



A TRUE COPY ATTEST
Carin Q. Kale
TOWN CLERK

**Annual Town Meeting
April 5, 2025
9:00 am
Hamilton-Wenham Regional High School**

At the close of registration on April 5, 2025 there were 5778 registered voters. There were 952 present.

Precinct 1 - 509
Precinct 2 - 443

William Bowler, Town Moderator, stated that the Warrant for this Annual Town Meeting had been properly posted on March 28, 2025, a quorum was present and Town Meeting was now open. Mr. Bowler noted that the Assistant Moderator, Edward Weldon would be present in the cafeteria overflow room. Those present in the overflow room would be able to hear the meeting but would need to come into the auditorium to speak.

The Pledge of Allegiance was recited. Mr. Bowler noted that this year was the 250th anniversary of the American Revolution and read a statement prepared by the Massachusetts Moderator's Association.

Mr. Bowler introduced the officials who were sitting at the front of Town Meeting: "Tom McEnaney (KP Law, Town Counsel), Carin Kale (Town Clerk), Joe Domelowicz (Town Manager), Wendy Markiewicz (Finance Director), Caroline Beaulieu (Select Board, Chair), Bill Wilson (Select Board), Tom Myers (Select Board), Bill Olson (Select Board), Rosemary Kennedy (Select Board), John McGrath (FinCom Chair), Alex Rindels (FinCom), Chris Woolston (FinCom), and John Pruellage (FinCom)."

Mr. Bowler spoke about Town Meeting procedures: To bring an agenda item before the meeting, he will recognize a member of the sponsoring board, committee, or individual to make a motion. If the motion was seconded, he will recognize the proponent to speak. When done, he will open discussion. He asked that voters wishing to speak be standing at the microphone and when recognized, state their name and street address. He said the rules are those used at every Town Meeting. Voters will have three minutes to make comments or ask questions about the motion. If a voter continues to speak once the time has elapsed, to maintain a fair and efficient meeting requires that he moves on to the next speaker. Comments and questions must be within the 'the four corners of the motion.' Mr. Bowler reminded voters that they are in a legislative session for the Town of Hamilton and that while spirited debate is welcome, being cordial and respectful is a priority for the efficiency of the Meeting. Every person who rises to debate a motion has an equal right to be heard. As such he asked people refrain from making remarks of

2 | Annual Town Meeting April 5, 2025

a personal nature about any Town or School official or any person who is in favor of or against the motion and will just comment on the merits of the motion. To ensure that the Meeting is run efficiently, comments or questions must be directed to the Moderator rather than any individual or Town official. He asked that there be no applause, cheering, booing, or any other conduct that will disrupt or delay the Meeting. All motions to amend must be submitted to the Town Clerk in writing and Town Counsel is available to provide some assistance. No more than one amendment may be pending at the same time. A vote is first taken on the amendment and then on the main motion.

Mr. Bowler spoke about the voting procedures: Votes will be counted using the electronic voting clickers. In the unlikely event that there is trouble with the technology, votes will be counted by raising paper voter cards. He will decide visually whether there is the necessary majority or two-thirds vote. If in doubt, or seven voters question the vote immediately after the outcome is declared, he will have the vote counted by tellers. Joe Domelowicz demonstrated the use of the voting clickers.

Joe Domelowicz acknowledged the retirement of Police Chief Russ Stevens. John McGrath acknowledged the retirement of John Pruellage from the Finance Committee. Tom Myers updated the Meeting on MBTA 3A multifamily housing requirements and stated that the Attorney General determined the law was constitutional. Hamilton and 53 other municipalities submitted action plans. The Town was working to receive compensation from the State. A Special Town Meeting has been scheduled for June 26, 2025 for the purpose of adopting the Compliance Zoning. Kristen Kassner (State Representative) was present to update the Town regarding State progress on various issues.

SECTION 1: ELECTIONS, REPORTS, PROCEDURES

ARTICLE 2025/4 1-2 Reports

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 2024 and be posted to the Town of Hamilton website. Town Moderator recognized Bill Wilson.

