



Annual Town Meeting

April 7, 2018

At the close of registration on March 16, 2018 there were 6023 registered voters.

Precinct 1 – 154
Precinct 2 – 102
Precinct 3 – 146

Appointed Tellers:

Left Siobhan Mannion 15 Patton Drive

Center Marc I. Johnson 6 Patton Drive

Right Heather M Ford 609 Bay Road

Front: Marc I. Johnson 6 Patton Drive

The Moderator declared a quorum present (75) and the Warrant returned showing it had been properly served, opened the Annual Town Meeting at 9:00 A.M. with 402 voters checked and present.

Pledge of Allegiance

Mr. Melick stated: "Good morning, my name is Jeff Melick and I'm the Town Moderator. Welcome to the April 7, 2018 Annual Town Meeting, and thank you for coming. To assist me with vote counting I have appointed three tellers, who have been properly sworn as follows: Marc Johnson, Heather Ford, and Siobhan Mannion. We will start as we always do by saying the Pledge of Allegiance. I'd like to start with four general reminders. First, if you are a registered voter in Hamilton you should have picked up a voter card at the table in the foyer. If you haven't and wish to vote, then I ask you to get one now. You will need to raise the card to cast your vote on the issues we decide here today. Second, please turn your cell phone to silent. If you need to take or make a call, please leave the room to do so. Third, we welcome nonvoters to the town meeting, but do ask that you sit in the visitors' area so it will be easier to know who is able to vote and who is not. Fourth, registered voters may also sit in the overflow room. I have appointed Bill Bowler to be the assistant moderator there. People in the cafeteria desiring to speak to any article should come to the microphones in the auditorium."

Mr. Melick introduced Donna Brewer (Town Counsel), Andrea Carlson (Town Clerk), Michael Lombardo (Town Manager), Bill Wilson (Board of Selectmen Chair), Shawn Farrell (Selectman), Scott Maddern (Selectmen), Jeff Hubbard (Selectmen), Allison Jenkins (Selectmen), David Wanger (FinCom Chair), Nick Tensen (FinCom), Phil Stearns (FinCom), John Pruellage (FinCom), Darcy Dale (FinCom), and Jennifer Merrill (Town Counsel). 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. We will begin with brief reports by Bill Wilson and David Wanger and then we will review some rules of conduct for this ATM and proceed with the meeting's business."

Town Moderator recognized Bill Wilson.

Board of Selectmen Report

Bill Wilson read: "Good morning and Welcome to Annual Town Meeting, Town Meeting is one of the oldest and purest forms of democracy intended to ensure policy decisions are made in the best interest of the public. I encourage all of you to take this opportunity to respectfully voice and debate your opinions, sharing your thoughts with your neighbors, as we cast votes on warrant articles.

By all accounts, the Town of Hamilton has continued the trend of delivering excellent services in a cost-effective manner. The Board of Selectman, Town Administration and Finance Committee take pride in a collaborative and public budgeting process that strategically incorporates a 3-year financial operating model and a 5-year capital planning forecast allowing us to better plan and prioritize projects based on community needs and affordability. This, in part, has contributed to an FY'18 tax rate of \$16.22. Going forward with a conservative budgeting approach partnering closely with our schools we will strive for continued improvements in our tax rate while providing the best services possible.

I am excited to say the Town of Hamilton has maintained a Standard & Poor's AAA bond rating (Highest Achievable Ranking) noting strong budgetary flexibility, strong liquidity and good financial management. The Town also received a clean bill of health through the annual financial audit process. We are proud of our bond rating and successful audits. Combined they

demonstrate good working financial controls and management. However, we do have opportunities to strengthen our internal controls and improve the efficiencies of our operations, this is a focus in 2018 with a re-write of our financial policies.

I hope over the last year you have noticed an improvement in community communications as it was a focus for the Board of Selectman. A key accomplishment was the redesign of our Town website that was recognized by MMA as the best in Massachusetts for Towns our size. In addition, use of social media to communicate to the community has increased, Code Red, a telephone emergency alert system was implemented, and we routinely have department heads present at Selectman meetings to update all of us on the good work being done in their respective departments. We welcome your feedback as we work with HWCAM to assure we broadcast important meetings that address topics you want to see and hear.

I have two important updates to provide to you today.

At our last town meeting you asked the Towns of Hamilton, Wenham and the School District to authorize the formation of a Longmeadow Study Committee. The Committee's charge was to explore the feasibility of acquisition for potential present or future school, recreational, or municipal use, on all or part of approximately 19 acres of land on Longmeadow Way, adjacent to our High School. The Committee was to report its findings, recommendations, and proposed action, if any, at the 2018 Annual Town Meeting. Here we are and the committee's full report is available for you to read. Over all the committee held multiple meetings with Town Departments and the Regional Recreation board and together determined no future municipal needs for the property. This left any future use options for the schools. In Parallel the School District held several of their own public meetings. Unfortunately, information requests and invitations from the Study group to meet face to face with the schools were not accepted. Instead the Schools felt they vetted the process thoroughly with their own board through open meetings and passed motions communicating their position and future actions.

The Committees last communication from the schools states they will continue to evaluate ongoing school facility needs and specific to the Longmeadow property the following statement was made:

We have a potential interest in the land; (2) We are working to evaluate the long-term plan for our infrastructure needs; (3) We are not in a position to buy the land today or even make an offer; and finally (4) it would be great to be provided an option to purchase the land in the future, whether from the seller, the current buyer, or future buyers..."

In closing for Longmeadow, the schools have started a very long complex process by recently authorizing the Superintendent to submit an SOI, "Statement of Interest" to the MSBA. If accepted a feasibility study will commence and the Schools within their own structure will study the benefits of consolidating two elementary schools into one. At this point any future decisions will be made by the School District on the siting of a combined elementary school or land needed for future educational needs. The Long Meadow Study Group feels they have completed their diligence on behalf of the Citizen's Petition and will cease to meet unless asked by the District for future support.

