indigenous person unearthed in Winthrop, the bow modeled after a bow taken from an Indigenous man shot and killed by a colonist in Sudbury in 1665, and the facial features taken from a photograph of an Ojibwe chief from Great Falls, Montana, considered by the illustrator to be a "fine specimen of an Indian," though not from Massachusetts;

Whereas the history of relations between Massachusetts since Colonial times and the Native Nations who continue to live within its borders includes the forced internment of thousands of so-called "praying Indians" on Deer Island, in Boston Harbor, where they died by the hundreds of exposure in the winter of 1675, the enslavement of Indigenous people in Boston, Bermuda, and the Caribbean Islands, the offering of 40 pounds sterling as bounty for the scalps of Indigenous men, women and children in Massachusetts beginning in 1686, increased to 100 pounds sterling for the scalps of Indigenous adult males by 1722, half that amount for Indigenous women and children;

Whereas Indigenous people were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that Colonial law was finally repealed;

Whereas the 400th anniversary of the landing of the Colonists at Plymouth Plantation, which gave rise to the long chain of genocidal wars and deliberate government policies of cultural destruction against Native Nations of this continent, occurred in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to an appreciation of the need for better relations between the descendants of the Colonial immigrants and the Native Nations of the Commonwealth;

Whereas the land area now known as the Town of Hamilton shares a rich Native history with modern tribal Nations such as the Massachusett, the Abenaki, the Penacook and the Mi'kmaq, who inhabited this area long before the first colonial settlers arrived in 1638;

Now, therefore, **BE IT RESOLVED** that the Town of Hamilton hereby adopts this resolution in support of the work of the Special Commission on the Seal and Motto of the Commonwealth, established by a Resolve of the General Court in 2021 and appointed by the Governor to recommend changes to the

current flag and seal of Massachusetts, and **in support of a new flag and seal for the Commonwealth** that may better reflect our aspirations for harmonious and respectful relations between all people who now call Massachusetts home. The town clerk shall forward a copy of this resolution to Sen. Bruce Tarr and Rep. Kristin Kassner, and to Sen. Nick Collins and Rep. Antonio Cabral, co-chairs of the Joint Committee on State Administration, with the request that they support the work of the aforementioned Special Commission and advocate for a new flag and seal for the Commonwealth.

905638/HAML/0001

Joe Domelowicz

From: Thomas McEnaney <TMcEnaney@k-plaw.com>
Sent: Thursday, February 22, 2024 11:34 AM
To: Joe Domelowicz
Cc: Thomas McEnaney; Timothy D. Zessin
Subject: External Email Warning FW: Term of contract for the Town Manager
Attachments: An-Act-Establishing-A-Town-Manager-in-the-Town-of-Hamilton-2009.pdf

Joe:

You have asked whether it would be possible to enter into a 5 year employment contract. As indicated below, Hamilton's Town Manager Act authorizes the Town Manager to be appointed for a term of up to 3 years. Since this is a special act, in our opinion, Town Meeting cannot simply vote to authorize a 5 year contract. Rather, Town Meeting would need to authorize the Select Board to seek special legislation to amend the Act. Once the legislature does so, the Board could then appoint the Town Manager for a 5 year term.

In our view, the best course would be to sign a 3 year contract now and seek to amend the Act. Once the Act has been amended, it would then be possible to enter into a contract for a 5 year term.

Short of that, in our opinion, it would likely be permissible to build automatic 1-year extensions after completion of years 1 and 2 of a 3-year appointment/contract. This would perhaps be the simplest way to accomplish what the parties are looking to achieve here. It may be subject to challenge, but we believe that such an arrangement would be defensible as the appointment would technically not exceed a 3 year term.

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

Thanks.

Tom

Thomas W. McEnaney, Esq.

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From: Thomas McEnaney <TMcEnaney@k-plaw.com>

Sent: Wednesday, February 14, 2024 12:56 PM

From: Joe Domelowicz <jdomelowicz@hamiltonma.gov>

Sent: Wednesday, February 14, 2024 9:59 AM

To: Thomas McEnaney <TMcEnaney@k-plaw.com>

Subject: Term of contract for the Town Manager

Tom,
Good morning, I think I know the answer to this question already, but want to make sure and ask your advice on how to proceed. The Select Board has begun negotiations with me on a new contract. Two representatives of the SB told me this morning they'd like to explore the possibility of a five-year contract.

My reading to the Town Manager Act (copied here), states that the SB is to appoint a TM to a term "up to three years..." I assume this means the Board would need a vote of the Town Meeting to negotiate a five-year contract with me.

Can you confirm this or offer me a reason they can adjust that without a Town Meeting vote?
Also, if a Town Meeting vote is needed, can you offer me a sample (very quick and dirty) warrant article they could consider on 2/26, when they will vote to close the warrant?

Unrelated, I would like to confirm your availability for the 2/26 SB meeting and whether we can have some discussion (with the SB Chair – and possibly the Moderator) about the substance and implications of the three CP articles that have been certified? I know you just had a Town Meeting this week, but some of my board members and others are nervous about the CP articles and want to understand the result of a possible, successful vote.

As always feel free to call me if you wish to discuss before replying.

Thank you and best regards,
Joe

Joseph J. Domelowicz, Jr.

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