Motion of Bill Wilson: "I move that the reports of Town Officers and Committees be received and placed on file." Seconded.

Electronic Vote: 640 in favor; 39 opposed. Majority in favor. Motion carries.

ARTICLE 2025/4 1-3 Article for Consent Motion

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.

Town Moderator read the list of articles to be taken up and voted on as one motion. If voters wanted to ask questions or make comments on an article, they would shout out 'Hold' as the list is read. Any article held would be deleted from the Consent Motion and taken up and considered according to its place on the Warrant. Articles: 2-1, 2-5, 2-6, 2-7, 2-8, 2-10, 3-1, 3-3 and 3-4 would be approved under one motion. Town Moderator recognized Rosemary Kennedy.

Motion of Rosemary Kennedy: "I move that the articles included on the List of Articles for Consent Motion for this 2025 Annual Town Meeting, a copy of which has been delivered to the

3 | Annual Town Meeting April 5, 2025

Town Clerk to be filed with the minutes of this meeting, be approved by one vote, each motion to be deemed a separate action under the Warrant Article having the same corresponding number.” Seconded.

Electronic Vote: 664 in favor; 37 opposed. Majority in favor. Motion carries.

SECTION 2: FINANCIAL ACTIONS

ARTICLE 2025/4-2-2 Prior Year Bills

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 \$15,132.73*) Town Moderator recognized Bill Wilson

Motion of Bill Wilson: I move that the Town transfer from Free Cash the sum of \$15,132.73 to pay the following unpaid bills: Casella Waste (\$3,760), Law Office of Jonathan Witten (\$3,355), Meridia (\$4,500), National Grid (\$1,701.96), Robert E. Puff (\$1,725), and Russell Camp (\$90.77). Seconded.

Bill Wilson explained that the Article would be paid for through Free Cash and would not affect the tax rate. Town Moderator said: “This action requires a 4/5th vote.”

Electronic Vote: 739 in favor; 23 opposed. A 4/5th Majority was declared in favor. Motion carries.

ARTICLE 2025/4 2-3 General Town Departmental Appropriations

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, 2025, or take any action thereon or relative thereto. (*Expected requests Town - \$15,561,181 and all educational expenses, including HWRSD and ENSATSD - \$26,153,584*).

Town Moderator said “this is our annual general Town and School omnibus appropriations article. Town Moderator recognized Eric Tracy (Superintendent of Schools) to report on the School Budget.

Eric Tracy reported on the School District Budget. The overall increase was 4.53%. The District returned \$773,000 to the Towns plus \$1.3M offset increases in negotiated salaries for staff. \$300,000 was deposited into the Other Post Employment Benefit Fund. Special Education costs increased \$400,000 for out of district placement and transportation. Essex County Retirement contribution increased to \$146,000 and health insurance increased 8%. Utility increased 40%. The Budget reduced athletic user fees. There was a \$138,000 assessment shift to Wenham and a \$108,000 reduction in debt service. The balance for 2024 was \$1.7M due to a gain of just under \$70,000 in interest. Significant increases were due to contracts and maintenance costs.

Town Moderator recognized Joe Domelowicz to report on the Town Budget.

Joe Domelowicz reported on the Town Budget. A balanced Budget was being presented. The total Budget was \$42,915.592, which represented an increase of 1.07%. A decrease in Capital expenditures was experienced.

Town Moderator recognized Wendy Markiewicz.

4 | Annual Town Meeting April 5, 2025

Wendy Markiewicz said the tax levy raised was \$36,549,661. State aid increased 7.5% (\$1,190,541) Local receipts remained the same (\$2,817,065). Transfer of indirect funds totaled \$521,659. Free Cash used to balance the Budget was \$1,836,666. Total revenue was \$42,915,592. Tax Levy in Hamilton is 89%, local receipts or 7%, State aid was 3% and indirect funds were 1% of the income. Wendy Markiewicz reviewed the Budget, noting increases in expenditures were related to Union Contracts. The excess of Free Cash was used to balance the Budget.