I want to thank the members who served on the Committee: Jack Wilhelm (Wenham Board of Selectmen), Bill Wilson (Hamilton Board of Selectmen), Jeanise Bertrand (School Committee), Kerry Gertz (School Committee), John Cusolito (Joint Recreation Board), John Serafini

(Hamilton resident), and Joe Amico (Wenham resident). I also want to thank those who attended meetings providing valuable input to the process.

Finally, I want to speak to the employment of our Town Manager, Michael Lombardo. After a lengthy period of negotiations, the Hamilton Board of Selectmen and Hamilton Town Manager, Michael Lombardo, have reached an impasse on the extension of his employment contract. As a result, the parties have agreed to terms of a separation agreement. Michael's last day of employment with the Town of Hamilton will be Thursday April 12th. For the near term we have appointed Russ Stevens, Police chief, as the acting Town manager while we work to hire an interim Town Manager to manage the operation while we work through the long recruitment process to hire a full time Town Manager. I encourage you to reach out to the Board of Selectman with concerns or input.

Thank you Michael for your contributions to the Town of Hamilton over the past 8 years and we wish you well on your next adventure.

Thank you all for attending today and for your continued contributions to our community.”

Town Moderator recognized Brad Hill and then David Wanger.

Finance and Advisory Committee Report

David Wanger read: “Thank you Mr. Moderator and Good Morning to you all. The Finance and Advisory Committee (“FIN COM”), five volunteers, is charged with the responsibility of making reports and recommendations to Town Meeting. We pursue that responsibility very seriously. Since my abbreviated oral report will be limited in subject coverage, we direct you to FIN COM’s contribution to the Town’s Annual Report for a more comprehensive view of our activities.

We welcome you to our town meeting, understanding that significant groupings may be present based on interest in specific issues, for example, school funding. We respectfully ask that you place preconceived notions aside, and listen with objectivity to our presentations even if these appear at odds with your current perceived personal/family interests...personal interests change over time, while decisions you render today will have a long lasting, fundamental impact upon you, your family, and our community. One now may favor large budget increments to schools while a family member attends, a position ignoring associated tax burdens, and later, post-graduation, seek relief from such burdens as personal circumstances change; but year-to-year budget and tax levy increases are difficult to reverse. We owe our community’s general welfare a longer term assessment, losing that perspective, concentrating on the immediate, probably is improvident. As you move on to other interests based on changing circumstances, there will come another grouping of involved parents supporting future funding requests by the District. Where does this end, when does fiscal restraint begin? Currently, Hamilton is in relatively positive fiscal shape, with an excellent bond rating and an excess taxing capacity (in terms of Prop.2 1/2 measures) of \$2.3M; however, our collective interests are best served by restraint in terms of borrowing and, of course, in terms of increasing property tax burdens.

For FY 2018 (July 1 2017-June 30, 2018), the Department of Revenue has certified a tax rate of \$16.22 per thousand of assessed value. This rate, applicable to the third and fourth quarters of FY18 and the first two quarters of FY19 (through December 31st, 2018), reflects a reduction of

59 cents, or -3.57% from the FY17 rate. Note, however, that the assessed value of a single family home as determined by the Assessors for FY18 has increased by \$28,185, +5.2%. Thus, notwithstanding the nominal tax rate reduction, the FY18 tax burden on the average home has increased by approximately \$457.16. The Assessors forecast another valuation increase approximating 5% for FY19, and this valuation trend suggests that residential tax burdens will continue to rise even if efforts to hold steady or further reduce the nominal tax rate are successful.

Analysis of where Hamilton stands on a comparative fiscal basis may be instructive. The non-profit Massachusetts Taxpayers Foundation publishes an annual collection of financial data for all municipalities. From that source, adopting as a comparative universe towns contiguous to Hamilton, and other north shore towns having a population 2000 above/below that of Hamilton, a grouping of ten, note the following, using primarily FY17 data: while ranking essentially at the mean level in terms of population, personal income, assessed value of property, total tax liability, and revenue to be raised by property tax, and ranking below the mean in terms of per capital measure of municipal debt, equalized value and local expenditures, Hamilton placed above the mean of both FY17 nominal property tax rates and single family tax bills (calculated by multiplying the FY17 nominal tax rate by the average value of a single family residence in Massachusetts). For FY19 (commencing July 1st, 2018), the fiscal year in issue in this Town Meeting, we on the town government side again have sought to construct a level service budget, coming as close to level funding as we are able, and we believe the town side proposed budget has been scrubbed.

The Town's proposed operating budget for FY19 reflects a one tenth of one percent increase over FY18 (2.8% increase excluding capital) with no service reductions. This result is due in no small measure to the commitment and work of department heads and of all town employees. They should be recognized for their contributions to the welfare of our community. Personnel costs constitute approximately two-thirds of our operating budget, and on the Town side there has been an effort to mitigate those costs between 2007 and 2018. The number of full time equivalent positions has reduced, from 176 in '07 to 162 presently, a reduction of 14 positions, (8%), while service levels have been maintained, again, to the credit of our municipal managers and employees.

