

# Town of Hamilton, Massachusetts



## 2013 Annual Report

Town of Hamilton  
Essex County  
Commonwealth of Massachusetts



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## 2013 Annual Report

July 1, 2012 through June 30, 2013

Town of Hamilton  
Essex County  
Commonwealth of Massachusetts

Incorporated June 21, 1793  
Area 14.99 Square Miles Town Population 7,764

Sixth Congressional District  
Fifth Councilor District  
First Essex and Middlesex Senatorial District  
Fourth Essex Representative District

State Officials  
Congressman: John Tierney, *Salem*  
Senator: Bruce E. Tarr, *Gloucester*  
Representative: Brad Hill, *Ipswich*



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# Board of Selectmen

The Board of Selectmen faced a very active meeting year in 2013.

### Pirie Land Acquisition

In late February, the Pirie family notified the Town of its intent to sell its 80 acre farm, located on Bay Road between Town Hall and the HW Regional High School. Most of the land was protected under Chapter 61A and as such the Town had right of first refusal to purchase the land from the family for \$4 million, the amount offered in purchase and sale agreement signed by a developer. Under the law, the Town had 120 days to exercise its option. A working group of Town Boards was formed, met frequently and came to the conclusion to recommend a Special Town Meeting. The Board set June 11 to put the question to the Town's people vote. Over 980 attended the STM, with 869 voting. Voters spoke clearly. The decision to purchase the property failed to get a 2/3 majority. At the Selectmen's meeting following the vote, Chairman Marc Johnson urged the Town to develop a Land Acquisition Policy. There are other 61A properties in Hamilton. A formal policy would enable the community and landowners to discuss potential municipal acquisition on a regular basis. The complexities of land acquisition by the Town are not easily delineated in 120 days.

### Patton Park Playground

A true community quilt of contributors, volunteers, Town Departments and Boards created the new Patton Park Playground, led by project drivers Emily Sumner, Holly Regan, Jennifer Daniels and William Boardman. The almost two year campaign came to a climax on Thursday August 29 with the grand opening celebration. The bright red and blue nautical themed fixtures, commemorative brick pathways and inviting landscaping bring delight to children and adults alike. A special recognition award ceremony was held by the Selectmen at an October meeting citing the four leaders for their outstanding volunteer service.

### Patton Homestead

The Town Manager with the Patton Advisory Committee led by Selectman Jennifer Scuteri explored various options for the Patton Homestead that respected the property's military tradition and historic character. The Town feasibility study for operating a Bread and Breakfast at the site concluded that it would be difficult given the current Town government organizational structure and requirement of a significant amount of capital needed to transform it. In October, the Selectmen revealed that an RFP was in the works for a blanket use of the Homestead that could

include 4 to 5 acres of high land being sold to a developer to build houses. With the goal to make the property self sustaining, the gift agreement would be amended to allow the sale of a portion of the land. The Patton Family Archives, privately owned by the family are housed at the Homestead. Gordon College Institute for Public History maintains the archives in space leased by the Town, generating a modest monthly income for the next 3 years. The Homestead also served as a location for film classes led by Ben Patton for Veterans suffering from Post Traumatic Stress Disorder.

### Patton Park Pool

Patton Park Pool Committee launched in January and charged by the Board with all exploring options including a new pool/aquatics center as well as options including repairs to the existing bathhouse, decking and piping. Specifically, the Board directed the Committee to develop a list of uses and present pool/aquatic options for community to the Selectmen that reflect the public's interest. Annual Town Meeting approved use of \$102,000 from CPA for a design plan. A second plan design with funding from Hamilton alone was presented at Fall Town meeting and failed to achieve a 2/3 vote by 2 votes. In December, Selectmen David Neill encouraged the Committee to secure the financial partnership of Hamilton and Wenham and present a new Two Town project at Annual Town Meeting next Spring.

### Emergency Communications

At a working meeting in January the Board of Selectmen weighed the pros and cons of joining new state funded regional dispatch center in Middleton or maintaining the existing ECO alone, as Wenham elected to move its service to Middleton. After much discussion, the Board voted unanimously to keep existing dispatch services in Hamilton at the ECO. In November, the Town initiated discussions with Ipswich and Manchester regarding participating in Hamilton's ECO to shoulder operating costs.

### Planning Initiatives

The Board of Selectmen and Land Use Boards met in January with a hope to build synergy to start to create a vision for the future and to foster an understanding about how Town boards and committees relate to one another with disparate and common roles as well as comprehend what work is being done by the boards and committees. Hamilton Affordable Housing Trust and Hamilton Development Corporation were identified to play a pivotal role in driving projects that may result in a Housing Production Plan. In December, a reorganization of

# Reports: General Government

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Land Use Boards was announced. A new Planning Director would oversee the Planning, ZBA and Building Department, whose position to be funded at Annual Town Meeting. In addition, the plan contemplated the Conservation Coordinator and Health Agent reporting to a Planning Director, whose position to be funded at Annual Town Meeting. The Director would be also the liaison director of the Hamilton Development Corporation, and Hamilton Affordable Housing Trust.

## **Recycling Award**

MassRecycle presented its' top award to the Town of Hamilton for adopting a weekly curbside organic waste collection program that has demonstrated results. Hamilton realized a drop in solid waste disposal from 1,816 tons to 1,278 tons and expected better results in 2013. The Board, who adopted the program in 2012, attributed a significant part of the program's success to effort by Gretel Clark and composting operation managed by Peter Britton.

## **Downtown Revitalization**

Selectman Jeffrey Hubbard inspired a site walk of the downtown area by representatives of Town Board and Committees, civic groups and the merchants association, which was conducted in July. There were 19 items identified that could be improved or changed. By November, the HW Garden Club was creating a rock garden at Depot Square, the revitalization of the apron at Depot Square parking lot had been completed, as well as line painting on Railroad Avenue. Many items along Bay Road, a state highway could not be addressed by Town officials. The Town received a \$25,000 Downtown Planning & Barr Grant from the state. Hamilton is one of three communities on the North Shore to receive a grant to do a finite study looking at the downtown for zoning relief, collectively develop a vision for the Town and identify infrastructure needs.

## **Personnel and Reorganization Issues**

The Board approved the collective bargaining agreements between the Town of Hamilton and the Hamilton Police Benevolent Association and Hamilton Firefighters Local 3250. Both agreements run from July 1, 2013 through June 30, 2016 and were negotiated by Michael Lombardo, Town Manager.

The Hamilton, Wenham and HWRSD explored regionalizing DPW through a Community Initiative Challenge Grant, led by the Collins Institute.

## **Landfill Proposal**

A proposal to explore the feasibility of building an anaerobic digester on part of the landfill site on Chebacco Road was explored with CDM Smith Corporation, the same consultant hired to cap the landfill. A draft RFP was expected at year's end.

While the artificial turf field at the HWRHS is part of the Recreation Master Plan, more work in fundraising and educating the Town's people of its importance is needed before it can be realized.

## 2013 Hamilton Board of Selectmen

Marc I. Johnson, *Chairman*  
Jeffrey M. Hubbard  
Scott F. Maddern  
David G. Neill  
Jennifer T. Scuteri

## Reports: General Government

# Town Clerk

The Town Clerk's Office serves as a general information center to the public, including posting of all board meetings according to the Open Meeting Law. Numerous requests are filled for certified copies of vital records, general information about the Town and its activities, genealogical information, business and legal decisions by Town boards.

The Town Clerk is responsible for local and state elections, recording and certification of all official actions from town meetings, census maintenance, voter registration, maintenance and issuance of vital records and swearing into office all board and committee appointments as well as elected officials. We also process and issue various licenses including marriage and dog licenses, raffle permits and business certificates throughout the year.

I would like to thank Administrative Assistant Andrea Carlson for her dedication and effort in performing the many and varied duties which make it possible for this office to run smoothly. A very special thank you to our dedicated senior volunteers who assist us with our special projects: Edward Haraden, Carol Kirby, Ruth Flumerflet, Betty Gray, and Charlotte Teshko for their help stuffing census envelopes, indexing our maps and town meeting minutes. We sincerely appreciate all their efforts.

### Elections and Registrations

#### *Board of Registrars*

Constance Cobb, Walter Leszczynski, Maureen Hickey and Jane M. Wetson, *Clerk Officio*.

This year we had two Town Meetings and four Elections. The minutes are on file in the Town Clerk's Office.

The Annual Town Meeting and Fall Special Town Meeting was held at the H-W Regional High School Auditorium under the direction of Christopher Shailor, Bill Melville and their staff of dedicated and talented young adults that keep our meetings running smoothly. We sincerely appreciate your help.

The Special Town Meeting was held at the Winthrop School along with all of our four elections. Our thanks to Christopher Heath, Winthrop Principal and his staff for all their help in allowing us to have our meetings and elections at Winthrop. We sincerely appreciate the wonderful team work.

2013 Statistics			
	2011	2012	2013
Marriage Licenses Issued	19	23	25
Births Recorded	78	95	86
Deaths Recorded	55	37	46
Dog Licenses Issued			
Dog Total			1,154
Kennels			5

I sincerely thank the dedication and hard work of Greg Stevens, Paul Rigol, and Ivan Muise in setting up the elections, the Board of Registrars, the Election Officials, and the Hamilton Police for their support and professionalism. I would also like to thank the custodians and kitchen staff at Winthrop School for helping our days to run smoothly and keeping us well fed, it was a great team effort.

Summary of Elections & Town Meeting for 2013	
April 6, 2013	Annual Town Meeting had 142 registered voters in attendance which was 2% of the 5,833 registered voters in Hamilton.
April 11, 2013	Annual Town Election had 856 ballots cast, which was 15% of the 5,833 registered voters in Hamilton
April 30, 2013	Special Primary Election had 865 ballots cast, which was 15% of the 5,832 registered voters in Hamilton
June 11, 2013	Special Town Meeting had 917 registered voters in attendance which was 16% of the 5,827 registered voters in Hamilton.
June 25, 2013	Special State Election had 1,774 ballots cast, which was 30% of the 5,831 registered voters in Hamilton
November 4, 2013	Special Town Meeting had 362 registered voters in attendance which was 6% of the 5,653 registered voters in Hamilton.
November 21, 2013	Special Town Election had 327 ballots cast, which was 6% of the 5,656 registered voters in Hamilton

## Reports: General Government

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The annual census forms were mailed out, and again we are urging residents to complete and return as soon as possible. Massachusetts State and Federal representation and funding depend on the population. Also, the listing of every resident and household is very important to our Police and Fire Departments for safety reasons.

I sincerely appreciate your support throughout the year and I thank you for allowing me to serve you.

Respectfully submitted,

Jane M. Wetson, CMMC  
*Town Clerk*

# Fire Department

The Fire Department serves the Town of Hamilton with (4) fulltime firefighters and (25) call firefighters. Two new call firefighters, Peter Prizio and Joshua Callahan, attended the Massachusetts Firefighting Academy Call/Volunteer Firefighter Training Program.

The Department is dedicated to training and train in-house and with the Massachusetts Firefighting Academy. All members train in firefighting, medical, CPR, hazardous materials, and rescue techniques. We train with area Departments on ice rescue annually.

Hamilton and Wenham Fire Prevention did a week of training in the elementary schools. The training was in classroom and the County Fire SAFE Trailer where they got practical fire safety training. The SAFE Trailer was also at the Public Safety Day in September. Many people went through the training.

Fire Drills and Lock Down Drills were done at all the schools. The schools are required to do four fire drills per year, one can be a lock down drill.

The Department held their First Citizens' Fire Academy in Wednesday nights in April and May. They learned what the Fire Department does and learned about the equipment, fire prevention, auto extrication, and technical rescue. They also did a field trip to the Massachusetts Firefighting Academy.

The Town got a new ambulance provider in July. Beauport Ambulance Service took over the contract from Lyon's. The Fire Department responds to emergency medical calls with the Police and Beauport Ambulance. The Department responded to 455 medical calls in 2013.

On March 23rd a Three Alarm fire broke out at 261 Cutler Road. The house was owned by Amanda and Zach Zagarowski. It was also the home of Michael Carter-Williams who was playing for the Syracuse University Basketball Team in the NCAA Tournament. The house was completely destroyed, but there were no injuries.

The League of Women Voters studied whether the Hamilton and Wenham Fire Departments should be merged. The two Fire Departments did a power point presentation and explained the services and equipment that are already shared by area departments. The League will come out with a report in the near future.

I would like to extend my sincere appreciation and gratitude to the members of the Fire Department. I commend them for their

continued support and dedication to the people of the Town of Hamilton. They are on call 24/7; they leave their jobs and homes in all kinds of weather, any time of night or day at a moments notice to assist the citizens with any kind of emergency.

Respectfully submitted,

Philip W. Stevens, Jr., *Fire Chief*

INCIDENTS - 2013	
Fires .....	24
Rescue.....	45
Hazardous Condition (No fire).....	39
Service Calls.....	86
Good Intent Calls .....	41
False Calls.....	178
Severe Weather Calls.....	3
Citizen Complaint .....	2
Total Fires Calls.....	420
Emergency Medical Calls .....	455
<b>TOTAL CALLS:</b>	<b>875</b>
FIRE PREVENTION	
Open Burning Permits .....	405
Agricultural Burning Permits .....	11
Other Permits.....	238
Inspections .....	297
Plan Review.....	25
Public Education.....	51
Meetings .....	52
Fire Drills .....	44
Fire Prevention Continuing Education.....	8 hours
Miscellaneous .....	92 hours
CAR SEAT INSTALLATIONS	
Firefighter/EMT Ryan Goodwin and Firefighter/EMT Robert Wallace are certified to do car seat installations. They did 65 installations in 2013. There is no charge for the installation.	