Town Moderator read each appropriation and asked that any voter who wanted to discuss the item separately should shout out 'Hold'.

\$ 2,737,600 for General Town Government

\$ 4,328,861 for Public Safety

\$ 25,669,983 for Hamilton-Wenham Regional School District

\$ 483,601 for Essex North Shore Agricultural & Technical School District

\$ 2,543,614 for Department of Public Works

\$ 398,069 for Health and Human Services

\$ 1,193,926 for Culture and Recreation

\$ 4,359,111 for Unclassified

Totaling \$41,714,765

Town Moderator recognized Alex Rindels.

Motion of Alex Rindels: I move that the Town raise and appropriate the sum of \$41,000,224 and transfer the sum of \$714,541 from Free Cash, for a total appropriation of \$41,714,765, for Schools and all other Town expenses which are set forth in the 2026 Fiscal Year Budget in Appendix B of the 2025 Appendix Book and Appendix C of the 2025 Appendix Book with the corrections read by the Moderator excepting those items held. Seconded.

Electronic Vote: 705 in favor; 87 opposed. Majority in favor. Motion carries.

ARTICLE 2025/4 2-4 Capital Expenditures

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 \$852,125*) Town Moderator recognized Tom Myers.

Motion by Tom Myers: "I move that the Town 1) transfer the sum of \$762,125 from Free Cash to fund the following purchases and projects identified in the Fiscal Year 2026 Capital Projects Plan which is set forth in Appendix D of the 2025 Appendix Book, including all incidental and related costs:

Highway—Roads and Sidewalk Improvements \$350,000,

Facilities/Buildings—COA Building Improvements \$61,000,

Facilities/Buildings—Public Safety Building Improvements \$20,000,

Facilities/Buildings—Patton Park Restrooms \$30,000,

Library—Replace 2nd Air Condenser \$163,125,

Police—SUV Cruiser \$71,000, and

Police—Replace Portable Radios \$67,000.

2). Transfer \$90,000 from the Water Enterprise Fund Retained Earnings to purchase and equip a new pick-up truck, including all incidental and related costs, as set forth in Appendix D of the

5 | Annual Town Meeting April 5, 2025

2025 Appendix Book. Seconded.

Town Moderator recognized John McGrath.

John McGrath explained that Capital expenditures were the focus of the Capital Committee, who talked to Department Heads, assessed needs, and determined priorities. The amounts presented had previously been determined by Committee members for Select Board and finally Town approval.

Electronic Vote: 712 in favor. 52 opposed. A majority in favor. Motion carries.

ARTICLE 2025/4-2-9 Capital Stabilization Fund

To see if the Town will transfer \$235,000 from Free Cash to the Capital Stabilization Fund, or take any action thereon or relative thereto. (*Expected request is \$235,000*). Town Moderator recognized John Pruellage.

Motion made by John Pruellage: "I move that the Town transfer the sum of \$235,000 from Free Cash to the Capital Stabilization Fund." Seconded.

John Pruellage said the Capital Stabilization Fund was about \$1.7M. The Article would fund the previous purchase of a Fire Truck, which would be paid for over three years. There would be no effect on the tax rate. Town Moderator reiterated that a 2/3rds vote was required.

Electronic Vote: 726 in favor; 42 opposed. A 2/3 majority in favor was declared. Motion carries.

Town Moderator recognized Senator Bruce Tarr.

Senator Tarr said the House and Senate were developing a Budget, which would reformulate School Funding to increase the State's support for Special Education. The current fiscal year was \$8M above benchmark, despite Federal Government concerns. The Watershed is protected for adequate drinking supplies for the future.

ARTICLE 2025/4-2-11 HWRSD Consolidated Elementary School Project

To see if the Town will approve the \$142,266,034 borrowing authorized by the Hamilton-Wenham Regional School District, for the purpose of paying costs for designing, constructing, and equipping a new Cutler Elementary School at 237 Asbury Street, Hamilton, MA, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the Hamilton Wenham School Building Committee. The MSBA's grant program is a non entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty one point twenty-eight percent (51.28%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, or take any action thereon or relative thereto. Town Moderator noted the article required a 2/3 vote and recognized Bill Wilson.