FIN COM's vice-chair, Phil Stearns, will present the Town's proposed FY19 operating budget, with slide show, as he covers Article 2-4. The HWRSD ("District") FY19 budget requests are presented to you in four separate articles as follows: 2-4 includes for the District an operating budget increase of 3.3% over FY18; 2-5 presents a further proposed increase of approximately \$408,000 to cover what the District describes as critical add-ons. the total of the District's operating budget requested increases in Articles 2-4 and 2-5 is \$984,224, reflecting a 5.7% increase over the FY18 Hamilton budget share; 2-6 seeks approval to borrow \$850,000 for installation of a sprinkler system at the Winthrop School; and 2-7 seeks your approval to borrow \$2.6M for what the District describes as safety, accessibility, and critical infrastructure capital projects. Please refer to Appendix (C) of the warrant for a listing of the projects included under the District's description of the Article 2-7 request. FIN COM recommends favorable

vote on Articles 2-4 and 2-6 (Winthrop sprinklers), and FIN COM does not recommend adoption of the additional school funding and borrowing requests as set forth in Articles 2-5 and 2-7 respectively. The District's asserted "level service" budget (not including the "critical" add ons of over \$400,000 as set forth in Article 2-5) proposes an increase of \$1,117,099, a 3.56% increase over FY18, and Hamilton's share, at 65%, is \$726,114, an increase of 4.1% over FY18. Contrast those District requests with the Town's proposed "level service" budget request of a one tenth of one percent increase with capital (2.8% excluding capital) a marked contrast in terms of fiscal prudence in maintaining level services.

By statute, the District is an autonomous fiscal entity, operating independently of Town government in terms of fashioning budget and capital expenditure requests, autonomous that is with one very basic condition: in recognition of the fact that the District is funded primarily by property tax dollars, you, the Town Meeting, have the absolute duty and right to pass judgement on the District's funding requests, to determine how much you wish to pay by taxation. Given your decisional prerogatives and responsibility, we wanted to provide you with a menu, thus the separate articles. No one up-here can be labeled as "anti-education." We recognize and accept the necessity and community value of our public schools, just as we recognize the necessity and community value of the public services provided by our public works and public safety complement, by town hall administrative staff, and by all other municipal employees. Our effort, and your ultimate responsibility, is to find the best balance in terms of use of tax dollars to maintain all aspects of public service.

While respecting the District's fiscal autonomy, we attempted by seeking informal dialogue with the District in advance of the budget making process to find a way to collaborate in avoidance of the problems we now are obliged to address; but the District would not engage at that juncture. When we had an opportunity to meet with the School Committee, after the District's FY19 budget process was well underway. Our suggestions were ignored. Of late we have advised the District that we would be willing to review our negative recommendation regarding the borrowing request set forth in Article 2-7; but again the District demonstrated no willingness to engage, apparently relying on the autonomy concept, forcing us to present these facts to you, the ultimate determiner of how much should be spent for what level of service.

Now please note the following summary of Hamilton's proportionate share of the District FY19 budget increases, with tax rate and tax burden impact: Article 2-4 operating budget increase of 3.3% adds \$576,517 to the prior year operating budget, increasing the tax rate by 40 cents per thousand of assessed valuation; Article 2-5, the "critical" add-ons to the District's FY 19 operating budget request, \$407,707, adds 29 cents to the tax rate; regarding Article 2-6 (borrowing for Winthrop school sprinkler system), our anticipated first year cost for a twenty year bond is approximately \$39,000, adding close to 3 cents to the tax rate, with continuing impact during the life of the loan; and Article 2-7, the \$2.6 bond request, as previously described, with our share of the first year borrowing cost estimated at \$118,000, adding another 8+ cents to the tax rate, again with continuing impact during the life of the bond. In general terms, the tax rate is calculated on the basis of 7 cents for every \$100,000 of appropriation, and the nominal rate as so calculated is then multiplied by every one thousand dollars of assessed value. For FY 18, the average assessed value of a single family home is \$566,413. The total of the four District budget increase requests adds 80 cents to the nominal tax rate, increasing the annual tax burden

on the average valued home by \$453.00. By not funding the District's Articles 2-5 and 2-7 requests (FINCOM's recommendation) the impact of the remaining District related increases to the prior year budget on the nominal tax rate would be reduced to 43 cents, increasing the tax burden on the average home by \$244.00, a savings of \$209.00. To some, that \$209.00 difference may appear insignificant and not worth this discussion, while to others in our community that sum may be more meaningful. One also should consider the year-to-year budget increases, succeeding years building upon prior year totals. Beyond those considerations are past and current metrics and foreseeable, significant District related cost increases suggesting the propriety of our now sending a message for fiscal restraint.

Between 2013 and 2017, student enrollment declined by 120, a 6% reduction, and as enrollment declined, the student/teacher ratio "improved" to a metric below the state average and the ratio in comparable school systems. This suggests that the teacher complement has not been adjusted consistent with negative enrollment trends. The trend in administrative staffing reflects an increase in complement, again measured against enrollment decline. Personnel costs constitute close to 70% of the operating budget, and the District has not adjusted to declining enrollment. Even as it became apparent that the two towns viewed the District's FY19 budget requests as improvident, a decision was made to absorb in the budget those portions of athletic fees paid by users, equaling another 7 cents to the tax rate.

But by far the clearest signal of the District's cavalier approach to the community fiscal welfare is the continuing failure to commence responsible funding of the District's Other Post-Employment Benefits ("OPEB"). A responsible approach to meeting that legal obligation, now estimated by the District to approximate \$30M, requires year-to-year funding pursuant to an actuarial assessment, and the District appears to be ignoring that obligation, paying benefits from the operating budget, and dismissing our inquiries/suggestions as to a more responsible approach. Last year, the District initially allocated \$50,000 to begin funding of the \$30M OPEB obligation, but then diverted money from that allocation to improve a playground. Our share of that \$30M OPEB obligation is \$18M, or more than \$12.50 on the tax rate (or, if funded by debt, a tax rate impact which now cannot be calculated) and that is and will remain our obligation.