# Emergency Management

Emergency Management is based on preparedness. We are required to have Community Assessment Plans, Hazard Mitigation Plans, and Comprehensive Emergency Plans. Our Comprehensive Emergency Plan was updated and accepted by the Massachusetts Emergency Management Agency (MEMA) last fall.

Emergency Management, Fire, Police, and the Health Department meet on a monthly basis to discuss emergency preparedness. We have been working on preparedness and shelter plans.

A Volunteer Shelter Team has been put together and meets on a regular basis with Health Nurse Kim Paskalis and the Emergency Management Director. Nancy Stevens from the Health Department has collected member information and has done much of the administrative work. They are utilized if a shelter has to be activated because of a storm, natural disaster, or some other emergency. They have trained with ICS, CPR, and how to set up the shelter. Standard Operating Guidelines have been written for the Shelter Team.

All shelter equipment from Police, Fire, Health and Emergency Management has been combined and is stored in one location. Edward Seaver has volunteered many hours and has completed an inventory list of all emergency equipment and where it is stored. He has set up shelves and set up a numbering system to keep track of equipment.

Emergency Management has (4) generators, cots, blankets, first aid kits, and other equipment that may be needed in an emergency. We have updated some of our equipment with various grants.

We were spared this last winter, but Hurricane Sandy came up the coast in October and we were prepared for the worst, fortunately it was downgraded to a Tropical Storm by the time it hit us. Damage from the storm was limited to downed trees and power lines. Power was out for an extended period of time. All Town Departments worked together to keep people safe. We worked with FEMA again for reimbursement.

Due to the many power outages, many people have installed generators or generator hook ups, which will be helpful as we go through this period of extreme weather.

We have been educating the public on what to do in an emergency, be informed, make a plan, and get an emergency kit. We are here to assist you to prepare for an emergency.

In an emergency, the three steps to safety are

- be informed;
- make a plan, and;
- get a kit.

Respectfully submitted,

Philip W. Stevens, Jr.  
*Emergency Management Director*

# Police Department

To the Honorable Board of Selectmen and the Citizens of Hamilton:

I am pleased to offer you this annual report highlighting the activities and accomplishments of your Police Department during the calendar year of 2013. The Hamilton Police Department is a full-service, full-time police agency that serves our residents twenty-four hours a day, seven days a week. The philosophy of the Hamilton Police Department is that of preventing crime and being proactive while maintaining a high quality of life for the people for which we serve. We continue to utilize a Community Oriented Policing approach in dealing with the many problems we face each day. Working together with citizens, businesses, schools and civic organizations, the Hamilton Police Department is building partnerships for a safer community.

I have had the pleasure of meeting and speaking with many of you regarding concerns you would like to see addressed. As a result of these discussions, I have been able to examine and address many of the issues you presented.

We are asking all citizens to remain vigilant and call us immediately if they detect anything suspicious in nature or out of the ordinary. Although I consider Hamilton a very safe town to live and raise a family, I encourage residents to lock their homes and vehicles. By collaborating together we can better serve our community.

We continue to work diligently with other Federal, State and Local law enforcement agencies as well as the District Attorney's Office in an effort to thwart criminal activity and provide a safe community for our citizens.

In these trying fiscal times we continue to work efficiently and effectively with other departments within the town in an effort to maximize resources while minimizing costs. We are always exploring ways to provide the same if not better services to our residents while reducing overall spending.

I would like to thank the citizens of Hamilton for the opportunity to serve you. I also wish to commend the officers and staff of the Hamilton Police Department for their service, commitment and professionalism. Their dedication and tireless efforts help to make the Town of Hamilton a safe and desirable community in which to live.

Respectfully Submitted,

Russell M. Stevens, *Chief of Police*

# Reports: Public Safety

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## Hamilton Police Department 2012 and 2013 Statistics

Classification	2012	2013
Motor Vehicle Citations – Warnings	457	530
Motor Vehicle Citations – Civil	305	187
Motor Vehicle Citations – Criminal Complaints	88	137
Motor Vehicle Citation – Arrests	68	48
Operating Under the Influence	15	6
Parking Tickets	67	66
Motor Vehicle Accidents Total	91	144
Motor Vehicle Accidents Investigated	67	84
Crimes Against Persons	52	38
Crimes Against Property	105	110
Crimes Against Society	194	66
Marijuana Citations	26	12
Animal Calls	406	477
Medical Calls	362	379
Pistol Permits/ Firearms I.D. Cards/ Chemical Propellant Cards	135	174
Activity Detail		
Total Calls for Service	23919	23098
Total Arrests	275	154
Traffic Stops	1429	1154

# Hamilton-Wenham School District

In the 2012-2013 school year, the Hamilton-Wenham Regional School District continued to provide students from Hamilton and Wenham with one of the best educational opportunities in the Commonwealth of Massachusetts.

Hamilton-Wenham Regional High School graduated 166 members of the Class of 2013 in June. 95% of these students went on to pursue study at institutes of higher learning. The Hamilton-Wenham Regional High School was also named by the College Board to the 2013 Advanced Placement District Honor Roll for increasing student access to and performance on Advanced Placement Tests.

The District also saw several changes in leadership over the 2012-2013 year. The School Committee welcomed three new members, Jeanise Bertrand, Deborah Evans and Melissa Even-Moore, who replaced Kym Donnellan, Ann Minois, and Lawrence Swartz. Ms. Even-Moore resigned from the Committee in October and was replaced by Lawrence Swartz. Roger Kuebel was re-elected as Chairman of the Committee, William Wilson was elected to the position of Vice-Chair and Deborah was elected Secretary.

The District also celebrated the contributions of several staff members during the 2012-2013 school year. Six faculty members, Linda Arnold, Nick Civitarese, Linda Guerrette, Barbara Moroney, Patty Miller, Judy Naylor, Margaret Nolan, and Kevin O'Reilly, celebrated their retirement from the District in June of 2013.

In closing, I would like to thank the Communities of Hamilton and Wenham for their continued support of the educational mission of the HWRSD. The successes of the students of the District are a direct result of the high value the communities place on education. On behalf of the administration, faculty and staff of the HWRSD, I promise we will continue to do our best to live up to this commitment and provide our students with an education that will ensure they are prepared to meet the challenges ahead.

Respectfully submitted,

Dr. Michael Harvey, Ed.D  
*Superintendent of Schools*

### HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT COMMITTEE 5 School Street, Wenham, MA 01984

		Term Ends	Year Elected
Jeanise Bertrand	28 Perkins St, Wenham, 01984	2016	2013
Sean W. Condon	20 Cherry Street, Wenham, 01984	2014	2011
William R. Dery	PO Box 2142 - 356 Chebacco Rd, Hamilton, 01982	2014	2011
Deborah Evans	12 Porter St., Wenham, 01984	2016	2013
Roger A. Kuebel	30 Juniper Street, Wenham, 01984	2014	2011
Barbara K. Lawrence	45 Willow Street, Hamilton, 01982	2015	2012
Sheila B. MacDonald	56 Cherry Street, Wenham, MA 01984	2015	2012
Lawrence D. Swartz*	11 Conrad Circle, Wenham, MA 01984	2013	2011
William W. Wilson	36 Howard Street, Hamilton, 01982	2015	2012

Terms are 3-year terms unless otherwise specified.

Terms begin as of the first School Committee meeting after the Election Day. Terms end as of the Election Day in the month of April.

\*Lawrence Swartz was appointed to fill the vacancy of Melissa Even-Moore (elected 2013), a Wenham Resident who resigned October 2013 until the next election in April 2014.

# Board of Health

The Board of Health consists of three members serving three-year terms. Lindle Willnow serves as Chair, Susan Wilfahrt and Karen Zagorski serve as members. Leslie Whelan is the Health Agent and Nancy Stevens the Administrative Assistant. Chris Lee is our Public Health Nurse. Roberta Cody is our Food, Camp and Pool Inspector. Dyan Katz was reappointed as Animal Inspector and Anne Jackman was reappointed as Assistant Animal Inspector.

The Board is responsible for implementing and overseeing the laws, policies and regulations of the Town, the Massachusetts Department of Public Health and the Massachusetts Department of Environmental Protection. Responsibilities of the Board of Health include emergency planning, inspections, issuing of permits and licenses for septic installers, septic haulers, retail food establishments, retail tobacco, public and semi-public swimming pools, recreational camps for children and keeping of animals/stables. In addition, the Board of Health conducts health clinics, addresses concerns of public nuisance, air quality, noise control, insect control, beaver and mosquito management, food protection, housing complaints, Title 5 compliance and communicable disease reporting.

This year the Board continued vaccinating residents during flu season. The Hamilton and Wenham Boards of Health collectively joined together and held Flu Vaccine Clinics and vaccinated approximately 495 residents. With the help of nursing students and MRC volunteers, the Health Department's flu clinics were able to provide immunizations in an efficient and cost-effective manner. The Board continued to vaccinate into the 2013/2014 season as needed.

The Board continues to work at the local and regional level on emergency response planning relative to infectious disease emergencies, bioterrorist events and natural disasters. Hamilton participates in a coalition of 14 surrounding cities and towns working closely together to develop emergency plans and mutual aid. Our Public Health Nurse, in collaboration with our Emergency Manager Director, organized and trained a group of volunteers to open an emergency shelter in Hamilton, should the need arise.

With positive reports of the West Nile Virus and Eastern Equine Encephalitis found throughout the state, the Northeast Massachusetts Mosquito Control and Wetlands Management District continued to monitor areas throughout the town. The Board has chosen to not routinely spray. Taking personal protective measures and draining standing water in your yard are your best protection against mosquito bites and mosquito-borne diseases.

The following is a yearly report of permits/licenses issued, plan reviews and inspections:

	2013
Septic Disposal System Construction (New) Plan Review	10
Septic Disposal System Construction (Repair) Plan Review	67
Septic Title 5 Inspection Report Review	106
Septic Construction Inspections	134
Soil Evaluation Inspections	38
Septic Disposal System Installer Licenses	36
Septic Disposal System Hauler Licenses	12
Food / Retail Service Permits	31
Temporary Food / Retail Service Permits	18
Seasonal Food Service Permits	4
Keeping of Animal Permits	63
Stable Permits	63
Wells Permits	4
Swimming Pools Permits	4
Recreational Camps Permits	9
Tobacco Sales Permits	7
Complaints – Housing / Nuisance	7

Total fees collected in calendar year 2013 were \$46,940.00

Respectfully submitted,

HAMILTON BOARD OF HEALTH  
Lindle Willnow, *Chairman*  
Susan Wilfahrt  
Karen Zagorski

# Veteran's Services

This department is charged under Chapter 115 Massachusetts General Laws with providing services to veterans, their survivors and dependents. Principal workload under state law includes the administration of aid to veterans and dependents. Communities fund this program, which is subsequently 75% reimbursed the following fiscal year by the Commonwealth. This is a need based program and the department is required to conduct periodic comprehensive review of the cases to insure no substantive facts have changed, while working with the veteran to identify alternative or long-term solutions to individual circumstances. During the calendar year two Hamilton veterans were on this program. Under state law the department also assists qualified veterans to obtain bonuses, and qualified veterans, widows and parents to obtain state annuities, property tax abatements, and other benefits.

The Veterans' Services program also mandates extensive interaction within the federal community, principally with the Department of Veterans' Affairs. The Veterans' Service Officer (VSO) assists veterans and their dependents in filing for pensions, service connected injury/illness compensation, dependency indemnity compensation for survivors, VA healthcare enrollment, insurance claims, decedent claims, and many other issues. Federal benefits processed by this department are paid directly to those eligible to receive the assistance or entitlement. The VA sent approximately \$626,000 to eligible recipients in Hamilton, of which the current staff is responsible for approximately \$206,000 dollars paid to or saved by those assisted in Hamilton.

Additionally, the department interacts within the federal community to correct military records, obtain needed documentation and insure veterans/dependents receive awards and recognition to which entitled. The VSO provided information, advice or assistance to 13 of the town's 213 identified veterans and 1 of the 65 identified veterans' widows during 2013.

The Director and the Assistant to the Director advocate for veterans' on issues at the local, state and federal level, interact with elected and appointed officials on issues, and work with local organizations in serving the community. The department also provided information, assistance and guidance for citizens in determining their needs for Medical insurance.

In February 2013 the Eastern Essex District was recognized as the Massachusetts Veterans Services District of the Year by Secretary Coleman Nee of the Department of Veterans Services. In September 2013 the District Board of Directors accepted the request from Newbury to join the District. The expansion was approved by the Secretary and services to Newbury began in December 2013.

The Eastern Essex District is composed of the Towns of Essex, Georgetown, Hamilton, Ipswich, Rowley, Wenham and West Newbury. A Board of Directors consisting of one selectman (or designee) from each town maintains oversight. Ms. Jennifer T. Scuteri is the Hamilton member of the Board of Directors.

Respectfully submitted,

Terrance P. Hart, *District Director*

# Council on Aging

The Council on Aging is a community based social service organization with its mission focusing on those individuals that are age 60 and older. We provide information and referral for services and programs that help you stay in your home and community as long as possible. We also offer health and wellness programs, as well as social programs. A portion of funding is provided yearly by the Executive Office of Elder Affairs through the Formula Grant. The balance of the annual budget is provided through municipal appropriations voted at Annual Town Meeting.