6 | Annual Town Meeting April 5, 2025

Motion made by Bill Wilson: "I move that the Town approve Article 2-11 as printed in the Warrant, provided that the approval of the District's borrowing by this vote shall be subject to a contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations of taxes imposed by Mass General Law Chapter 59, Section 21C. Proposition 2.5 and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the project funding agreement that may be executed between the District and the MSBA." Seconded.

Town Moderator recognized Superintendent Eric Tracy.

Eric Tracy gave a history of the project that began in 2022 as well as how the project would fulfill the safety and needs of the students. \$49M would be funded from MSBA. \$92M would be divided between Hamilton (65.9%) and Wenham by annual assessment.

Town Moderator recognized John McGrath.

John McGrath showed a chart that showed the investment history of the schools since 1951. The strategic plan of 2014 considered a consolidated school as a cost-effective solution. The project would have the lowest per pupil cost for 740 students. Mr. McGrath noted other school capital projects were also needed. The school project would increase the tax of the average home \$1,500 per year. To rebuild two schools ten years apart the incremental costs would be \$86M. The tax increase for 20 years would be 12%. The Town voted \$1.2M for a feasibility study. The State refunded half of that cost. Each year the project would be delayed would increase costs by \$2.5M.

Town Moderator recognized members of the Meeting who were speaking at the microphone.

Ed McCarthy (60 Cunningham Dr.) was in favor of small schools and improved maintenance.

Scott Holtz (65 Gardner St.) questioned the \$142M estimate that might increase.

Eric Tracy responded to Mr. Holtz saying the estimate was a locked in price.

Linda Preston (288 Highland St.) was in favor of renovations of existing schools.

Julie Lenocker (153 Gregory Island Road) was in favor of the project.

Charlie Pepler (53 Meyer Road) spoke against the proposal to avoid debt.

Joyce Wendling (424 Asbury St.) spoke against the proposal due to costs.

Jeanie Maurand (21 Garfield Ave.) spoke in favor of renovations to reconfigure spaces.

Melissa Sachsel (60 Echo Cove Road) spoke in favor of the project.

Emma Hambelton (5 Taft Woods Rd) spoke in favor of the project.

Lisa Terranova (54 Woodland Meade) spoke against the project due to costs.

Sean Cullen (13 Maple St.) spoke in favor of the proposal for community spirit.

Casey Hawkins (58 Union St) spoke in favor of the project due to space and security needs.

David Wanger (5 Boardman Lane) asked about state funding for renovations and if tariffs would affect costs. Eric Tracy responded that contingencies were in place to moderate costs and that renovation funding was available but space requirements were needed.

David Wanger questioned if costs went beyond \$142M. Eric Tracy reiterated that value engineering would balance the costs out.

Amy Kunberger (499 Bridge St.) spoke in favor of the project. 80% of teachers were in favor.

Matthew Lewis (356 Forest St.) called to move the question. Seconded.

Town Moderator allowed more discussion.

Tyler Lenocker (153 Gregory Island Road) asked about projected cost of renovations and cost of maintaining three elementary schools. John McGrath said the total to renovate would cost \$115M. Renovation would cost \$62M. An addition would cost \$53M but Mr. McGrath asserted that the space for a new school would be twice as large.

7 | Annual Town Meeting April 5, 2025

Ashely Chase (254 Bridge St.) spoke in favor due to space needs and lack of MSBA funding.
Jessica Fracalossi (20 Cutler Road) spoke in favor of the project.
Beth Herr (270 Asbury St.) spoke against the Article due to costs.
Tosh Blake (217 Sagamore St.) spoke against the proposal due to potential future school site needs.

Town Moderator noted the vote required a 2/3rds majority.

Electronic Vote: 515 in favor; 377 opposed. A 2/3 Majority was not declared. Motion fails.
Town Moderator said that the Select Board could bring the Article back to the Town if the ballot vote was positive. The funds had not been appropriated at this Town Meeting but the funds could be appropriated at a future Town Meeting.