On top of that prospective obligation is the District's five year capital plan estimated to entail desires exceeding \$10M, 65% of which also will be our continuing obligation. Another distressing metric relates to per-pupil cost, now conservatively estimated to be in excess of \$17,000.00, a figure above both state average and comparative school districts. Our portion of that annual cost is 65%, more than \$11,050, an amount equal to the current tax burden on a home valued at over \$680,000. The tax produced by an average valued single family home does not support our proportional shares of the per-pupil cost, never mind the cost of all other municipal services. There is a structural fiscal problem, exacerbated by inattention and continued spending beyond reasonable, comparative measure. Higher taxes foreseeably exert a choke hold on the Town, imposing oppressive burdens on an aging population while discouraging families with young children from moving in, the Town's viability will suffer, and declining enrollment will impair the school system. There is a need for fiscal restraint and the District must receive that message. The decision is yours to make."

Mr. Melick stated: "I hope you all read and brought your copy of the Town Warrant. If you did not, there may still be some extra copies in the foyer. The agenda for the meeting is the Warrant. It was prepared by the Board of Selectmen. To bring an agenda item before the meeting, I will recognize a member of the sponsoring board, committee or individual so they can make a motion. If the motion is seconded, I will recognize the proponent to speak to you about it. Once they are done, I will open discussion up to you. If you wish to speak, you must first ask me to recognize you. To save time, I ask that you already be standing at one of the microphones in the room. They are on the right and left side of the room. Once you're recognized, please state your name and street address. You may then make comments or ask questions about the motion. You will have three minutes to do so. Your comments and questions must be within what we call "the 4 corners of the motion." Please do not make comments about any person who is in favor of or against the motion, just comment on the merits of the motion. Please, no applause.

All motions to amend a motion must be submitted to the Town Clerk in writing. If you need assistance in framing it, Town Counsel will provide you with some assistance. No more than one amendment may be pending at the same time. A vote is first taken on the amendments and then on the main motion. As I mentioned, when a vote is taken, I will ask you to raise your voter cards and I will then decide visually whether there is the necessary majority, 2/3 vote or 4/5 majority votes. If I am in doubt, or seven voters question the vote immediately after I declare the outcome, I will have the vote counted by the tellers. Finally, let me say this. I am aware that some of the articles that will be considered here this morning have engendered a certain amount of emotion on behalf of some people on one side or the other. Please keep in mind that those who will be standing before you speaking about the article have the town's best interests in their heart. You may not agree with them but that's alright. Disagreement is a natural thing. But please keep your comments to the merits of the motion and not the people involved. It is ok to disagree. It is not ok to be disagreeable. OK, we will now begin going through the Articles in the warrant. In conclusion, thanks for your attention, attending Town Meetings and your generous volunteerism."

SECTION 1: ELECTIONS, REPORTS, PROCEDURES

ARTICLE 2018/4 1-1 Election of Officers

Town Moderator read: "To elect the following Town and School District Officers at the annual Town Election on Thursday, April 12, 2018 from 7:00 a.m. to 8:00 p.m. at the Hamilton Wenham Recreation Gymnasium.

Town Moderator for one year.

Two members of the Board of Selectmen for three years.

Assessor for three years.

Two members of the Planning Board of three years.

Two members of the Hamilton Wenham Public Library Trustee for three years.

Two members of the Hamilton Wenham Regional School Committee for three years.

Moderator read: "To vote on Article 1-1 is by ballot on Thursday, April 12, 2018 at the Hamilton-Wenham Recreation Gymnasium. The polls will open at 7:00 a.m. and close at 8:00 p.m.

ARTICLE 2018/4 1-2 Reports.

Town Moderator read: "To hear reports of Town Officers and selected committees and to take action thereon or relative thereto. Reports will appear in the Town Report for Calendar Year 2017."

Town Moderator recognized Bill Wilson.

Bill Wilson made motion that the reports of Town Officers and Committees be received and placed on file.

Seconded.

Vote: Motion carries.

ARTICLE 2018/4 1-3 Consent Motion

Town Moderator read: "To see if the Town will consolidate in one consent motion containing the motions for those articles that, in the opinion of the Moderator, are not controversial and can be passed without debate, or take any other action thereon or relative thereto."

Town Moderator said: "I will now read the list of articles to be taken up and vote 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 for Article numbers: 2-2 Compensation/Classification Table, 2-8, Water Enterprise Budget, 2-9 Annual Financial Actions, 2-11 Annual Budget for Revolving Funds, 2-12 Unused Borrowing Authorization, 2-13 Hamilton Development Corporation (Hold), 2-14 OPEB Trust Fund, and 4-3 Renumber Departmental Revolving Fund By-law."

Town Moderator recognized Bill Wilson.

Motion by Bill Wilson who said: "I move that the numbered motions as set forth in Proposed Consent Motions List for this 2018 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 approve by one vote, each motion to be deemed a separate action under the Warrant Article having the same corresponding number, excepting Article 2-13, Hamilton Development Corporation."

Seconded.

Vote: Motion carries.

SECTION 2: FINANCIAL ACTIONS

ARTICLE 2018/4-2-1 Prior Year Bills

The Moderator read: "To see if the Town will raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to pay any unpaid bills incurred in prior years, or take any action thereon or relative thereto."

Town Moderator recognized Phil Stearns.

Motion made by Phil Stearns who said: "I move that the Town appropriate from Free Cash the sum of \$360.00 to pay unpaid bills of prior fiscal years in accordance with the provision of Massachusetts General Laws Chapter 44, Section 64."

Seconded

Phil Stearns said the bill was for a gas inspection as part of a police investigation that occurred in 2017, presented for payment in 2018.

Vote: Motion carries. Town Moderator declared a unanimous vote.