The beginning of the 2013 calendar year saw Hamilton and Wenham still participating in an Intermunicipal Agreement sharing a Director who oversaw the activities and programs at both Senior Centers as well as oversight of the Joint Van Transportation Program. Some of the highlights and changes which occurred during this time include:

- Vote at Annual Town Meeting to support the hiring of a full-time, year-round Council on Aging Director ending the Intermunicipal Agreement with Wenham sharing a Director between the two towns. Position to take effect 7-1-13.
- Also voted at Annual Town Meeting was the funding and establishment of a part-time, year-round Social Services Coordinator to handle the outreach and SHINE responsibilities for over 1,600 seniors in Hamilton. Position to take effect 7-1-13.
- The current transportation program sharing a van to transport Hamilton and Wenham seniors came to end in August. Beauport Ambulance became the vendor who will transport Hamilton seniors for no-charge to 9 communities: Hamilton, Wenham, Beverly, Essex, Gloucester, Ipswich, Manchester, Rockport and Topsfield.
- Celebration for Edna Barney as recipient of the Boston Post cane as the oldest living female in Hamilton.
- First annual Board of Selectmen election debate at the Senior Center so that residents can query candidates on issues affecting seniors.
- Many new programs and activities added to schedule such as Tai Chi, walking club, weekly movies, weekly board games, Red Sox game day get-togethers, Low Vision group, painters group, voice lessons for seniors, Seniors Helping Seniors, Garden Club flower show, monthly TRIAD meetings, strength training for seniors, monthly legal aid attorney, monthly audiology check-ups, Bingo and Hot Dogs, Arthritis Foundation exercise class, afternoons with Carol Burnett, Downton Abbey Day, Art Grows Here installation, Senior Paddles kayaking classes, historical snapshots of Hamilton, fuel assistance, flu clinics and many more.

- Guidelines for use of the Hamilton Senior Center written, distributed and approved by the Board of Selectmen.
- Two of our senior painting class participants, Linda Spong and Marcia Rezza, completed a series of four paintings to be permanently exhibited at the Senior Center entitled "Friends for All Seasons".
- Congressman Tierney and Representative Hill sponsored a public forum at the Senior Center regarding Medicare issues affecting seniors in July. Over 75 seniors and 15 experts on the issues shared two hours to discuss what criteria determines if a senior has been admitted to the hospital or is being detained on an out-patient basis.
- The Council on Aging requested funds and received approval from the Community Preservation Committee to renovate the two bathrooms at the Senior Center in the amount of \$30,000.
- Senator Bruce Tarr established monthly constituent hours at the Senior Center.
- The Low Vision group went to the State House for a White Cane rally in October in support of programs and funding for those who are sight-impaired. Representative Hill met them there and gave the group a tour of the State House.
- Senator Tarr and Representative Hill sponsored a St. Patrick's Day luncheon at the American Legion in Hamilton for 75 seniors in Wenham and Hamilton. Corned beef and cabbage was prepared by the Sons of the Legions and served by municipal officials.
- A monthly greeting card program was established to touch base with seniors in Hamilton to introduce them to our Social Services Coordinator and let them know of the activities at the Senior Center.
- The Tri-Town Trippers program was established with the Towns of Ipswich, Wenham and Hamilton to provide our seniors with an improved list of day and overnight trips.
- The Hamilton COA in conjunction with the Wenham and Ipswich COA's sponsored Senior Charlie Card day at the Ipswich Senior Center to sign-up seniors aged 65 and older for a discounted MBTA transportation card.

Respectfully submitted,

Mary Beth Lawton  
*Director, Hamilton Council on Aging*

# Hamilton-Wenham Library

We are excited about expanding our services in 2014 to include Digital Drop-ins on Thursday afternoons and Computer Assistance on Tuesday mornings. The Friends of the Hamilton-Wenham Library purchased a 3-D Printer for the library and patrons can now make appointments to come and use it.

### Personnel

During 2013, the Hamilton-Wenham Public Library staff was busy serving the informational needs of the citizens of our two towns and surrounding communities. The trustees, citizens and leaders of both towns supported the need for raising staff salaries to competitive levels and we are most grateful for their support. Current Library Trustees are Margaret Whittaker, Chair; Doris Gallant, Secretary; Pat Purdy; Gwen Holt; Annette Janes; and Madelyn Liberti. During 2013 both Jean Buckley and Janice Pappas resigned their positions and we thank them both for their many years of dedicated service. The trustees meet monthly and work hard to support and guide library services.

### Library Statistics

In 2013, the library circulated 250,363 items. Our meeting rooms (including some programs that were offered offsite) were used by community groups and library programs a total of 1,298 times. The library offered 430 adult programs, 71 young adult programs, and 307 children's programs. Our reference department answered 15,766 reference questions and our study rooms were used a total of 1,983 times. Our Overdrive downloadable E-book and audio book circulation increased from 1,433 in 2011; 3,216 in 2012 to 4,610 in 2013.

### 2013 Highlights

During the year, we contracted with Allied Conservation to restore our Raimondo Pereda statue, Orphans that originally resided at the Wenham Public Library. Under the direction of Mark Gates, the crew built an ergonomic workstation for the technical services room. We added more shelving to the Young Adult and Children's areas and repaired the carpet. Using state aid funds, the library purchased a new microfilm reader which has made our microfilm copies of the Hamilton-Wenham Chronicle accessible again to our patrons. Joe Soucy donated a Bradford Pear Tree to beautify a parking lot island.

We showed many films and hosted wonderful authors including Megan Marshall, author of Margaret Fuller: a New American Life and Alice Wentworth Douglan author of Daughter of the Commandant. Many folks enjoyed the 8 week Drawing 101 course based on Betty Edwards' book, Drawing on the

Right Side of the Brain. The Children's Room was extremely busy. A grant from First Church Wenham allowed us to offer Oochworld, a program to help children learn to put a positive spin on life's difficulties. Farmer Minor and Daisy the Pig, Toto the Tornado Kitten, Reptiles from the Museum of Science are some examples of the wide spectrum of programs offered. We also worked with the schools throughout the year to provide homework assistance. Librarians, Kim Claire and Lorraine Der visited the schools to give book talks and introduce students and faculty to the resources available at our library and on our website. We hosted a field trip for all fifth grade classes to teach students how to use library resources and find materials. The library also hosted and ran many popular book groups.

We were awarded a \$7500 LSTA (Library Service and Technology Act) Grant: Customer Experience in a Digital Age which enabled us to purchase new e-books and provide training to staff on customer service and digital devices; this grant continues until September 2014. We celebrated our seventh community read by reading The Hammer and the Anvil: Frederick Douglass, Abraham Lincoln, and the End of Slavery in America by Dwight Jon Zimmerman. We gathered at Gordon College in November to hear Mr. Zimmerman speak about his book and his career writing graphic novels. His speech was the culmination of our program series celebrating the sesquicentennial celebration of the Civil War. A grant from the Gilder Lehrman Institute enabled us to offer many quality programs about the Civil War.

### Friends of the Library

We thank our dedicated volunteers who assist in all library departments. Most of our programs are funded by the generous support of the Friends of the Hamilton-Wenham Public Library who work tirelessly to support our library. This year we mourned the loss of Peter Myers, who co-chaired the successful booksale committee for many years.

The Friends purchased a 3-D printer, an LCD projector, a new DVD player, six computers, and funded many wonderful programs. They also had a local carpenter build a custom book cart for their sale items that matches the library décor. They continue to provide the following museum passes for the public to enjoy: Boston by Foot, Children's Museum in Boston, Cape Ann Historical Museum in Gloucester, Concord Museum, DeCordova Museum in Lincoln, Department of Conservation and Recreation, Harvard Museum of Natural History, House of Seven Gables, Institute of Contemporary Art, Isabella Stewart Gardner, JFK Library and Museum, Museum of Fine Arts,

# Reports: Culture & Recreation

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Museum of Science, New England Aquarium, Orchard House, Peabody Essex Museum, Strawberry Banke, Wenham Museum, and Zoo New England. Patrons can call to reserve passes or access the remote sign-up on our website. In 2013, patrons reserved 1,573 museum passes.

## **Services**

The library now hosts a Pinterest page showcasing new acquisitions and a library Facebook page. We created more space in the new books section to shelve more titles face-out and to add room for the ever popular "Quick Picks" section. We also added wireless printing and a new wireless router. We continue to list our programs and events on our website at [www.hwlibrary.org](http://www.hwlibrary.org). Patrons can order library materials from home through the Evergreen software and access many electronic resources. The statewide databases including the Encyclopedia Britannica now support geo-location, so Massachusetts patrons can access them even without a library card. We also offer our Hamilton and Wenham citizens access to Ancestry.com Library Edition, American Ancestors, Safari Books Online, two geography databases, Magill's Medical Guide, Booklist Online and Cypress Resume. We also have access to the consortium-wide collection of downloadable E-books and audio books via Overdrive. We continue to offer Universal Class, a program that allows Hamilton-Wenham citizens to enroll in over 500 classes at no charge. We continue to use Constant Contact for creating a professional E-letter. Patrons can sign up for this service by going to our website or calling us at 978-468-5577.

The library staff and trustees work diligently to constantly improve collections and services and we appreciate your ideas and suggestions. We thank all our citizens who are tremendously supportive and who value education, learning and reading.

Respectfully submitted,

Jan Dempsey, *Library Director*

# Recreation Department

The Hamilton-Wenham Recreation Departments mission is to provide a wide variety of programs designed to improve the quality of life for residents by meeting physical and recreational needs. We promote life long lessons through play, education and community wide events. The Hamilton-Wenham Recreation Department is overseen by a Joint Hamilton and Wenham Recreation Board. The Board is comprised of three Hamilton residents and three Wenham residents.

### 2013 Highlights

- Completed the Patton Park Playground, which has shown an incredible increase in the use of both the playground and the park.
- Participations in programs saw an increase, with over 1000 people of all ages enjoying our many programs.
- New sports were introduced to both Towns with the formation of Flag Football and Girls Little League Softball.
- We offered new recreation programs this year including, First Steps in Music, Fencing, Wicked Cook Art, School Vacation Field Trips, Micro Athletics, Teen Boot Camp, Archery, Mommy and Me Gymnastics, Snowshoeing, Pickleball, Cooking, Floor Hockey, Discounted Ski Tickets and many others.
- We participated in Pumpkin Fest which brought together families from both communities to enjoy a day of pumpkin carving, a karate demonstration, and the much anticipated costume parade, where children walk through downtown and trick or treat at local businesses.

- We took the recommendations of the master plan and are working on the top two projects that were indentified; Veterans Memorial Pool Project and the turf field initiative.
- We refurbished the Recreation Center Gym which serves multiple user groups throughout the Towns.
- With help from the DPW we installed fencing and a parking area at Donovan Field which houses baseball, soccer, and lacrosse.
- We purchased a temporary home run fence, which is now being used at the Little League Field at Patton Park

We continue to provide effective customer service to all of our participants and strive to reach outside the box looking for new programming ideas.

Respectfully submitted,

Sean Timmons  
*Recreation Director*

# Community Preservation

## Community Preservation Act Approved Projects

Approved at the April 6, 2013 Annual Town Meeting and the November 4, 2013 Special Town Meeting

Project: .....Donovan Playing Fields Bond Payment

Cost:.....\$47,000

CPA Purpose: ....Open Space and Recreation

Description: ..... To fund \$47,000 for the FY14 bond payment for the debt service for the Donovan Acquisition (\$43,500.00 in principle and \$3,500.00 in interest).

Project:.....Invasive Species Removal on Town-owned Land

Applicant:.....Mike DeRosa

Cost:.....\$6,000

CPA Purpose: ....Open Space and Recreation

Description: ..... To remove invasive species on Town-owned properties.

Project:.....Exterior Renovation of the Hamilton-Wenham Community House

Applicant:.....Community House of Hamilton-Wenham

Cost:.....\$53,800

CPA Purpose: ....Historical Preservation

Description: ..... To fund the exterior renovation, including the cupola, of the Community House.

Project:.....Senior Center Kitchen Renovation

Applicant:.....Town of Hamilton - Council on Aging

Cost:.....\$57,000

CPA Purpose: ....Historic Preservation

Description: ..... To fund the renovation of the kitchen at the Hamilton Senior Center.

Project:.....Liberty Road Markers Restoration

Applicant:.....Town of Hamilton

Cost:.....\$2,000

CPA Purpose: ....Historic Preservation

Description: .....To fund the restoration of the one of the Liberty Road markers at Patton Park.

Project:.....Town Hall Rear Steps

Applicant:.....Town of Hamilton

Cost:.....\$3,000

CPA Purpose: ....Historic Preservation

Description: ..... To fund the restoration of the rear steps at Hamilton Town Hall.

Project: .....CPA Administration

Cost: .....\$21,999

CPA Purpose: ....Administration

Description: .....5% of the CPA revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fee and salary for part-time CPC Coordinator position.

Project: .....Senior Center Balustrade

Applicant:.....Town of Hamilton

Cost:.....\$15,000

CPA Purpose: ....Historic Preservation

Description: ..... To fund the restoration of the balustrade at the Hamilton Senior Center.

Project: .....Patton Homestead Riverwalk

Applicant:.....Town of Hamilton

Cost:.....\$35,000

CPA Purpose: ....Open Space and Recreation

Description: ..... To fund the creation of a Riverwalk at the Patton Homestead.

Respectfully submitted,

Christine Berry, *Coordinator*

# Conservation Commission

The Hamilton Conservation Commission's primary task is the administration and enforcement of the state Wetlands Protection Act (Ch. 131 §40) and the Town's Conservation Bylaw, Chapter 17. The Commission also seeks to fulfill its mandate by funding environmental education programs in the regional school system and by organizing and publicizing various conferences and events that seek to protect open space and inform residents of the value of preservation of woodlands and scenic areas as well as trail access and management.