SECTION 3: OTHER APPROPRIATIONS AND ACTIONS.

ARTICLE 2025/4-3-2 Extension of Lease, Cutler School

To see if the Town will vote to authorize the Select Board to extend a lease with the Hamilton-Wenham Regional School District for the Cutler Elementary School, located at 237 Asbury Street, Hamilton, MA, and identified on Assessor's Map 47, Lot 150, for an additional term of 50 years on such terms and conditions as the Select Board deems to be in the best interests of the Town, and further, to authorize the Select Board to execute any and all documents to carry out the purposes of this article, or take any action thereon or relative thereto. Town Moderator recognized Bill Wilson.

Motion by Bill Wilson: "I move that the Town approve Article 3-2 as printed in the Warrant." Seconded.

Bill Wilson said the Article would increase the lease for 50 years.

Jeff Austin (50 Sharon Road) noted that the lease was required by MSBA for the consolidated school.

Electronic Vote: 153 in favor; 201 opposed. Majority against. Motion fails.

SECTION 4: ZONING BYLAW AMENDMENTS.

ARTICLE 2025/4-4-1 Zoning Bylaw Amendment – Groundwater Protection Overlay District

To see if the Town will amend the Town of Hamilton Zoning Bylaw Section 9.1.4, Groundwater Protection Overlay District, by deleting the language shown in strikethrough and inserting the language shown in bold underline, as set forth below, or take any action thereon or relative thereto. 9.1.4 Dimensional Requirements. Regardless of the minimum Lot size of the underlying zone, there shall be a minimum lot area of eighty thousand (80,000) square feet for a building Lot per dwelling unit in the GPOD. See Section 4.0 for Computation of Lot Area. Town Moderator noted a 2/3 vote was required and recognized Marnie Crouch.

Motion made by Marnie Crouch: "I move that the Town approve Article 4-1 as printed in the Warrant." Seconded.

Marnie Crouch explained the purpose of the Groundwater Protection Overlay District. The Article changed language from 80,000 sf per lot to 80,000 per dwelling unit.

8 | Annual Town Meeting April 5, 2025

Mark Johnson (6 Patton Drive) spoke against the proposed Article because the change would not protect the groundwater and offered his concern about smaller lots in town.

Marnie Crouch responded that this amendment would not affect anyone in the R1A, R1B, or RA districts. Those properties were pre-existing nonconforming uses and structures.

Kathy Simons (245 Sagamore) questioned the effect on Accessory Dwelling Units. Marnie Crouch said the By-Right Accessory Dwelling Units would not be affected.

Michael Gordon (145 Woodland Meade) asked about the Planning Board support. Marnie Crouch responded that the Planning Board voted unanimously to support the Article.

Beth Herr (270 Asbury St.) said this was the original language of the By-law.

Tosh Blake (217 Sagamore St.) spoke in support of the Article.

Town Moderator noted the Zoning Amendment Article required a 2/3rds majority.

Electronic Vote: 213 in favor; 104 opposed. A 2/3 Majority in favor. Motion carries

ARTICLE 2025/4-4-2 Zoning Bylaw Amendment – Temporary Signage

To see if the Town will amend the Town of Hamilton Zoning Bylaw Section 6.3.5, Signs, by deleting the language shown in strikethrough and inserting the language shown in bold underline, as set forth below, or take any action thereon or relative thereto. 6.3.5.4. Temporary Signage: Signs in place for no more than two months in any calendar year. For two months prior to any national, state, or local election and for one week thereafter, there may be up to five (5) lawn signs per lot. Town Moderator recognized Bill Olson.

Motion made by Bill Olson: "I move that the Town vote to approve Article 4-2 as printed in the Warrant." Seconded.

Town Moderator recognized Marnie Crouch. Marnie Crouch said the article amended the definition of temporary signage to be consistent with the First Amendment.

Town Moderator noted the Zoning Article required a 2/3rds vote.

Electronic Vote: 223 in favor; 58 opposed. A 2/3 Majority in favor. Motion carries.