ARTICLE 2018/4 2-2 Compensation/Classification Table

This article passed with the Consent Motion To see if the Town will amend the Personnel By-law by adopting changes to the classification and compensation table, or take any other action thereon, or relative thereto.

ARTICLE 2018/4 2-3 Capital Expenditures.

Town Moderator read: "To see if the Town will raise and appropriate or transfer from available funds money for the purpose of capital expenditures and further, to authorize the Town Manager to administer and expend funds from said accounts, or take any action thereon or relative thereto."

Town Moderator recognized Phil Stearns.

Phil Stearns said: "I move that the Town raise and appropriate \$383,050 for the purpose of undertaking the projects set forth in Appendix B to the 2018 Appendix Book, a copy of which has been provided to the Town Clerk to be included in the minutes of this meeting, and further to authorize the Town Manager to administer and expend funds to effectuate these projects."

Seconded.

Mr. Stearns explained that each year the Town must invest in capital improvement to maintain, replace and improve items that wear out. \$100,000 for Town Hall preservation, \$90,000 for road repair, \$60,000 for National Pollutant Discharge System, and \$38,750 for replacement police cruiser.

Jack Hauck (18 Knowlton St) wondered who would authorize the appropriations if there were no Town Manager, to which Michael Lombardo said there would be an active Town Manager. The position would not be vacant.

Vote: Motion carries.

ARTICLE 2018/4 2-4 General Town Departmental Appropriations.

Town Moderator read: "To see if the Town will raise and appropriate or transfer from available funds, money to defray the expenses of schools and all other Town expenses for the Fiscal Year beginning July 1, 2018, or take any action thereon or relative thereto." (Expected requests Town \$11,487,147.41 and School District \$17,977,787.98)

Town Moderator said: "The proposed budget appears as Appendix B to the 2018 Appendix Book. The approved school budget appears as Appendix C to the 2018 Appendix Book. This is our annual general town and school omnibus appropriations article."

Town Moderator recognized Mike Harvey, Superintendent of Schools to do a report on the School District Budget.

Mike Harvey presented the highlights of the graduating class of 2017 that included Advanced Placement results. MACAS results were shown for 10th grade students, which were ahead of State averages. Art, writing, DECA, National History Day Contest, and the James and the Giant Peach play were noted. FY19 School Budget was based on level service and critical items to

meet community expectations. COLA, salary adjustments, health insurance premiums, and tuition for out of district placements were discussed. The net amount to maintain level services was \$1.1M. The Schools had operated on a level service budget for the previous two years, so any enhancements were not available. The School had exhausted opportunities for savings so the budget included \$577,000 for critical priorities to improve student learning, out of district placement, and minimize the burden of athletic fees. Conducted review to determine that math curriculum did not align to Massachusetts Standards. FY19 Budget of \$172,000 for educational resources would align the curriculum to standards. Athletics were integral to education and families paid the highest fees in the State. The School Committee heard concerns of the community, so the School decided to add \$177,000 to the budget to pay for user fees, which would result in a fee reduction of 50%.

According to Mike Harvey, out of district placements were presented as the fastest growing expenses, \$35,000 for day school to \$250,000 for full time residential placement as well as transportation, which can cost \$100,000. Twenty-two students had been increased to forty-two in the current year. To control costs, in-district programming was being proposed to serve students within the system, which could save \$2.2M in the next few years. Total Expenses were shown. A total increase of 1.694M and a small increase of \$22,000 in debt service created a total Budget of \$34,099,333. There was less money in the excess and deficiency budget to lower the assessment, which was \$347,000. The School Committee returned anything over 3% to the Towns. The \$18,385,495 Hamilton assessment was an increase of 5.7%. Population was moving from Hamilton to Wenham. Over the past four years, Hamilton experienced a 4% net increase in assessment. 2.3% increase over the last four years was the average increase. If Articles 2-4 and/or 2-5 were not passed, the failed Budget would need to be resubmitted within 30 days. Article 2-4 did not provide a level service budget, according to Dr. Harvey.

Town Moderator recognized Phil Stearns to do a report on the Town Budget.

Phil Stearns presented an overview of the FY19 Budget. A 3.4% increase included Article 2-4 and 2-5 and not the debt articles in 2-6 and 2-7. The General Budget for the schools was \$12,106,360, which was an increase of .1%. The Capital Budget included the fire truck, which would be voted upon later. Significant expenses from the previous years were not repeated so the capital budget decreased. Mr. Stearns discussed revenues and free cash as their effect on the FY19 Budget. Mr. Stearns said Hamilton's share of the School Budget was 64.7%. Mr. Stearns said the Town had decided to split the School costs, giving voters a chance to express what they wanted to the Schools. Mr. Stearns said if both articles passed, \$.69 would be added to the tax rate. Articles 2-6 and 2-7 were new debt for the Schools. Mr. Stearns illustrated what percent each department constituted in the budget. The Town Budget increased .1%.

Phil Stearns said that 90% of the budget was from by property taxes with excise tax, water enterprise funds, and permit fees discussed. The recreation programs had increased 78%. PILOT would not change. Gordon Conwell's gift had decreased from \$75,000 to a lower amount. Revenues would increase about 3%. PILOT discussions with Pingree School and Gordon Conwell were being revived.

OPEB evaluations would indicate needed efforts to pay the debt down. The proposed tax rate would be 16.43 based on what the Town had recommended, including the 4% increase in

property evaluations.

Town Moderator read each appropriation and asked that for any item a voter would like to discuss separately be noted by a hold.

\$2,036,895.29 for General Town Government

\$2,855,079.81 for Public Safety

\$17,977,787.98 for Hamilton Wenham Regional School District (Hold)

\$212,956.00 for Essex North Shore Agricultural & Technical School District

\$1,835,295.27 for Department of Public Works

\$315,577.28 for Health and Human Services

\$945,159.08 for Culture and Recreation

\$3,286,184.68 for Unclassified

Totaling \$29,464,935.39”

Town Moderator recognized Phil Stearns.