### Conservation Commission jurisdiction and procedure:

The Commission's jurisdiction includes all proposed changes in land use which will occur within defined wetlands or within 100 feet of the defined edge of wetlands, or within 200 feet of the perennial streams and rivers within the borders of the Town. The Commission considers applications (known as "Requests for Determination" and also "Notices of Intent") for work in these areas and holds site walks to evaluate the conditions at the work area. The Commission then conducts public hearings or public meetings to decide if a permit (either a "Negative Determination" or an "Order of Conditions") shall issue. Once a project is completed, the Commission holds another site walk to establish that the project was finished in the same manner as it was originally proposed and that no damage to resource areas has occurred. A Certificate of Compliance is then issued and the process is complete. The Commission also investigates violations of the Wetlands Act and local Conservation Bylaw and the Commission issues Enforcement Orders or Violation Notices if appropriate.

Asides from conducting public hearings and open public meetings to review and analyze all the various applications for permits, the Commission, through their Coordinator, may on any given day do any or all of the following:

- Respond to residents' questions/concerns about wetlands permitting
- Conduct preliminary site evaluations to determine applicability of jurisdiction
- Perform various compliance inspections
- Reply to building contractor and wetlands consultant questions and concerns
- Interact with various state agencies most notably the Commonwealth's Department of Environmental Protection
- Work with the other Town departments to address issues of common concern

### 2013 Special Events, Projects and Issues:

- Commissioners attended the annual MACC Conference in Worcester in March 2013.

- The Northeast Mosquito Control District, with the review and approval of the Commission and the Department of Public Works, began an analysis of flooding conditions in the vicinity of Linden, Howard, and Highland Streets.
- The Commission approved a project, to be funded by a Community Preservation Grant, which will remove the invasive plant Japanese Knotweed from municipal properties. The project is designed so that the knotweed is harvested and then transported to zoos where giraffes and zebras consume it. The plant material can be frozen for future consumption by the animals.
- The Commission approved an emergency certification request by the DPW to repair a failing gabion wall along Woodbury Street which is part for the pedestrian pathway on that street.
- The Commission re-appointed Virginia Cookson to serve as the Commission representative on the Chebacco Woods Land Management Committee.
- Keith Glidden served as the Commission representative on the Community Preservation Committee.

### 2013 Filings and Other Regulatory Decisions

8 Requests for Determination

9 Orders of Conditions and Orders of Resource Area Delineation

2 Enforcement Orders and Violation Notices

11 Certificates of Compliance

### Education Program

The Commission funded an Environmental Education program for the students in the elementary grade levels in the Hamilton-Wenham Regional School District. The program is designed and run by the Massachusetts Audubon Society and it is subject to in-depth review and amendment by the Commission annually. The Commission continues to enthusiastically support and promote this program.

### Members and Staff

Richard Luongo, *Chairman*

Virginia Cookson

Robert Cronin

Peter Dana

Keith Glidden

George Tarr

Stacy Carpenter

John Rhoads (*associate member*)

John Hendrickson (*associate member*)

James Hankin, *Coordinator*

# Planning Board

### **Board Composition**

Members of the Hamilton Planning Board in 2013 included Peter Clark, Edwin Howard, Rick Mitchell, Robert McKean, Brian Stein, Claudia Woods, Joseph Orlando (resigned in August), and Jeffrey Melick (appointed in June).

Peter Clark was the Chairman from January to June when Edwin Howard was elected the Chair and Rob McKean became the Clerk. The Planning Coordinator was Kristine Cheetham.

### **Mission**

The mission of the Hamilton Planning Board is to be involved in all aspects of land use within the Town including regulation of the Subdivision Control Laws and Hamilton Zoning Bylaws. The Board is responsible for updating the Town Master Plan and for reviewing Zoning Bylaws for improvements and amendments to meet the demands of the Town and its growth patterns.

### **Regulatory Activities**

Regulatory applications and reviews include Site Plan Review for advisory opinions, Approval Not Required (ANR) applications, and Special Permits.

#### **Site Plan Reviews**

Site Plan Reviews included

- 350 Highland Street for removal of Commercial Use Permit;
- Winthrop School Parking Lot improvements;
- 91 Gardner and Bancroft Way for landscape buffer review;
- Patton Park temporary lighting permit for New England Flag Football League;
- Subdivision modification for 1 Alexander Way to pave driveway.

#### **ANR (Approval Not Required)**

ANR (Approval Not Required) applications included:

- 641 Bay Road 3 lot subdivision to 6 lot subdivision;
- 49 & 75 Miles River Road to create a separate lot with shared drive;
- 64 Goodhue Street to alter driveway and remove portion of stone wall;
- 74 & 80 Meyers Road to reconfigure developable lots.

#### **Scenic Roads Act**

Scenic Roads are under the purview of the Planning Board. Reviews for changes and alterations to existing permits included:

- 33 Waldingfield Road to remove a portion of stone wall to

- improve driveway sight line onto Highland Street;
- 75 Miles River Road to remove stone wall to build new driveway;
- removal of stone walls for driveways at 311 & 313 Sagamore Road.

### **Special Permits**

The Town approved the Willow Street Overlay District (WSOD) in 2010 to support special land use to promote economic development near the Business District.

The Planning Board reviewed an application at 227 Willow Street for a commercial and residential building. The Board did a site visit with applicant and approved application in September.

### **Planning Initiatives and Discussions**

The Planning Board reviewed the Senior Housing Bylaw and voted to approve an extension of the Bylaw. Because of the Prairie Property proposed project, the Planning Board reviewed the rules and regulations regarding OSFPD and GPOD. The Planning Board did a site walk of the Patton Homestead property at the request of the Board of Selectmen. The Planning Board met with the Chair of the Zoning Board of Appeals to discuss areas of improvement to be reviewed in the Master Plan. The Planning Board discussions included Cell Towers, a Demolition Delay Bylaw and Accessory Units/Apartments Zoning Bylaws.

Presentations to the Planning Board included the Housing Production Plan, Anaerobic Digesters, Downtown Planning and Village Plan options, and returning Site Plan Review authority to the Planning Board.

Respectfully submitted,

Kristine Cheetham, *Planning Coordinator*

# Zoning Board of Appeals

The Zoning Board of Appeals heard a total of Thirteen (13) petitions in 2012. A summary of the Board's actions are as noted below:

(2)	Petition for Extension/ Alteration of a Non-Conforming Structure	Granted
(1)	Petition for Extension/ Alteration of a Non-Conforming Structure	Granted with Conditions
(1)	Petition for Special Permit and Extension/ Alteration of a Non-Conforming Use	Granted with Conditions
(1)	Petition for Special Permit for Temporary Additional Living Area	Granted with Conditions
(2)	Petition for Special Permit for Accessory Apartment	Granted with Conditions
(1)	Petition for Site Plan Review	Granted
(1)	Petition for Site Plan Review	Granted with Conditions
(1)	Petition for Abbreviated Site Plan Review	Granted
(2)	Petition for Abbreviated Site Plan Review	Granted with Conditions
(1)	Petition for Variance	Withdrawn without Prejudice

Respectfully submitted,

William F. Bowler, *Chairman*

# Town Meeting Minutes and Election Documentation

## Annual Town Meeting

### **TOWN OF HAMILTON ANNUAL TOWN MEETING**

**Saturday, April 6, 2013  
Hamilton-Wenham Regional High School**

At the close of registration on March 15, 2013 there were 5,833 registered voters.

Moderator, Bruce Ramsey declared a quorum (75) present and the Warrant returned showing it had been properly served, opened the 220th Annual Town Meeting at 9:05 AM with 142 voters checked and present.

Precinct 1 —43

Precinct 2 — 51

Precinct 3 — 48

Assistant Moderator

Richard Flynn      183 Linden Street

### **AUDITORIUM**

Left	Mimi Fanning	122 Railroad Avenue
	Ruth Flumerfelt	59 Greenbrook Road
Center	Gelean Campbell	11 Naples Road
	Phil Steams	175 Linden Street
Right	Sue Ackerman	16 Greenbrook Rd
	Ray Desroches	306 Moulton Street

He asked non-resident members of the regional school system, Town officials and those assisting the Selectmen or Finance Committee to be present here so they may be available to answer questions. Members of the press and the video crew have also been allowed to be present. He reminded those allowed here to do nothing which may influence the counting of a vote.

All other non-registered visitors must be seated in the visitors' area located in the left section of the auditorium. The Moderator said we have set up the cafeteria across the hall as overflow space. There is a closed circuit television set in the cafeteria and one teller. All other non-registered visitors must be seated in the visitors' area in the cafeteria.

Another procedural note, we record these proceedings so as to have an accurate record of the meeting. Therefore, unless I recognize you by name, please use the microphones provided and give your name and address when you arise to address the moderator.

All registered voters have been given a distinctive voter ID card when checking into the meeting. Do not lose or destroy this card. You will need to show the card on any counted vote. If you cannot show the card, your vote may not be counted. He mentioned that Town Meeting would recess until April 11, 2013 at 7 o'clock a.m. at the Winthrop School for the Town election. The Moderator noted that the meeting would be televised and outlined appropriate ATM meeting etiquette by participants. He also explained that corrections in the warrant appendices would be noted with the articles.

The Moderator recognized David Neill, Selectmen Chair, Marc Johnson, Selectman, John McWane, Chair Finance and Advisory Committee, Michael Lombardo, Town Manager and Jennifer Scuteri, Selectman.

The Moderator proceeded to announce members at the front of the auditorium.

Introduction of front table:

Bruce Ramsey — *Moderator*

Jane Wetson — *Town Clerk*

Maureen Hickey — *Assistant to the Town Manager*

Board of Selectmen:

Jeff Hubbard

David Neill — *Chairman*

Marc Johnson

Jennifer Scuteri

Michael Lombardo — *Town Manager*

Donna Brewer — *Town Counsel*

Deborah Nippes-Mena — *Finance Director*

Finance and Advisory Committee:

John McWane — *Chairman*

Scott Maddern

Charles Chivako

### **SECTION 1: ELECTIONS, REPORTS, PROCEDURES**

#### **ARTICLE 2013/4 1-1 Election of Officers and Ballot Questions**

Moderator said the vote on Article 1-1 is by ballot on Thursday, April 11, 2013 at the Winthrop School. The polls will open at 7:00 a.m. and close at 8:00 p.m.

- Town Moderator for one year
- Two Selectmen for three years
- Assessor for three years

# Town Meeting Minutes and Election Documentation

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- Two members of Planning Board for five years
  - One member of the Planning Board for three years (to fill unexpired term)
  - Hamilton Housing Authority for five years
  - One Hamilton-Wenham Public Library Trustee for three years
- Three members of the Hamilton-Wenham School Committee for three years

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## ARTICLE 2013/4 1-2 Reports

The Moderator recognized David Neill.

Moved by David Neill, Chair Board of Selectmen, duly seconded, that the reports of town officers and committees be received and placed on file.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES**

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## ARTICLE 2013/4 1-3 Article for Consent Motion

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the following numbered Motions as set forth in Proposed Consent Motions List for this 2013 Annual Town Meeting, a copy of which has been delivered to the Town Clerk to be filed with the minutes of this meeting with copies made available to voters in attendance, be approved by one vote, each motion to be deemed a separate action under the Warrant Article having the same corresponding number:

Motion numbers:

- 2-1 Appropriation Transfer from Overlay Surplus to FY09 Allowance for Abatements & Exemptions to transfer \$1,267.11 from Overlay Surplus to FY 09 Allowance for Abatements & Exemptions.
- 2-2 Appropriation Transfer from Overlay Surplus to FY 13 Short-Term Interest Expense to appropriate and transfer \$17,974.00 from Overlay Surplus to FY 13 Short-Term Interest Expense.
- 2-3 Appropriation Transfer from Insurance Reimbursement Fund to the General Fund and Finance Reserve Fund to appropriate and transfer \$26,571.00 from the Insurance Reimbursement Fund to the General Fund for the Finance Reserve fund in the amount of \$26,571.00 to be used in FY 13.
- 2-8 Close Unemployment Fund that the Town close the Unemployment Fund and transfer \$142.78 to the General Fund
- 2-9 Compensation/ Classification Table that the Town amend the Personnel Bylaw by adopting changes to the classification and compensation table, copies of which are on file with the Town Clerk and which are set forth in Appendix A to the 2013 Appendix Book.
- 2-11 Water Enterprise Budget that the Town approve \$1,005,764

for the FY 14 Water Enterprise Budget as set forth in Appendix D to the 2013 Appendix Book.

2-16 Annual Authorization of Revolving Funds that the Town, pursuant to M.G.L. c. 44, § 53E 1/2, reauthorize the Recreation and Parks Revolving Fund, with a FY 14 spending limit of \$223,739.00, reauthorize the Council on Aging Revolving Fund, with an FY 14 spending limit of \$17,000.00 and reauthorize the Emergency Dispensing Services and Clinic Revolving Fund, with an FY 14 spending limit of \$6,000.00, with specified programs for expenditures, receipts to be credited, boards authorized to expend and disposition of fund balance to be as set forth in Appendix G to the 2013 Appendix Book.

2-17 OPEB Trust Fund that the Town raise and appropriate \$25,000.00 for deposit in the Other Post Employment Benefits Liability Trust Fund.

The Moderator noted that there were no holds and called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

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## SECTION 2: FINANCIAL ACTIONS

### ARTICLE 2013/4 2-1 Appropriation Transfer from Overlay Surplus to FY09 Allowance for Abatements & Exemptions

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town transfer \$1,267.11 from Overlay Surplus to FY09 Allowance for Abatements & Exemptions.

The Moderator called for the vote as part of the Consent Motion Group.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

### ARTICLE 2013/4 2-2 Appropriation Transfer from Overlay Surplus to FY 13 Short-Term Interest Expense

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town appropriate and transfer \$17,974.00 from Overlay Surplus to FY 13 Short-Term Interest Expense.

The Moderator called for the vote as part of the Consent Motion Group.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

### ARTICLE 2013/4 2-3 Appropriation Transfer from Insurance Reimbursement Fund to the General Fund and Finance Reserve Fund

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town appropriate and transfer \$26,571.00 from the Insurance Reimbursement Fund to the General Fund for the Finance Reserve fund in the amount of \$26,571.00 to be used in FY13.