ARTICLE 2025/4-4-3 Zoning Bylaw Amendment – Definitions

To see if the Town will amend the Town of Hamilton Zoning Bylaw Section 11.0, Definitions, by deleting the language shown in strikethrough and inserting the language shown in bold underline, as set forth below, or take any action thereon or relative thereto.

Gross Floor Area, Business: The floor area within the perimeter of the outside walls of the building under consideration, without deduction for corridors, stairways, ramps, closets, thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

Gross Floor Area, Residential: Except for the definition of gross floor area applicable to Accessory Dwelling Units, the sum of the areas of all floors of the building, including basements, cellars, mezzanine and intermediate floored tiers and penthouses of headroom height, measured from the exterior faces of exterior walls from the centerline of walls separating buildings, but excluding: 1. Covered walkways, open roofed-over areas, porches and similar

9 | Annual Town Meeting April 5, 2025

spaces. 2. Pipe trenches, exterior terraces or steps, chimneys, roof overhangs and similar features. Town Moderator recognized Bill Olson

Motion by Bill Olson: "I move that the Town approve Article 4-3 as printed in the Warrant." Seconded.

Town Moderator recognized Marnie Crouch. Marnie Crouch explained the By-law Amendment, which amended the definition of gross floor area for the State Building Code.

Town Moderator noted the Zoning Article required a 2/3 vote.

Electronic vote: 245 in favor; 45 opposed. A 2/3 Majority in favor. Motion carries.

ARTICLE 2025/4 4-4 Zoning Bylaw Amendment – Use Regulations / Large Accessory Dwelling Units

To see if the Town will amend the Hamilton Zoning Bylaw Sections 3.1.2, 3.4, and Section 11.0, relative to Use Regulations and Definitions, by deleting the language shown in strikethrough and inserting the language shown in bold underline, as shown in Appendix G-1, and to authorize the Town Clerk to accomplish any necessary renumbering, or take any action thereon or relative thereto. Town Moderator noted that a 2/3 majority was required and recognized Marnie Crouch.

Motion by Marnie Crouch: "I move that the Town approve Article 4-4 as printed in the Warrant." Seconded.

Town Moderator recognized Marnie Crouch. Marnie Crouch said the Article included large (between 900 to 2000 sf) units by special permit.

Electronic Vote: 233 in favor; 53 opposed. A 2/3 Majority in favor. Motion carries.

ARTICLE 2025/4-4-5 Zoning Bylaw Amendment – Accessory Dwelling Units By Right

To see if the Town will amend the Hamilton Zoning Bylaw Sections 3.1.2, 3.6 and 11.0, relative to Accessory Apartments and Definitions, by deleting the language shown in strikethrough and inserting the language shown in bold underline, as shown in Appendix G-2, and to authorize the Town Clerk to accomplish any necessary renumbering, or take any action thereon or relative thereto. Town Moderator noted a majority vote was required and recognized Marnie Crouch.

Motion by Marnie Crouch: "I move that the Town approve Article 4-5 as printed in the Warrant." Seconded.

Marnie Crouch explained the Article, which was in response to the Affordable Homes Act, which was adopted 2/2/2025. Accessory Dwelling Unit would include units less than 900 sf or less than 50% of the primary dwelling unit, whichever is less. Other provisions were read by Ms. Crouch. Short term rentals are not included.

Electronic Vote: 232 in favor; 59 opposed. Majority in favor. Motion carries.

ARTICLE 2025/4-4-6 Zoning Bylaw Amendment – Inclusionary Housing

To see if the Town will amend the Town of Hamilton Zoning Bylaw Section 8.3, Inclusionary Housing, by deleting the language shown in strikethrough and inserting the language shown in bold underline, as shown in Appendix H, or take any action thereon or relative thereto. Town Moderator noted a 2/3 vote was required and recognized Rosemary Kennedy.

Motion by Rosemary Kennedy: "I move that the Town approve Article 4-6 as printed in the Warrant." Seconded.