Phil Stearns read: “I move that the Town raise and appropriate the sums read by the Moderator for schools and all other Town expenses which are set forth in the 2019 Fiscal Year Budget in Appendix B of the 2018 Appendix book and Appendix C of the 2018 Appendix Book with the corrections read by the Moderator excepting the \$17M for the Hamilton Wenham Regional School District.”

Seconded.

Vote: Motion carries.

Phil Stearns made motion that the Town raise and appropriate \$17,977,787.98 for the Hamilton Wenham Regional School District.

Seconded.

Gene Lee (7 Anthony Road and School Committee Member) was seeking to amend the article by increasing the amount by \$407,707 to reflect the full amount approved by the Hamilton Wenham Regional School District’s School Committee on February 13, 2018 certified by the Town of Hamilton District’s treasurer the full amount to the School District would be \$18,385,495 including the debt.

Seconded.

Gene Lee said the current article wrapped up Articles 2-4 and 2-5. The current amount did not equal a level service budget.

Josh Liebow (Wenham. Chairman of the School Board) said much consideration went into the Budget that was fiscally responsible and presented a quality school system. While the costs were higher, the education was better, which was reflected in home prices. A cut in programs and classes offered would occur, which could experience a spiral out of control. Supporting the schools meant supporting the Town.

Annette Gonthier-Kiely (20 Autumn Lane) asked about free cash. Michael Lombardo said the Town maintained \$2.3M or 5% of the budget for unforeseen emergencies. The \$375,000 budgeted was appropriate. Ms. Kiely asked about automatic refunding overpayment, which caused free cash.

Town Moderator said the motion was to amend the article 2-4 by increasing the amount by \$407,707 to reflect the full amount approved by the Hamilton Wenham Regional School District’s Committee on February 13, 2018 certified by the Town of Hamilton District’s

treasurer. The full amount to the School District would be \$18,385,495 including the debt. The Moderator called for a counted vote.

COUNTED VOTE: YES – 184
 NO -- 143

Vote: Motion to amend carries.
Town Moderator called the vote.
Vote: Motion carries.

ARTICLE 2018/4 2-5 Additional School Operating Appropriation

Town Moderator read: “To see if the Town will raise and appropriate additional money for school operating expenses, or take any action thereon or relative thereto.” (Expected request \$407,707.02).

Town Moderator recognized Gene Lee.
Gene Lee moved to take no action on Article 2-5.
Vote: Motion carries.

ARTICLE 2017/4 2-6 School Debt Winthrop Fire Suppression

Town Moderator read: “To see if the Town will approve the \$850,000 borrowing authorized by the Hamilton Wenham Regional School District for the purpose of paying costs of the installation of a fire suppression system at the Winthrop Elementary School, including the payment of all costs incidental or related thereto, or take any action thereon or relative thereto.”

Town Moderator said: “Previous renovations of the Winthrop School triggered a MA State Mandate that a fire suppression system be added to the school. Responsible Hamilton officials have determined that this requirement be implemented in FY2019. The Certificate of Occupancy could be jeopardized if the town does not comply. Hamilton’s share of the FY19 HWRSD budget is 64.7%. Based on the school’s projections for a 20 year bond, Hamilton’s share of the first year debt is anticipated to be approximately \$39,000 which represents \$.02 per \$1,000 assessed value or \$11 for an average home valued at \$538,000.”

Town Moderator recognized Darcy Dale.

Darcy Dale said: “I move that the Town of Hamilton hereby approves the \$850,000 borrowing authorized by the Hamilton Wenham Regional School District (the “District”) for the purpose of paying costs of the installation of a fire suppression system at the Winthrop Elementary School, including the payment of all costs incidental or related thereto.

Seconded

Ms. Dale said it had been known since 2013 that the fire suppression system needed to be installed as it was a State law. If not completed, an occupancy permit may be lost.

Vote: Motion carries.

ARTICLE 2018/4 2-7 School Debt – Safety, Accessibility and Critical Infrastructure Capital Projects.

Town Moderator read: “To see if the Town will approve the \$2,600,000 borrowing authorized by the Hamilton Wenham Regional School District (“District”) for the purpose of paying costs of various FY19 Safety, Accessibility, and Critical Infrastructure capital projects within the District as outlined in the District’s Five Year Capital Plan, dated February 13, 2018, including the

payment of all costs incidental or related thereto, or take any action thereon or relative thereto.”

Town Moderator recognized Gene Lee.

Gene Lee said: “I move that the Town hereby approve the \$2,600,000 borrowing authorized by the Hamilton Wenham Regional School District (the “District”), for the purpose of paying costs of various FY19 Safety, Accessibility and Critical Infrastructure capital projects within the District as outlined in the District’s Five Year Capital Plan, dated February 13, 2018, including the payment of all costs incidental or related thereto.”

Seconded.

Gene Lee said there were a growing lists of concerns such as ADA requirements, cameras on the buildings, safety of sidewalks and entrance ways as well as critical infrastructure such as IT equipment.

Town Moderator recognized Mike Harvey

Mike Harvey noted the \$800,000 worth of classroom furniture. The furniture was older than 20 years.

Town Moderator recognized David Wanger.

David Wanger said the costs would add \$.12 to the tax rate when added to the fire suppression system. Mr. Wanger thought some items were questionable such as the generator for Buker School in the event the school needed to be used for Wenham residents as a shelter. The FinCom had rejected the requests and asked the Schools to revisit the proposal, which they did not.

Bill Dery (356 Chebbaco Road) spoke against the article.