# Town Meeting Minutes and Election Documentation

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The Moderator called for the vote as part of the Consent Motion Group.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

## **ARTICLE 2013/4 2-4 Prior Year Bill — Chebacco Woods Land Swap**

Requires 4/5ths vote

The Moderator recognized Jeff Hubbard.

Moved by Jeff Hubbard, Board of Selectmen, duly seconded, that the Town authorize payment of \$681.50 from available funds to pay in FY 13 expenses related to the Chebacco Woods Land Swap.

Town Manager Michael Lombardo spoke to the article. The Moderator said since this expense accrued in a prior fiscal year for which insufficient appropriation was made, this motion requires a 4/5ths vote for approval and he called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

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## **ARTICLE 2013/4 2-5 Rescind Borrowing and Authorize Transfer of Free Cash for DPW Expenses**

The Moderator recognized John McWane.

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, that the Town rescind the appropriation and borrowing authorization of \$175,000 voted by the Town under Article 2-14 at the May 2012 Annual Town Meeting to fund the purchase of a Department of Public Works truck plow/sanding vehicle and for reconstructing the Howard St. Culvert, and raise and appropriate a sum of money for such expenses by a transfer of \$63,000 from the FY2013 debt service raised for such expenses and by a transfer of \$112,000 from Certified Free Cash as of July 1, 2012.

Town Manager Michael Lombardo spoke to the article. The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

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## **ARTICLE 2013/4 2-6 Appropriation Transfer from Free Cash to Hamilton Development Corporation**

The Moderator recognized Brian Stein.

Moved by Brian Stein, Chair Hamilton Development Corporation, duly seconded, that the Town appropriate and transfer \$82,000.00 from Certified Free Cash as of July 1, 2012, to the Hamilton Development Corporation for Fiscal Year 2013. Brian Stein spoke to the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

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## **ARTICLE 2013/4 2-7 Appropriation Transfer Surplus from Prior Year Article to Hamilton Development Corporation**

The Moderator recognized Brian Stein.

Moved by Brian Stein, Chair Hamilton Development Corporation, duly seconded, that the Town transfer \$26,296.00 of surplus funds from the 2007 Annual Town Meeting motion pursuant to Article 2-13, Economic Development Studies, to the Hamilton Development Corporation for Fiscal Year 2013.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

Declared by the Moderator

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## **ARTICLE 2013/4 2-8 Close Unemployment Fund**

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town close the Unemployment Fund and transfer \$142.78 to the General Fund.

The Moderator called for the vote as part of the Consent Motion Group.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

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## **ARTICLE 2013/4 2-9 Compensation/ Classification Table**

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town amend the Personnel Bylaw by adopting changes to the classification and compensation table, copies of which are on file with the Town Clerk and which are set forth in Appendix A to the 2013 Appendix Book.

The Moderator called for the vote as part of the Consent Motion Group.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

## **ARTICLE 2013/4 2-10 General Town Appropriations**

The Moderator read corrections in revised Appendix B including: Emergency Center Operations: Salaries are now \$208,513 and expenses are \$45,430

Council on Aging: Salaries are now \$66,066 and expenses are \$19,292

Elder Van Program: There is no budget for this program  
Interest: Interest on Joint Library Debt is \$20,225

Interest on Water Filtration is \$30,475

Interest on Police Fire Station is \$147,858

Interest on ESCO projects within the Levy is \$5,100

Principal: Principal on Water Filtration is \$190,000

# Town Meeting Minutes and Election Documentation

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The Moderator read each appropriation:  
\$1,580,795 for General Government,  
\$15,986,560 for HW Regional School District,  
\$1,003,003 for Department of Public Works,  
\$666,452 for Health and Human Services,  
\$1,876,503 for Unclassified,  
\$1,368,996 for Debt-Principal & Interest,  
Totaling \$25,539,695

## HOLDS

\$2,380,707 for Protection of Persons & Property,  
\$676,679 for Library and Recreation joint programs.  
The Moderator recognized John McWane.

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, that the Town raise and appropriate the sums read by the Moderator for highways and all other Town expenses which are set forth in the 2014 Fiscal Year Budget in Appendix B of the 2013 Appendix Book with the corrections read by the Moderator excepting those items held.

The Moderator recognized Jeff Hubbard who spoke to his dissenting vote as a Selectman on the Board of Selectmen's vote to recommend favorable action on this warrant article, John McWane who presented the Finance and Advisory Committee's reasoning for recommending favorable action on this article, Marc Johnson who spoke to Board of Selectmen's position on article, Arthur Crosbie, Bay Road, who questioned budget changes and impact on elder van program, and Town Manager Michael Lombardo who spoke to budget details.

The Moderator called for the voice vote on all appropriations with the exception of the HOLDS.

## VOICE VOTE: MOTION PASSES

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The Moderator recognized Bill Bowler, Essex Street, who had called HOLD and spoke to Selectmen's decision to continue operating the ECO independently rather than jointly with another community or joining the Regional ECC in Middleton, Jack Hauck, Knowlton Street, who questioned process to reach decision to run ECO alone, Town Manager Michael Lombardo and Ann Marie Cullen, Director of ECO, responded to Bowler and Hauck.

The Moderator called for the voice vote.

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, that the Town raise and appropriate \$2,380,707 for Protection of Persons and Property for FY2014.

## VOICE VOTE: MOTION PASSES

\*\*\*\*\*

The Moderator recognized Barbara Lawrence, Willow Street, who had called HOLD and Jan Dempsey, Director of HW Public Library, and Finance Director Deborah Nippes-Mena who responded to their inquiry regarding dollar amount in Town's budget for public library that currently does not include cola increase for public library employees due to outstanding bill Town is waiting for from Wenham.

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, that the Town raise and appropriate \$676,679 for Library and Recreation joint programs for FY2014.

The Moderator called for the voice vote.

## VOICE VOTE: MOTION PASSES

\*\*\*\*\*

## ARTICLE 2013/4 2-11 Water Enterprise Budget

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town approve \$1,005,764 for the FY 14 Water Enterprise Budget as set forth in Appendix D to the 2013 Appendix Book.

The Moderator called for the vote as part of the Consent Motion Group.

## VOICE VOTE: MOTION PASSES UNANIMOUSLY

## ARTICLE 2013/4 2-12 Waste Reduction Enterprise Budget

The Moderator recognized John McWane.

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, that the Town approve \$444,404 for the FY 14 Waste Reduction Enterprise Budget as set forth in Appendix E to the 2013 Appendix Book.

The Moderator called for the voice vote.

## VOICE VOTE: MOTION PASSES UNANIMOUSLY

\*\*\*\*\*

## ARTICLE 2013/4 2-13 North Shore Regional Vocational School District Budget

The Moderator recognized David Ketchum, Old Cart Road.

Moved by David Ketchum, North Shore Regional Vocational School District representative, duly seconded, that the Town raise and appropriate \$89,064 for the Town's assessed portion of the North Shore Regional Vocational School District's FY 14 budget.

David Ketchum spoke to the number of students declining for Hamilton, and new school being built for district with expected completion in 2014.

The Moderator called for the voice vote.

## VOICE VOTE: MOTION PASSES UNANIMOUSLY

\*\*\*\*\*

# Town Meeting Minutes and Election Documentation

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## ARTICLE 2013/4 2-14 Annual Financial Actions

The Moderator recognized David Neill.

Moved by David Neill, Chair Board of Selectmen, duly seconded, that the Town authorize the following financial actions:

- A.To transfer \$2,000.00 from the Cemetery Sale of Lots and Graves Fund to the General Fund to be used for cemetery purposes;
- B. To transfer \$200.00 from the Clark Property Fund to the Conservation Fund;
- C. To transfer \$334,307.00 from the Water Enterprise Fund to the General Fund to be used for indirect expenses;
- D. To transfer \$334,270.00 from the General Fund to the Waste Reduction Enterprise Fund to be used for solid waste expenses.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

Declared by the Moderator

\*\*\*\*\*

## ARTICLE 2013/4 2-15 Community Preservation Budget

The Moderator recognized Tom Catalano.

Moved by Tom Catalano, Chair Community Preservation Committee, duly seconded, that the Town 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, Appendix F of the 2013 Appendix Book, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year as read [and corrected] by the moderator [excepting those items held], with each item to be considered a separate appropriation and further that the Town authorize the Board of Selectmen to execute agreements, on terms acceptable to the Board, to the extent necessary to effectuate the public benefits of such projects.

There were no holds on the 8 items listed for this article.

The Moderator recognized Bill Bowler, Essex Street, Tom Catalano who responded to Bowler and Jeanne Maurand, 21 Garfield Avenue, and Hubbard who spoke to the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

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The Moderator recognized Town Manager Michael Lombardo who introduced interim DPW Director Dave Hanlon and COA Director Mary Beth Lawton and acknowledged other Town employees attending Town Meeting.

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## ARTICLE 2013/4 2-16 Annual Authorization of Revolving Funds

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town, pursuant to M.G.L. c. 44, § 53E 'A, reauthorize the Recreation and Parks Revolving Fund, with a FY 14 spending limit of \$223,739.00, reauthorize the Council on Aging Revolving Fund, with an FY 14 spending limit of \$17,000.00 and reauthorize the Emergency Dispensing Services and Clinic Revolving Fund, with an FY 14 spending limit of \$6,000.00, with specified programs for expenditures, receipts to be credited, boards authorized to expend and disposition of fund balance to be as set forth in Appendix G to the 2013 Appendix Book.

The Moderator called for the vote as part of the Consent Motion Group.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

## ARTICLE 2013/4 2-17 OPEB Trust Fund

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town raise and appropriate \$25,000.00 for deposit in the Other Post Employment Benefits Liability Trust Fund.

The Moderator called for the vote as part of the Consent Motion Group.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

\*\*\*\*\*

## ARTICLE 2013/4 2-18 Hamilton Development Corporation

The Moderator recognized Brian Stein.

Moved by Brian Stein, Chair Hamilton Development Corporation, duly seconded, that the Town raise, appropriate, and transfer from available funds \$65,000 to the Hamilton Development Corporation.

Brian Stein spoke to the motion.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

\*\*\*\*\*

## ARTICLE 2013/4 2-19 Essex North Shore Agricultural and Technical High School Debt and Ballot Question

The Moderator recognized David Ketchum.

# Town Meeting Minutes and Election Documentation

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Moved by David Ketchum, North Shore Regional Vocational School District representative, duly seconded, that the Town take no action on this article.

The Moderator recognized David Ketchum who spoke to the ballot question in regard to the debt for the building of the new Essex North Shore Agricultural and Technical High School, Bob Bannon, 45 Willow Street, and Finance Director Deborah Nippes-Mena who addressed how the ballot question is for a debt exclusion so Hamilton's percentage of debt would be incurred outside of the Town's levy limit and Proposition 2 1/2.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY - to take no action.**

\*\*\*\*\*

## SECTION 3: PLANNING/ZONING ACTIONS

### ARTICLE 2013/4 3-1 Renew Senior Housing Bylaw

*Requires 2/3rds vote*

The Moderator recognized Peter Clark.

Moved by Peter Clark, Chair Planning Board, duly seconded, that the Town amend the Zoning Bylaw Section V.E.6. by changing the date of expiration from May 6, 2013 to May 6, 2016.

The Moderator recognized William Bowler, Essex Street, Alice Maciejowski, Sharon Road, and Marc Johnson who spoke to the motion.

The Moderator noted that this motion requires a 2/3rds vote and called for the voice vote.

**VOICE VOTE: MOTION PASSES by 2/3rds VOTE**

Declared by the Moderator

\*\*\*\*\*

## SECTION 4: TOWN BYLAW AMENDMENTS

### ARTICLE 2013/4 4-1 Replace Dog Bylaw

The Moderator recognized Jennifer Scuteri.

Moved by Jennifer Scuteri, Board of Selectmen, duly seconded, that the Town amend the Town Bylaws by deleting the current Chapter XVIII, Dog Bylaw, and replacing it with the proposed Ch. XVIII, Animal Control Bylaw, so as to conform to G.L. c. 140, Sections 136A-174E, as amended effective October 31, 2012. Appendix H of the 2013 Appendix Book.

The Moderator recognized Lombardo who described the reasons for the Town's adoption of this bylaw and Hubbard who explained his dissenting vote taken at Board of

Selectmen's meeting during article recommendation discussion. The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES**

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## SECTION 5: OTHER APPROPRIATIONS AND ACTIONS

### ARTICLE 2013/4 5-1 Petition to Legislature Concerning Water Liens

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town authorize the Board of Selectmen to petition the Legislature to enact special legislation to authorize the Town to impose a lien upon property in the towns of Wenham and Essex to secure unpaid water fees and charges, in the form attached as Appendix I to the 2013 Appendix Book, provided, however, that the Legislature may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the Legislature; and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition.

Marc Johnson spoke to the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

\*\*\*\*\*

### ARTICLE 2013/4 5-2 Renew Senior Citizens' Tax Exemption

The Moderator recognized Jeff Hubbard.

Moved by Jeff Hubbard, Board of Selectmen, duly seconded, that the Town renew the tax exemption to certain qualifying real estate in the Town pursuant to Section 9 of Ch. 91 of the Acts of 2010.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

\*\*\*\*\*

### ARTICLE 2013/4 5-3 Acceptance of G.L. c. 59, § 57D Notification to Assessors

The Moderator recognized David Neill.

Moved by David Neill, Chair Board of Selectmen, duly seconded, that the Town take no action on this article.