Town Moderator recognized Marnie Crouch. Marnie Crouch said the Article was an update to the existing By-law, clarifying calculation of minimum number of units and payment in lieu of units. Town Moderator noted the Article required a 2/3 vote.

Electronic vote: 215 in favor; 54 opposed. A 2/3 Majority in favor. Motion carries.

ARTICLE 2025/4-4-7 Zoning Bylaw Amendment – Site Plan Review

To see if the Town will amend the Town of Hamilton Zoning Bylaw Section 10.6, Site Plan Review, and Section 11.0, Definitions, by deleting the language shown in strikethrough and inserting the language shown in bold and underline, as shown in Appendix I, or take any action thereon or relative thereto. Town Moderator recognized Marnie Crouch.

Motion by Marnie Crouch: "I move that the Town approve Article 4-7 as printed in the Warrant." Seconded.

Town Moderator recognized Marnie Crouch. Marnie Crouch explained the Article and purpose of Site Plan Review and the changes proposed. Town Moderator noted the Article required a 2/3 vote.

Electronic Vote: 238 in favor; 42 opposed. A 2/3 Majority in favor. Motion carries.

ARTICLE 2025/4-4-8 Zoning Bylaw Amendment – Flood Plain Overlay District

To see if the Town will amend the Town of Hamilton Zoning Bylaw Section 9.2, Flood Plain Overlay District, and Section 11.0, Definitions, by deleting the language shown in strikethrough and inserting the language shown in bold and underline, as shown in Appendix J, or take any action thereon or relative thereto. Town Moderator recognized Tom Myers.

Motion by Tom Myers: "I move that the Town approve Article 40 as printed in the Warrant." Seconded.

Town Moderator recognized Marnie Crouch. Marnie Crouch explained the purpose of the Article.

Kathy Simons (245 Sagamore St.) questioned the applicability to the Conservation By-law. Town Moderator noted the Zoning Article required a 2/3 vote.

Electronic Vote: 255 in favor; 23 opposed. A 2/3 Majority in favor. Motion carries.

SECTION 5: CITIZENS' PETITIONED ARTICLES

ARTICLE 2025/4-5-1 Citizen's Petition.

Should the Hamilton-Wenham Regional School District (and the Towns of Hamilton and Wenham and all relevant boards and committees): (i) permanently abandon their plans and efforts with respect to the consolidation of any or all elementary schools in the District; and (ii) pursue and use the resources available to them, including any future financial awards or grants from the Massachusetts School Building Authority, to renovate, maintain and/or repair the

ADDENDUM – Consent Article

ARTICLE 2025/4 1-3 Consent Motion Articles included Article 2025/4 2-1, Article 2025/4 2-5, Article 2025/4 2-6, Article 2025/4 2-7, Article 2025/4 2-8, Article 2025/4 2-10, Article 2025/4 3-1, Article 2025/4-3-3 and Article 2025/4 3-4.

ARTICLE 2025/4 2-1 Compensation/Classification Table

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.

ARTICLE 2025/4 2-5 Water Enterprise Budget

To see if the Town will approve the FY2026 Water Enterprise Budget, as set forth in Appendix E, or take any action thereon or relative thereto. (*Expected request \$2,514,566*)

ARTICLE 2025/4 2-6 Annual Financial Actions

To see if the Town will authorize the following financial actions, or take any action thereon or relative thereto.

- A. To transfer \$2,000 from the Cemetery Sale of Lots and Graves Fund to the General Fund to be used for cemetery purposes;
- B. To transfer \$519,659 from the Water Enterprise Fund to the General Fund to be used for indirect expenses;
- C. To transfer \$9,213 from the interest of the Clark Fund to the Conservation Trust fund for conservation related expenses.

ARTICLE 2025/4 2-7 Hamilton Development Corporation

To see if the Town will raise and appropriate the sum of \$78,702 to the Hamilton Development Corporation, or take any action thereon or relative thereto. (*Expected request is \$78,702*)

ARTICLE 2025/4 2-8 OPEB Trust Fund.