Gene Lee said the generator had a dual purpose of supporting the administration and not solely for a shelter in Wenham.

David Wanger said he was told that borrowing wouldn’t be effected until FY20 which would give the Schools time to look at the items.

Jackie Hodge (222 Cutler Road) spoke about the lack of preventative repairs at the Schools, declining enrollment and the possibility to consolidate schools.

Lori Johnson (23 Highland St) said she lived closer to Wenham, the children looked at the Schools as regional, and that not spending money on Wenham residents was short sighted. Ms. Johnson said the schools were falling apart and that as President of the Friends, she recommended supporting the budget.

Bill Wilson suggested all the schools have generators, that \$2.6M was a large jump the first year, and that some of the buildings might not be here in the future. Mr. Wilson spoke against the article.

Allison Jenkins said the Town of Hamilton had a town-owned building as a shelter and spoke of equitability regarding an agreement similar to the library. 65% of funding for Hamilton would be used to support a shelter in Wenham. Ms. Jenkins was against the proposal.

Vote: Motion does not carry.

ARTICLE 2018//4 2-8 Water Enterprise Fund.

This article passed with the Consent Motion To see if the Town will approve the FY’ 19 Water Enterprise Budget or take any action thereon, or relative thereto. (*Expected request is \$1,795,771.00*)

ARTICLE 2018/4 2-9 Annual Financial Actions

This article passed with the Consent Motion To see if the Town will authorize the following financial actions, or take any action thereon or relative thereto.

- A. To transfer a sum of money from the Cemetery Sale of Lots and Graves Fund to be used for cemetery purposes (*Expected request \$2,000.00*);
- B. To transfer a sum of money from the Clark Property Fund to the Conservation Fund (*Expected request \$1,350.00*);
- C. To transfer a sum of money from the Water Enterprise Fund to the General Fund to be used for indirect expenses (*Expected request \$406,078.00*);

ARTICLE 2018 4 2-10 Community Preservation Budget.

Town Moderator read: “ To see if the Town will act on the Report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation Budget and specified other projects and appropriate or reserve for later appropriation monies from community preservation fund annual revenues, specific reserves or other available funds for the administrative expense of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year, or take any actions thereon or relative thereto.”

Town Moderator read: “Please turn to Appendix E. I will now read the recommendations of the Community Preservation Committee. Shout out a Hold for any item which you would like separate discussion. The proposed financial actions are as follows:

\$42,400 for debt service for the Donovan Acquisition,
\$114,000 (\$67,000 from the Community Preservation Fund Balance and \$47,000 from the FY19 Community Preservation Revenues) to fund the debt service for the Sagamore Hill conservation project,
\$200,000 (\$153,000 from the Community Preservation Fund Balance and \$47,000 from the FY19 Community Preservation Fund Revenues) as requested by the Town Manager for the Hamilton Department of Public Works to fund the restoration/renovation of the Patton Homestead, with the condition that if required by the nature of the restoration, architect stamped plans are submitted to the Hamilton Building Department and/or in the case of work not requiring architectural plans, building permits are issued (which cannot be renewed) by July 1, 2010, (Hold)
\$100,000 (\$53,000 from the Community Preservation Fund Balance and \$47,000 from the FY19 Community Preservation Revenues) to the Affordable Housing Trust for community housing purposes as required by G.L. c 44 Section 55C(c)(1), (Hold)
\$30,000 (from the Community Preservation Fund Balance to the Hamilton Planning Board to update the Housing Element of the Hamilton Comprehensive Plan, (Hold)
\$23,500 of FY19 Community Preservation Fund Revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fees, signs publicizing CPA projects and salary for part-time Community Projects Coordinator position.”

Town Moderator recognized Tom Catalano.

Tom Catalano read: “I move that the Town appropriate or reserve for future appropriation monies from community preservation fund annual revenues, specific reserves or other available funds for the administrative expenses of the Community Preservation Committee, the payment of

debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year as ready 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.”

Seconded.

Tom Catalano said the CPA was ten years old with \$468,000 in revenues. There was a 2% surcharge on taxes with a declining match (11%) from the State. Annual debt service for the Donovan field would be over the next year. The acquisition for Sagamore Hill had debt service. Annual basis 5% could be spent of CPA on administrative expenses.

Vote: Motion carries.

Tom Catalano said: “I move that the Town appropriate \$153,000 from the Community Preservation Fund balance \$47,000 from the FY19 community preservation revenues requested by the Town Manager for the Hamilton Department of Public Works for the restoration and renovation of the Patton Homestead with the condition that if required by the nature of the restoration that an architect stamped plan to the Hamilton Building Department and/or in a case of work not requiring architectural plans, building permits are issued by July 1, 2020.”

Seconded

Town Moderator recognized Tom Catalano.

Tom Catalano said the Community Preservation Committee voted 5 in favor with one abstaining.

Town Moderator recognized Carin Kale (36 Rock Maple Ave).

Carin Kale, President of the Patton Homestead Incorporators, recognized the other members of the Board and offered a background on the property. The 27 acre parcel and homestead was gifted to the Town by the Patton property. \$2.1M gift allowed for the sale of four acres of moderately priced housing, which was sold for \$1M with an additional gift of \$156,000 to the Affordable Housing Trust, which was dedicated to the two units of affordable housing on Asbury St. \$145,000 in tax revenue was collected from the Patton Ridge condominiums, while the homestead had previously paid \$30,000. The main reason the non-profit was created to raise funds. The Patton family archives will stay on site and are being managed by the Wenham Museum.