Lombardo spoke to the article. The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES - to take no action.**

Declared by the Moderator

\*\*\*\*\*

# Town Meeting Minutes and Election Documentation

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## **ARTICLE 2013/4 5-4 Discontinuance of Gifford Road**

*Requires 2/3rds vote*

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town authorize the Board of Selectmen to discontinue any rights the Town may have in Gifford Road, Harris Avenue to terminus, a paper road, shown on Assessors' Map 47.

Johnson spoke to the article.

The Moderator noted that this motion requires a 2/3rds vote and called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

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## **SECTION 6: CLOSING FINANCIAL ACTIONS**

### **ARTICLE 2013/4 6-1 Free Cash Application**

The Moderator recognized John McWane.

Moved by John McWane, Chair Finance and Advisory Committee, that the Town reserve, appropriate and authorize the Assessors to use \$443,000.00 of available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2013.

John McWane spoke to the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

\*\*\*\*\*

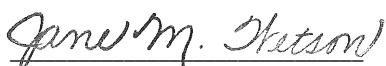
## **ADJOURNMENT**

The Moderator adjourned the Annual Town Meeting at 11:37 a.m. noting that Town Meeting was recessed until April 11, 2013 at 7 o'clock a.m. at the Winthrop School.

A TRUE COPY: ATTEST:

Jane M. Wetson, CMMC Town Clerk

A TRUE COPY: ATTEST:



Jane M. Wetson, CMMC  
Town Clerk

# Town Meeting Minutes and Election Documentation

# Special Town Meeting

**TOWN OF HAMILTON  
SPECIAL TOWN MEETING  
June 11, 2013  
Winthrop Elementary School**

At the close of registration on May 31, 2013 there were 5,827 registered voters.

Moderator declared a quorum present (75) and the Warrant returned showing it had been properly served, opened the Special Town Meeting at 7:34 P.M. with 917 voters checked and present 16% of the total registered voters.

Precinct 1 — 282  
Precinct 2 — 300  
Precinct 3 — 335

Assistant Moderator Richard Flynn 183 Linden Street  
Cafeteria and Gymnasium

Sue Ackerman ..... 16 Greenbrook Road  
Theresa 'Mimi' Fanning ..... 122 Railroad Avenue  
Ruth Flumerfelt ..... 59 Greenbrook Road  
Phil Stearns ..... 175 Linden Street  
Arthur Towne ..... 20 Savoy Road  
Jean Towne ..... 20 Savoy Road  
Bob Nyland ..... 118 Woodbury Street  
Dot Ingalls ..... 23 Lincoln Avenue  
Nick Mazzetta ..... 4 Gifford Road

## Pledge of Allegiance

He asked non-resident members of the regional school system, Town officials and those assisting the Selectmen or Finance and Advisory Committee to be present here so they may be available to answer questions. Members of the press and the video crew have also been allowed to be present. He reminded those allowed here to do nothing which may influence the counting of a vote.

He explained that there is overflow space in the gymnasium. Another procedural note was that proceedings are recorded so as to have an accurate record of the meeting. The Moderator mentioned that unless he recognize speakers by name, please use the microphones provided and give your name and address when you arise to address the moderator.

The Moderator proceeded to announce members at the front of the cafeteria.

Bruce Ramsey — *Moderator*  
Jane Wetson — *Town Clerk*  
Maureen Hickey — *Assistant to the Town Manager*

## Board of Selectmen:

Scott Maddern  
Marc Johnson — *Chairman*  
Jennifer Scuteri  
Jeff Hubbard  
David Neill

Michael Lombardo — *Town Manager*  
Donna Brewer — *Town Counsel*  
Deborah Nippes-Mena — *Finance Director*

## Finance and Advisory Committee:

John McWane — *Chairman*  
Rick Sprenkle  
Charles Chivakos

The Moderator also mentioned that all registered voters have been given a distinctive voter ID card when checking into the meeting and they should not lose or destroy this card since they will have to show the card on any vote and for the ballot vote on the motion. Also, the check-in process will stop 15 minutes after voting starts and anyone arriving after that time might not be able to vote. He mentioned babysitting was available. He explained that there would be two presentations on the motion from the motion sponsor and Pine family that opposes the proposed action that would be followed by debate.

## SECTION 2: FINANCIAL ACTIONS

### ARTICLE 2013/6 2-1 Authorize Purchase of Pine Property

Moderator read: To see if the Town will authorize the purchase of the Pine Property, so-called, by gift, purchase, or otherwise; appropriate a sum of money to pay costs of such purchase, including the payment of any and all costs incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transfer from available funds, borrowing or any combination of the foregoing, or to take any other action relative thereto.

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Chair Board of Selectmen, duly seconded, that the Town is authorized to acquire the Pine Property, so-called, by gift, purchase, or otherwise; that the sum of \$4,000,000 is appropriated to pay the costs of this acquisition and for the payment of all costs incidental and related thereto; that to meet this appropriation, \$19,800 shall be transferred from the sale of lots and graves accounts for cemetery purposes, \$100,000

# Town Meeting Minutes and Election Documentation

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is appropriated from the undesignated funds in the Community Preservation Fund as recommended by the Community Preservation Committee to pay for closing and legal costs, \$400,000 as recommended by the Community Preservation Committee is raised by borrowing pursuant to Mass. General Laws Chapter 44B, Section 11 in anticipation of revenues to be raised pursuant to Mass. General Laws Chapter 44B, Section 3, to pay for acquisition costs, and the Treasurer, with the approval of the Selectmen, is authorized to borrow \$3,480,200 under and pursuant to Chapter 44, Section 7(3) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore. In addition, \$153,000 shall be transferred from free cash of which \$63,000 is to pay to offset the loss of tax revenue and \$90,000 is to pay interest and operating and borrowing costs associated with this acquisition.

The Moderator recognized Marc Johnson who noted that Scott Maddern would do the presentation. The Moderator recognized Scott Maddern. Maddern explained that Special Town Meeting was being held for Town Meeting voters to decide if Town should enact its right of first refusal to purchase the Pine Property. He noted that there would be a question and answer period. Maddern summarized why the Selectmen thought it was a good idea to consider purchasing the Pine Property in spite of the tight schedule to make a decision and potentially purchase the property. He mentioned that there is a capable Town manager and other officials in place to handle this type of project, which is in the conceptual rather than planning stage who could assist in RFP process, that meets some of Hamilton's needs outlined in Master Plan, Recreation Master Plan and Housing Production Plan and would bring in more property tax revenue than the current development proposal for the site.

The Moderator recognized John McWane. McWane spoke of what the future looks like for Hamilton with the tax rate expected to rise from \$17.17 to \$17.75 next year which represents a \$240 annual increase in real estate taxes for median house valued at \$400,000. He summarized the need for more revenue generation in Town to cover cost of operating Town and Hamilton's share of HWRSD since Hamilton derives 97% of its revenue from property taxes. Also, that the amount of revenue coming into the Town is less than the increase in spending so efforts have been made to reduce spending (i.e., trash/recycling program) but it is not enough to control the tax rate so the alternative is to cut services if new revenue sources are not implemented. He said that the Finance and Advisory Committee recommended favorable action on this warrant article.

The Moderator recognized Fred Mills from the Hamilton Affordable Housing Trust. Mills addressed need for affordable and senior housing in Hamilton as defined by Housing Production Plan to keep the Town financially viable.

Also mentioned by proponents of the Town purchasing the Pine Property was that citizen input would shape the plan. In addition, Town officials described how feasibility study for Patton Property was on track as part of meeting a two year timeframe to get the property financially self-sustaining.

The Moderator recognized Town Manager Michael Lombardo who spoke to the specifics of traffic study done relative to the development proposal for the Pine Property and suggested that the increased traffic on Bay Road resulting from the Town's conceptual plan would not be any different than what exists today from the Norman Road and Margaret Road neighborhoods.

The Moderator recognized Jack Lawrence, 105 Rock Maple, who suggested a motion for the Town Meeting to vote on to postpone any action on Article 2-1 indefinitely. The Moderator did not accept the motion citing deadline for any motions was last Friday, June 7, 2013.

The Moderator recognized Bill Dery, Chebacco Road, who presented his thoughts regarding the impact of increased number of school children resulting from Town's proposed development at Pine Property and his opposition to Hamilton purchasing the property.

The Moderator recognized Bill Wheaton, Bridge Street, Martin Zee, Bay Road, Peter Whitman, 292 Bridge Street, John Pine, 7 Kinsman Lane, Rod O'Connor, Walnut Road, Forrester Clark, Sagamore Street, and Selectmen David Neill and Jeff Hubbard, who all spoke in opposition to Town's proposal to buy the Pine Property.

The Moderator recognized David Carey, 8 Arabian Way, Charles Chivakos, 27 Village Lane, and Selectmen Jennifer Scuteri and Marc Johnson who all spoke in favor of the article. Scuteri cited examples of other similar communities to Hamilton that had success with such purchases and a need for Hamilton to work together as a community and that the Pine Property was an opportunity not to be missed by the Town. Johnson emphasized the disparity between growth cost and revenue in Town being a recipe for disaster and effort Hamilton has made implementing senior housing and great estate bylaws to facilitate the Town moving forward with development.

The question was called to move to a vote at 8:50 p.m., with a motion moved and duly seconded by Town Meeting voters.

The Moderator called for the voice vote on whether to move to a vote on the main motion, ending further debate.

**VOICE VOTE: MOTION PASSES**

# Town Meeting Minutes and Election Documentation

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Having previously decided that any vote on the main motion would be by paper ballot, the Moderator explained the details of the paper ballot that would be used by Town Meeting voters for a yes or no vote and he stated that a two-thirds vote was required for Town of Hamilton to purchase land.

The Town Meeting proceeded to the ballot vote and the Moderator asked if anyone else was waiting to vote at 9:54 p.m. and with no one waiting, the vote was tallied.

**BALLOT VOTE:**

YES — 391

NO --- 478

**MOTION FAILS**

**(Did not get 2/3rds required vote)**

**ADJOURNMENT**

The Moderator dissolved the Special Town Meeting at 10:03 p.m.

A TRUE COPY: ATTEST:



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Jane M. Wetson, CMMC

*Town Clerk*

# Town Meeting Minutes and Election Documentation

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# Special Town Meeting

## **TOWN OF HAMILTON SPECIAL TOWN MEETING November 4, 2013 Hamilton-Wenham Regional High School**

At the close of registration on October 25, 2013 there were 5,653 registered voters.

Moderator declared a quorum present (75) and the Warrant returned showing it had been properly served, opened the Special Town Meeting at 7:03 P.M. with 362 voters checked and present.

Precinct 1 — 146

Precinct 2 — 113

Precinct 3 — 103

Assistant Moderator: Richard Flynn 183 Linden Street  
Auditorium

Left	Ruth Flumerfelt	59 Greenbrook Road
	Constance Cobb	285 Asbury Street

Center	Sue Ackerman	16 Greenbrook Rd
	Donna Flint	82 Lake Drive

Right	Charlotte Teshko	29 Lincoln Avenue
	Dorothy Ingalls	23 Lincoln Avenue

Additional tellers: Theresa "Mimi" Fanning and Robert Nyland

### **Pledge of Allegiance**

The Moderator read: I have asked non-resident Town officials and those assisting the Selectmen or Finance Committee to be present here so they may be available to answer questions. Members of the press [and the video crew] have also been allowed to be present. I remind those allowed here to do nothing which may influence the counting of a vote.

All other non-registered visitors must be seated in the visitors area located in the left section of the auditorium.

Another procedural note, we record these proceedings so as to have an accurate record of the meeting and to help everybody know who is speaking and hear what is said. Therefore please use the microphones provided and, unless I recognize you by name, please give your name and address when you address the moderator.

An announcement as to Holds. Some of our motions will include a listing of items that will be voted on as a group unless a voter shouts HOLD on the item. When there is a shouted HOLD during the reading of a list for consideration by the meeting, I may condition acceptance of the Hold on obtaining the identity

of the voter requesting the Hold. This information is for the minutes of the meeting and to save meeting time when a held item is considered later in the meeting. If I am unable to identify a voter requesting a Hold, I may disregard such purported action for a Hold.

All registered voters have been given a distinctive voter ID card when checking into the meeting. Do not lose or destroy this card. You will need to show the card on any counted vote. If you cannot show the card, your vote will not be counted.

The Moderator recognized Michael Lombardo, Town Manager, who updated STM about the landfill, Marc Johnson, Selectman, who updated STM on the Patton Homestead, and John McWane, Finance and Advisory Committee Chair, who updated STM on the Town's FY'14 financial picture.

The Moderator acknowledged HW Regional High School students for their video of opening day at Patton Park playground and congratulated Michael Carter-Williams for his NBA debut with Philadelphia 76ers.

### **SECTION 1: REPORTS**

#### **ARTICLE 2013/11 1-1 Reports**

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Chair Board of Selectmen, duly seconded, that the reports of Town Officers and committees be received and placed on file.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES**

\*\*\*\*\*

#### **ARTICLE 2013/11 1-2 Article for Consent Motion**

The Moderator read: The list of Articles to be taken up and voted on as one motion. Shout out Hold as the list is read. Any article motion for which there is an accepted Hold will be deleted from the Consent Motion and taken up and considered according to its place on the Warrant.

Motion numbers:

- 2-1 Classification/Compensation Table - that the Town amend the Personnel Bylaw by adopting changes to the classification and compensation table as set forth in Appendix A to the Fall 2013 Warrant book.
- 2-3 Amendments to Annual Appropriations - that the Town raise and appropriate \$45,000 to Protection of Persons &

# Town Meeting Minutes and Election Documentation

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Property, \$5,300 to Health & Human Services and \$45,000 to Library Joint Program.