To see if the Town will transfer \$125,000 from Free Cash for the purpose of funding the Other Post-Employment Benefits (OPEB) Liability Trust Fund, or take any action thereon or relative thereto

ARTICLE 2025/4 2-10 Community Preservation Budget.

To see if the Town will act on the Report of the Community Preservation Committee on the Fiscal Year 2026 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 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.

ARTICLE 2025/4 3-1 HERO Act.

To see if the Town will vote to accept General Laws Chapter 59, Section 5, Clause 22I, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of

11 | Annual Town Meeting April 5, 2025

Buker, Winthrop, and Cutler schools in their current locations. ___ Yes ___ No. Town Moderator recognized Rosemary Kennedy.

Motion by Rosemary Kennedy: “I move that the Town vote to request the Hamilton-Wenham Regional School District (and the Towns of Hamilton and Wenham and all relevant boards and committees) to: (i) permanently abandon their plans and efforts with respect to the consolidation of any or all elementary schools in the District; and (ii) pursue and use the resources available to them, including any future financial awards or grants from the Massachusetts School Building Authority, to renovate, maintain and/or repair the Buker, Winthrop, and Cutler schools in their current locations.” Seconded.

Ed McCarthy (60 Cunningham Drive) explained the definition of Citizen Petition. This Petition informed the District to stop the consolidation plan and focus on fixing and renovating the three schools in their existing sites by using State grants and funding help available.

Beth Herr (270 Asbury St.) questioned the ballot question and wondered how long the vote would be outstanding. Ms. Herr wondered if a new school at the Cutler site could be funded even if a consolidated school were not considered. Ms. Herr asked to amend the ballot question. Town Moderator said the article was advisory and the ballot question could not be amended. A resident said the vote was a majority but not a super majority and a Citizen’s Petition with few votes should not supersede a majority vote. The community should have the opportunity to search for more options.

A resident (Echo Cove Road) noted the schools were 60 years old and have high marks for maintenance of the schools.

A resident noted that it should not be said the schools were well maintained for years and then say the schools are decrepit and need to be torn down.

Julie Lenocker noted how many committees voted for consolidation and asked residents to vote no on the Citizens’ Petition.

Kathy Simons spoke against the article.

Deb Safford (46 Maple St.) spoke in favor of the article.

A resident spoke in favor of the article due to the lack of future schools sites.

A resident spoke in favor of the article.

Electronic Vote: 176 in favor; 135 opposed. Majority in favor. Motion carries.

ADJOURNMENT

The Moderator said: “I will now accept a Motion to dissolve.” So Moved. Seconded.

Voice Vote: Unanimous in favor. Motion carries.

This Annual Town Meeting is now dissolved at 1:19 pm on April 5, 2025.

A True Copy Attest:



Carin A. Kale, CMMC
Town Clerk

13 | Annual Town Meeting April 5, 2025

Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025, or take any action thereon or relative thereto.

ARTICLE 2025/4 3-3. Recreation Revolving Fund – Establish New Spending Limit

To see if the Town will vote to establish the annual spending limit for the Recreation Revolving Fund at \$825,000 in accordance with G.L. c.44, §53E ½, with such updated expenditure limit to be applicable for each fiscal year until such time as Town Meeting votes prior to July 1 in any year, to increase the same for the ensuing fiscal year, provided that at the request of the entity authorized to expend such funds the Select Board may increase such limit for that fiscal year only; or take any action thereon or relative thereto.

ARTICLE 2025/4 3-4. Acquisition of Easements – Woodbury Street.

To see if the Town will vote to authorize the Select Board to acquire, by gift, purchase, eminent domain or otherwise, permanent and temporary easements in the property located at 12 Woodbury Street, Hamilton, MA, as further described as Assessors' Map 69, Lot 45, as shown on the Plan entitled, "Interim Hamilton-Wenham System Interconnection," on file with the Town Clerk's Office, for the purpose of siting a water pump station and related infrastructure, on such terms and conditions as the Select Board deems to be in the best interests of the Town; and further, to authorize the Select Board to execute any and all documents to carry out the purposes of this article, or take any action thereon or relative thereto.