- 2-4 FLSA Back Pay - that the Town transfer from certified five cash \$5,000 to Health and Human Services and \$25,000 to Department of Public Works.
- 4-1 Council on Aging Bylaw - that the Town amend the Town General Bylaws to assign As Ch. XXXIII "Council on Aging", the Council on Aging Bylaw adopted by the 1966 Annual Town Meeting.
- 5-1 Grant of Septic System Easement - that the Town grant an easement to 367 Lake Avenue for maintenance of a septic system underneath the Town's right of way, on terms acceptable to the Selectmen.

There were no Holds. The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Chair Board of Selectmen, duly seconded, that the numbered Motions as set forth in Proposed Consent Motions List for this 2013 Special Town meeting, a copy of which has been delivered to the Town Clerk to be filed with the minutes of this meeting with copies made available to voters in attendance, be approved by one vote, each motion to be deemed a separate action under the Warrant Article having the same corresponding number, excepting those motions held.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES**  
\*\*\*\*\*

## SECTION 2: FINANCIAL ACTIONS

### ARTICLE 2013/11 2-1 Classification/ Compensation Table

Moved by Marc Johnson, that the Town amend the Personnel Bylaw by adopting changes to the classification and compensation table as set forth in Appendix A to the Fall 2013 Warrant book.

This article passed with the Consent Motion.

**VOICE VOTE: MOTION PASSES**  
\*\*\*\*\*

### ARTICLE 2013/11 2-2 Water Enterprise Budget

The Moderator recognized Jeff Hubbard.

Moved by Jeff Hubbard, Selectman, duly seconded, that the Town approve the amended FY '14 Water Enterprise Budget as set forth in Appendix B to the Fall 2013 Warrant book. Finance Director Deborah Nippes-Mena spoke to the details of the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**  
\*\*\*\*\*

### ARTICLE 2013/11 2-3 Amendments to Annual Appropriations

Moved by David Neill, that the Town raise and appropriate \$45,000 to Protection of Persons & Property, \$5,300 to Health & Human Services and \$45,000 to Library Joint Program.

This article passed with the Consent Motion.

**VOICE VOTE: MOTION PASSES**  
\*\*\*\*\*

### ARTICLE 2013/11 2-4 FLSA Back Pay

Moved by Marc Johnson that the Town transfer from certified free cash \$5,000 to Health and Human Services and \$25,000 to Department of Public Works.

This article passed with the Consent Motion.

**VOICE VOTE: MOTION PASSES**  
\*\*\*\*\*

### ARTICLE 2013/11 2-5 HWRSD Debt Bunker School Heating System

The Moderator recognized Bill Wilson, HW School Committee member.

Moved by Bill Wilson, HW School Committee member, duly seconded, that the Town approve the borrowing of up to \$930,000 authorized by the Hamilton-Wenham Regional School District (the "District"), for the purpose of paying costs of replacing the heating system at the Bessie Bunker Elementary School, located at 1 School Street, in Wenham, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the Bessie Bunker Elementary School and preserve an asset that otherwise is capable of supporting the required educational program, 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 School Building Committee; that the Town acknowledges that 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; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) forty-three percent (43%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided, however, that the approval of the District's borrowing by this vote shall be subject to and contingent upon the 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 on taxes imposed by G.L. c. 59, § 21C (Proposition 2 1/2); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the

# Town Meeting Minutes and Election Documentation

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Project Funding Agreement that may be executed between the District and the MSBA.

The Moderator recognized Superintendent of Schools Michael Harvey who presented information relative to Articles 2-5 and 2-6.

The Moderator summarized motion for borrowing by HWRSD for up to \$930,000 for the Bunker Elementary School heating system as described. He noted that bonding issues require a 2/3rds vote.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES by 2/3rds**

Declared by the Moderator

\*\*\*\*\*

## **ARTICLE 2013/11 2-6 HWRSD Debt Winthrop School Heating System and Windows Project**

The Moderator recognized Bill Wilson, HW School Committee member.

Moved by Bill Wilson, HW School Committee member, duly seconded, that the Town approve the borrowing of up to \$2,240,000 authorized by the Hamilton-Wenham Regional School District (the "District"), for the purpose of paying costs of replacing the heating system and windows at the Winthrop Elementary School, located at 325 Bay Road, in Hamilton, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the Winthrop Elementary School and preserve an asset that otherwise is capable of supporting the required educational program, 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 School Building Committee; that the Town acknowledges that 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; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) forty-three percent (43%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided, however, that the approval of the District's borrowing by this vote shall be subject to and 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 on taxes imposed by G.L. c. 59, § 21C (Proposition 2 1/2); 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.

The Moderator called for the voice vote. Jerry Fallon, Goodhue Street, questioned need for three elementary school buildings due to school enrollment. HW School Committee Chair Roger Kuebel responded about need to keep the district school buildings in good condition.

**VOICE VOTE: MOTION PASSES by 2/3rds**

Declared by the Moderator

\*\*\*\*\*

## **ARTICLE 2013/11 2-7 HWRSD Debt Winthrop School Heating Distribution System Project**

The Moderator recognized Bill Wilson, HW School Committee member.

Moved by Bill Wilson, HW School Committee member, duly seconded, that the Town take no action on this article. HW School Committee Chair Roger Kuebel spoke to the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

To take no action

\*\*\*\*\*

## **ARTICLE 2013/11 2-8 HWRSD Debt Bunker Fire Suppression System**

The Moderator recognized Bill Wilson, HW School Committee member.

Moved by Bill Wilson, HW School Committee member, duly seconded, that the Town take no action on this article. Bill Wilson spoke to the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES UNANIMOUSLY**

To take no action

\*\*\*\*\*

## **ARTICLE 2013/11 2-9 Community Preservation Fund Projects**

The Moderator read: the recommendations of the Community Preservation Committee in Appendix C of the fall 2013 Appendix Book. Shout out a "HOLD" for any item for which you would like separate discussion. The proposed financial actions are as follows:

Item 1 — Historic Preservation

to appropriate \$15,000 of FY '14 Community Preservation Fund Revenues to fund the restoration of the balustrade of the Hamilton Senior Center.

Item 2 — Recreation

to appropriate \$35,000 of FY '14 Community Preservation Fund Revenues to fund the design and construction of the Patton Homestead Riverwalk.

There were no Holds and the Moderator recognized Tom Catalano.

# Town Meeting Minutes and Election Documentation

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Moved by Tom Catalano, Community Preservation Committee Chair, duly seconded, that the Town act on the Community Preservation Committee recommended specified projects and appropriate \$15,000 from FY '14 community preservation fund revenues to fund the restoration of the balustrade of the Hamilton Senior Center and appropriate \$35,000 from FY '14 community preservation fund revenues to fund the design and construction of the Patton Homestead Riverwalk.

Tom Catalano spoke to the projects contained in the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES**

\*\*\*\*\*

## **ARTICLE 2013/11 2-10 CPC Funds for the Replacement of the Pool at Patton Park**

The Moderator recognized Jennifer Scuteri.

Moved by Jennifer Scuteri, Selectman, duly seconded, that the Town appropriate \$2,500,000 to pay costs of reconstructing or replacing the Patton Park Pool, including the payment of all costs incidental and related thereto; that to meet this appropriation, \$540,720 shall be appropriated from available funds in the Community Preservation Fund, and the Treasurer, with the approval of the Selectmen, is authorized to borrow up to \$1,959,280 under and pursuant to G.L. c. 44, § 7(2B) and § 25, and G.L. c. 44B, §§ 3 and 11, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, all as recommended by the Community Preservation Committee.

The Moderator noted that this motion requires a 2/3rds vote.

The Moderator recognized Jennifer Scuteri who requested that the Moderator recognize Cheri Ruane, Team Leader for the Aquatics Group Division of Weston & Sampson to make a presentation. The Moderator recognized Ms. Ruane who made a 20 minute presentation.

The Moderator recognized Town Manager Michael Lombardo who described timeline from 2011 when Town officials recognized that the pool was failing, and work with Weston and Sampson up to Special Town Meeting vote. He also described advantages of zero entry pool that allows for multiple uses of asset, proposed fee structure for residents and non-residents and operational expenses.

The Moderator recognized Jennifer Scuteri who explained details about Community Preservation Act funds that the Town receives each year from a 2% surcharge on property taxes relative to state match and which funds qualify for use for the proposed Patton Park pool project.

The Moderator opens the debate on the warrant article and

recognized the following individuals: Jeff Stinson, 90 Union Street, spoke to vision needed for Town, David Carey, 8 Arabian Way, supports pool project, Phil Tocci, Farrington Lane supports pool project and noted HW Joint Recreation Board's unanimous support of project, Jeff Hubbard, Miles River Road, spoke to his minority view as a Selectman where he does not support project, Forrester Clark, Sagamore Street, opposed, Jack Lawrence, 105 Rock Maple, opposed, Bill Dery, Chebacco Road, opposed, Mr. Wilson, Anthony Road, supportive of pool, Sean Doonan, 48 Grant Avenue, asked why more CPA funds couldn't be used. Jay Burnham, 21 North Street, spoke to need for new pool but opposed this proposal. He moved that the proposed action under this article be referred back to the Community Preservation Committee for further review and brought back to a future Town Meeting. The motion was seconded. Burnham spoke to the difference in thought about expense and scope of the project that requires fine tuning, that more conversation should occur with Wenham relative to that community's financial contribution to project, and that private fundraising effort could be done. The Moderator spoke to Mr. Burnham's procedural motion explaining that debate could continue on the original project warrant article motion or vote could occur on the procedural motion.

Selectmen Chair Marc Johnson spoke to Wenham Annual Town Meeting occurring in the afternoon after Hamilton's Annual Town Meeting in the spring so a vote from Wenham on whether or not to participate financially in the Patton Park pool project would occur after Hamilton's ATM. He noted that Hamilton cannot go to bid on the project (if the original pool project warrant article does not pass) to get actual project costs which would influence Wenham's decision about whether to contribute to the project. Also, regarding private fundraising, the group that spent two years doing that for the Patton Park playground is exhausted from that effort. He reiterated that Board of Selectmen and Finance and Advisory Committee had voted to proceed with this project and suggested that any delay in getting going on the project would not improve the cost and he noted that Weston and Sampson had done detailed analysis defining the scope of the project and related cost estimates. Nancy Allen, 1 Appaloosa, Tess Leary, 109 Bay Road, Jane McWane, Woodbury Street, Ted Sumner, Park Street, Lisa Gagnon, Rock Maple Avenue, spoke in support of pool project. Jack Hauck, 18 Knowlton, was opposed. John McWane, FinCom Chair, spoke to his Committee's vote in favor of pool project, importance of STM vote on timing of pool construction, and that average tax bill would go up \$28 a year for the amenity if the CPA funds were not used.

The Moderator called for the voice vote on the procedural motion to refer the project to further CPC review and noted it required a majority vote.

**VOICE VOTE: UNCLEAR**

The Moderator called for a card vote.

**CARD VOTE: MOTION FAILS**

# Town Meeting Minutes and Election Documentation

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The Moderator called for voice vote on main motion for appropriation of \$540,720 of CPA Funds and borrowing up to \$1,959,280, and reiterated that a 2/3rds vote was required.

**VOICE VOTE: UNCLEAR**

The Moderator called for a card vote.

**CARD VOTE: UNCLEAR**

The Moderator called for a counted vote.

YES-219

NO— 112

**COUNTED VOTE: MOTION FAILS**

**Does not reach the 2/3rd required positive vote**

\*\*\*\*\*

## **ARTICLE 2013/11 2-11 Capital Improvements – Culverts**

The Moderator recognized Jeff Hubbard.

Moved by Jeff Hubbard, Selectman, duly seconded. that the Town transfer from certified free cash \$75,000 to fund improvements to culverts on Howard and Linden Streets.

Interim DPW Director Dave Hanlon spoke to article. Dick Flynn, 183 Linden Street, encouraged Town Meeting voters to support article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES**

\*\*\*\*\*

## **SECTION 4: TOWN BYLAW AMENDMENTS**

**ARTICLE 2013/11 4-1 Council on Aging Bylaw** Moved by Scott Maddern, that the Town amend the Town General Bylaws to assign as Ch. XXXIII "Council on Aging", the Council on Aging Bylaw adopted by the 1966 Annual Town Meeting.

Council on Aging Bylaw (1966)

There shall be established a Hamilton Council on Aging, consisting of seven members, of which four shall be appointed annually by the Selectmen, one of which shall be designated by the Selectmen as Chairman. The Chairman shall name the remaining members of the Council from interested and representative groups in the Community. It shall be the duty of the Council to carry out programs designed to meet the problems of aging in coordination with programs of the Massachusetts Commission on Aging. The Council on Aging has full responsibility for the expenditure of funds raised and appropriated for it by the Town or otherwise acquired, but nothing herein contained shall limit the expenditure of the funds for the benefit of residents of the Town. The Council shall have a Treasurer and a Secretary and such other officers as it may choose. The Secretary shall maintain the records of the Council on Aging, including persons to whom old age 'identification cards' are issued by the Chairman. The Chairman may issue Blue 'ID' cards to senior

citizens 60 years of age or over who reside in Hamilton, and white 'ID' cards to persons officially connected with the Council regardless of age. The Council on Aging shall file an Annual Report of its activities with the Town Clerk each year on or before February 1 of the following year. The Council on Aging shall adopt bylaws governing its activities consistent with provisions of law and this section.

This article passed with the Consent Motion.

**VOICE VOTE: MOTION PASSES**

\*\*\*\*\*

## **SECTION 5: OTHER APPROPRIATIONS AND ACTIONS**

### **ARTICLE 2013/11 5-1 Grant of Septic System Easement**

Moved by David Neill, that the Town grant an easement to 367 Lake Avenue for maintenance of a septic system underneath the Town's right of way, on terms acceptable to the Selectmen.

This article passed with the Consent Motion.

**VOICE VOTE: MOTION PASSES**

\*\*\*\*\*

## **ARTICLE 2013/11 5-2 Discover Hamilton Trails**

The Moderator recognized Jeff Hubbard.

Moved by Jeff Hubbard, Selectman, duly seconded, that the Town accept, on terms to be set and approved by the Board of Selectmen, easements from the Britton Family Limited Partnership and the Patton Family Limited Partnership for a 25 foot wide public recreational trail which will connect upper Asbury Street with the town-wide Discover Hamilton Trail, the locations as more specifically shown on plans on file with the Town Clerk and to be incorporated into the minutes of this Town Meeting.

Town Manager Michael Lombardo spoke to the article.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES**

\*\*\*\*\*

## **SECTION 6: CLOSING FINANCIAL ACTIONS**

### **ARTICLE 2013/11 6-1 Free Cash Application**

The Moderator recognized John McWane.

Moved by John McWane, Finance and Advisory Committee Chair, duly seconded, that the Town transfer \$150,000 from certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2013.

The Moderator called for the voice vote.

**VOICE VOTE: MOTION PASSES**

\*\*\*\*\*

# Town Meeting Minutes and Election Documentation

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## **ADJOURNMENT**

The Moderator said: This Special Town Meeting is dissolved at 9:35 p.m. Voting for the Town Election pursuant to this Warrant will take place on Thursday, November 21, 2013 From 7:00 AM until 8:00 PM at the Winthrop School.

A TRUE COPY: ATTEST:



Jane M. Wetson, CMMC  
*Town Clerk*

# Town Meeting Minutes and Election Documentation

## Annual Town Election

### Town of Hamilton Annual Town Election

Thursday, April 11, 2013

Winthrop School, Hamilton, MA

The polls were opened at 7:00 AM by Moderator Bruce Ramsey. At the close of Voter Registration on March 15, 2013 there were 5,833 registered voters.

Party	Precinct 1	Precinct 2	Precinct 3	Total
Democrat	379	366	296	1041
Green-Rainbow	1	1	1	3
Inter 3rd Party	2	2	0	4
Libertarian	5	3	3	11
Republican	332	407	526	1265
Inter 3"1 Party	0	0	1	1
Unenrolled	1,306	1,203	999	3,508
Total	2,025	1,982	1,826	5,833

There were 856 ballots cast (15% of total voters) as follows:

Precinct 1 ..... 316  
Precinct 2 ..... 293  
Precinct 3 ..... 247

Annual Town Election April 11, 2013				
	Precinct 1	Precinct 2	Precinct 3	Total
<b>Selectman Vote for TWO (3 years)</b>				
Blanks	76	67	52	195
Marc I. Johnson <i>Re-elect</i>	183	173	159	515
William R. Dery	73	70	52	195
Jacob E. Hauck	86	78	73	237
Scott F. Maddern	213	198	157	568
Write-ins	1	0	1	2
<b>Moderator (1 year)</b>				
Blanks	68	68	55	191
Bruce C. Ramsey <i>Re-elect</i>	245	225	190	660
Write-ins	3	0	2	5
<b>Board of Assessors (3 years)</b>				
Blanks	71	77	59	207
Gelean M. Campbell <i>Re-elect</i>	245	216	188	649
Write-ins	0	0	0	0
<b>Planning Board Vote for TWO (5 years)</b>				
Blanks	211	202	169	582
Frederick G. Mitchell <i>Re-elect</i>	206	197	164	567
Brian D. Stein <i>Re-elect</i>	212	187	160	559
Write-ins	3	0	1	4
<b>Planning Board (3 years)</b>				
Blanks	104	99	91	294
Joseph M. Orlando, Jr.	212	194	156	562
Write-ins	0	0	0	0
<b>H-W Library Trustee (3 years)</b>				
Blanks	66	68	63	197
Madelyn C. Liberti <i>Re-elect</i>	250	224	183	657
Write-ins	0	1	1	2

# Town Meeting Minutes and Election Documentation

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H-W Regional School Committee Vote for THREE (3 years)				
Blanks	199	198	153	550
Jeanise A. Bertrand	160	132	107	399
Richard L. Boroff	122	119	107	348
Deborah H. Evans	242	230	198	670
Melissa Even Moore	225	198	176	599
Write-ins	0	2	0	2

## Question #1: Prop 2 1/2 Debt Exclusion

Shall the Town of Hamilton be allowed to exempt from the limitations of proposition two and one-half, so-called, the Town's allocable share of the amounts required to pay the principal of and interest on the bonds to be issued by the Essex North Shore Agricultural and Technical School District for the costs of designing, constructing, originally equipping and furnishing a new District High School?

Combined results of Hamilton and Wehham.			
H-W School Committee Vote for THREE 3 years	Hamilton	Wenham	Total
Blanks	550	694	1,244
Jeanise A. Bertrand	399	344	743
Richard L. Boroff	348	359	707
Deborah H. Evans	670	665	1,335
Melissa Even Moore	599	511	1,110
Write-ins	2	4	6

	Precinct 1	Precinct 2	Precinct 3	Total
Blanks	49	39	30	118
YES	163	153	137	453
NO	104	101	80	285

Moderator Bruce Ramsey closed the polls at 8:00 PM.  
The results were announced by the Moderator at 8:30 PM.

A TRUE COPY: ATTEST:

Jane M. Wetson, CMMC  
Town Clerk

# Town Meeting Minutes and Election Documentation

## Special Primary Election

### Primary

Town of Hamilton  
April 30, 2013

The polls were opened at 7:00 AM by Moderator Bruce Ramsey.  
At the close of Voter Registration on April 10, 2013 there were  
5,832 registered voters.

Party	Precinct 1	Precinct 2	Precinct 3	Total
Democrat	379	367	295	1,041
Green-Rainbow	1	1	1	3
Mass Independent	0	0	1	1
Libertarian	5	3	3	11
Republican	328	409	526	1,263
Inter. 3rd Party	2	2	0	4
Unenrolled	1,305	1,203	1,001	3,509
Total	2,020	1,985	1,827	5,832

There were 865 ballots cast (15% of total voters) as follows:

Precinct 1 -- 329  
Precinct 2 -- 296  
Precinct 3 -- 240

### DEMOCRATIC PARTY

Precinct 1 181  
Precinct 2 141  
Precinct 3 137  
TOTAL 459      Official

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Total
Senator in Congress				
Blanks				
Stephen F. Lynch	59	53	39	151
Edward J. Markey	122	88	98	308
Write-ins	0	0	0	0

### REPUBLICAN PARTY

Precinct 1 148  
Precinct 2 155  
Precinct 3 103  
TOTAL 406      Official

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Total
Senator in Congress				
Blanks	0	0	0	0
Gabriel E. Gomez	80	102	62	244
Michael J. Sullivan	52	30	20	102
Daniel B. Winslow	16	23	21	60
Write-ins	0	0	0	0

Moderator Bruce Ramsey closed the polls at 8:00 PM, after Officer Brian Shaw checked the parking lot to see if any voters were heading in to vote.

The results were announced by the Moderator at 8:30 PM.

A TRUE COPY: ATTEST:

  
Jane M. Wetson, CMMC  
Town Clerk

# Financial Reports

All financial data cover the period July 1, 2012 through June 30, 2013.

## NOTE:

### **Auditors' Report**

The Independent Auditors' Report on General Purpose Financial Statements for the Town of Hamilton  
was conducted by Clifton Larson Allen LLP on May 16, 2014.

A copy of this report, is on file with the Board of Selectmen and online at:

[http://www.hamiltonma.gov/Pages/HamiltonMA\\_Finance/Audited%20Financials](http://www.hamiltonma.gov/Pages/HamiltonMA_Finance/Audited%20Financials)

### **Town Audit**

An audit of the Town of Hamilton's 2013 basic financial statements was conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards as issued by the Comptroller General of the United States.



# Board of Assessors

For Fiscal Year 2014, the total assessed taxable valuation of Hamilton is \$1,303,712,292.00 with a property tax levy of \$22,684,593.88. The fiscal year 2014 tax rate as certified by the Department of Revenue is \$17.40 up \$.23 from the previous year. Building permits issued in 2013 resulted in an additional \$143,455 in tax levy growth.

In 2013, the Board of Assessors completed their mandatory Interim Year Adjustments on all property in the town of Hamilton as required by the Department of Revenue. Under Massachusetts's law, this Board is required to value all of Hamilton's 2781 properties at 100 percent of their full and fair cash valuation, thereby insuring an equitable distribution of the property tax levy. The town's average single-family valuation is \$467,000. More importantly, we believe that we have met our statutory obligation to re-establish proper assessment level and uniformity throughout the town of Hamilton. Final Department of Revenue certification of assessed valuations was granted in November and property tax bills were subsequently mailed at the end of December. The current valuation and levy percentages based upon property class are as follows:

Residential	1,233,986,900	95%	\$21,471,372	95%
Commercial	54,238,100	4%	\$943,743	4%
Industrial	715,000	1%	\$12,441	1%
Personal	14,772,292	1%	\$257,038	1%
TOTALS	1,303,712,292	100%	\$22,684,594	100%

Also in 2012, the Assessors office processed applications for excise abatements, Elderly and Veteran Exemptions, and CPA Exemptions.

We would like to assure all property owners that the Board of Assessors will continue its effort to meet the challenge of maintaining equitable assessments in this current real estate market.

Respectfully submitted,

Gelean M. Campbell, *Chairman*

Steven Ozahowski, *Member*

Peter J. Kane, *Member*

# Auditor's Report

The Independent Auditors' Report on General Purpose Financial Statements for the Town of Hamilton was conducted by Clifton Larson Allen LLP on May 16, 2014. A copy of this report is on file with the Board of Selectmen and online at:

[http://www.hamiltonma.gov/Pages/HamiltonMA\\_Finance/Audited%20Financials](http://www.hamiltonma.gov/Pages/HamiltonMA_Finance/Audited%20Financials)

To the Honorable Board of Selectmen Town of Hamilton,  
Massachusetts

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Town of Hamilton, Massachusetts, as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise the Town of Hamilton, Massachusetts' basic financial statements, and have issued our report thereon dated May 16, 2014.

### **Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Town of Hamilton, Massachusetts' internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town of Hamilton, Massachusetts' internal control. Accordingly, we do not express an opinion on the effectiveness of the Town of Hamilton, Massachusetts' internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was

not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Town of Hamilton, Massachusetts' financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

CliftonLarsonAllen LLP

Boston, Massachusetts  
May 16, 2014

## Financial Reports

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# Treasurer/Collector

I hereby submit my Annual Report as Treasurer/ Collector for the Town of Hamilton for the fiscal year ended June 30, 2013.

July 1, 2012	\$ 7,574,480
Receipts	\$ 31,029,187
Disbursements	(\$27,977,130)
June 30, 2013	<u><u>\$ 10,626,537</u></u>

### Segregated Cash Accounts - June 30, 2013

Affordable Housing Trust	\$125,286
Clark Property Fund	\$218,289
Conservation Commission	\$97,089
Cultural Council	\$8,423
CPA	\$2,269,438
Hamilton Development Corporation	\$108,306
Junction	\$188
OPEB Fund	\$78,650
Planning	\$1,124
Stabilization Fund	\$737,233
Trust Funds	\$505,439
Waste Enterprise	\$161,158
Water Bans	\$3,030,064
Water Enterprise	\$278,602
	<u><u>\$7,619,287</u></u>

Respectfully Submitted,

Cheryl J. Booth, CMMT, CMMC  
*Treasurer/Collector*

# Treasurer/Collector (cont.)

COLLECTIONS	YEAR	July - December	January - June	Total
REAL ESTATE	2013	\$ 10,677,633	\$ 10,937,544	\$ 21,615,177
	2012	\$ 146,427		\$ 146,427
	Prior to 2011			\$ 21,761,604
PERSONAL PROPERTY	2013	\$ 131,943	\$ 142,412	\$ 274,355
	2012	\$ 219	\$ 48	\$ 267
	Prior to 2011			\$ 274,622
MOTOR VEHICLE EXCISE	2013		\$ 824,203	\$ 824,203
	2012	\$ 97,757	\$ 17,877	\$ 115,634
	2011	\$ 4,055	\$ 1,936	\$ 5,991
	2010	\$ 1,812	\$ 460	\$ 2,272
	Prior to 2009	\$ -	\$ 108	\$ 108
BOAT EXCISE		\$ 103,624	\$ 844,584	\$ 948,208
	2013	\$ 1,554	\$ 235	\$ 1,789
	2012		\$ 50	\$ 50
	Prior to 2011	\$ 50		\$ 50
WATER		\$ 1,604	\$ 285	\$ 1,889
	Rates	\$ 553,808	\$ 388,831	\$ 942,639
	General Billing	\$ 1,435	\$ 4,690	\$ 6,125
	Liens	\$ 2,019	\$ 27,414	\$ 29,433
	Penalties & Interest	\$ 2,916	\$ 253	\$ 3,169
		\$ 560,178	\$ 421,188	\$ 981,366
CPA	2013	\$ 169,188	\$ 170,280	\$ 339,468
	Prior to 2012	\$ 2,156		\$ 2,156
Interest		\$ 339	\$ 427	\$ 766
		\$ 171,683	\$ 170,707	\$ 342,390
TAX TITLES		\$ 95,340	\$ 275,820	\$ 371,160
MISC		\$ 9	\$ 137	\$ 146
PENALTIES & INTEREST		\$ 60,261	\$ 141,788	\$ 202,049
MUNICIPAL LIEN CERTIFICATES		\$ 9,750	\$ 7,800	\$ 17,550
TOTAL		\$ 11,958,671	\$ 12,942,313	\$ 24,900,984





Town of Hamilton, MA  
2013