Carin Kale said the preservation of the property was important and the land accessed the river. Educational, recreational, and cultural programs would occur and rental space would be available. The non-profit had established a collaborative team with Tim Olson and Michael Lombardo and the parking lot had been constructed. Spencer and Voight architects were hired for preservation and design for ADA and infrastructure upgrades. The Corporation had submitted a \$225,000 matching grant for capital improvements. The group was working on the Capital campaign and working with the State for funding. The public building must meet ADA and fire requirements. Ms. Kale explained the timeline. The restoration of the exterior envelope would be accomplished through CPC funding.

Town Moderator recognized Doug Trees.

Doug Trees (557 Bay Road) wanted to bring decisions back under the control back of Town Meeting and amended the motion that the Town reserve \$200,000, \$153,000 from the

community preservation fund balance and \$47,000 from the FY19 community preservation fund revenues to the historic resources reserve fund.

Seconded.

Doug Trees said the designs for renovations were under way and the construction costs were only estimated and the Town already granted \$500,000 from the Patton Property sale. The Town can proceed with exterior renovations at any time. Until designs are complete with presentation for management and uses, Mr. Trees asked that funds be held for future preservation.

Carin Kale responded that spending available funds would be misstep because the CPC funds were for renovation and the house would not be accessible as it was a public property. The money was a match for the State for ADA accessible and the most appropriate resource for historic renovations would be the CPC funding.

Daniel Ellison (16 North St.) spoke against the proposal due to funding and wanted to see a plan with fixed costs.

Tom Catalano said the administrator for CPC had existed for years. CPA funds can only be used for historic preservation and majority of work was not historic preservation and if used existing money were used for historic preservation, the CPA would not be able to fund the project.

Doug Trees added that the Patton Homestead Committee did not own the building, but was a Town property and requested when they have their plans together, then come back to Town Meeting for a vote.

Town Moderator said "Motion to amend that the Town reserve \$200,000, \$153,000 from the community preservation fund balance and \$47,000 from the FY19 community preservation fund revenues to the historic resources reserve fund."

Vote: Motion to amend does not carry

The main motion was voted upon.

Vote: Motion carries.

Tom Catalano moved that the Town appropriate \$100,000, \$53,000 from the community preservation balance and \$47,000 from the FY19 community preservation fund balance as required to the Affordable Housing Trust for community housing purposes as required by G.L. c 44 Section 55C(c)(1).

Town Moderator recognized Tom Catalano.

Tom Catalano said it was ongoing effort to fund the limited stock of affordable housing and affordable housing plan.

Town Moderator recognized Doug Trees (557 Bay Road).

Doug Trees moved that the Town reserve \$100,000, \$53,000 from the community preservation fund balance and \$47,000 from the FY19 community preservation fund revenues to the community housing reserve fund.

Doug Trees recalled that in 2016, the Affordable Housing Trust was granted \$250,000 and now were being granted \$100,000 without any project known. The Affordable Housing Trust had granted \$300,000 to the Hamilton Development Corporation after a heavy investment of \$600,000 to purchase the property at Willow St. with the intent that it would be age restricted housing. The Affordable Housing Trust also had \$300,000 unencumbered funds allocated to the necessary companion project for affordable family housing on Longmeadow Way. Andrew DeFranza was the only respondent to the RFP, stated that the \$600,000 would be used for due

diligence against the long term effort required including feasibility. The CPC sent it to the Affordable Housing Trust who sent it to the Hamilton Development Corporation without any oversight or review at Town Meeting and Mr. Trees opposed the granting without further review or approval of specific projects and locations.

Tom Catalano said it was voted at Town Meeting when the Housing Trust was authorized, who would need some flexibility to develop projects.

Town Moderator recognized Brian Stein (175 Willow St and Hamilton Development Corporation President) who clarified that the Hamilton Development Corporation did not receive the \$300,000 but rather the money would go to Harborlight for the purchase of the Willow St. property, which had not been completed until a partner site had been found. The agreement between the Hamilton Development Corporation and Harborlight indicated how the funds could be used. There would be another \$300,000 for the partner site with another agreement. The funds do not go to the Hamilton Development Corporation unless the property is sold. Bill Wilson said the balance is about \$600,000 in the Affordable Housing Trust fund and that 25% of the population were seniors looking for housing, which would be \$300,000. The Housing Trust had earmarked \$300,000 for a companion site with 40 family units somewhere. \$100,000 was a small amount of money to keep the Housing Trust flexible and pay for the Coordinator. A deed restriction exchange for 10% down for housing was a concept being considered.

Jack Lawrence (105 Rock Maple) agreed with Doug Trees. Harborlight's mission was family housing for the lower income scale.

Marc Johnson (6 Patton Dr.) spoke in favor.

Rick Mitchell (36 Rock Maple, HDC and Planning Board) spoke in favor.

Gerry Fallon (38 Goodhue St) spoke in favor of the request.

Town Moderator read: "The Motion to amend is to reserve \$100,000, \$53,000 from the community preservation fund balance and \$47,000 from the FY19 community preservation fund revenues to the community housing reserve fund.

Vote: Motion to amend does not carry

Town Moderator asked voters to vote on the main motion.

Vote: Motion carries.

Town Moderator recognized Tom Catalano (595 Highland St).

Tom Catalano moved to appropriate \$30,000 from the community preservation fund balance to Hamilton Planning Board to update the housing element of the Hamilton Comprehensive Plan. Seconded.

Tom Catalano related to hiring a consultant to update the housing plan.

Town Moderator recognized Doug Trees (557 Bay Rd).

Doug Trees moved that the Town reserve \$30,000 from the community preservation fund balance to the community housing reserve fund.

Seconded.

Doug Trees said the Planning Board requested CPA funds to update the 2004 Master Plan. Patrick Reffett had been quoted as saying the Plan did not focus on just affordable housing and the Affordable Housing Trust denied the Planning Board's request in 2017. Mr. Trees thought it was an improper request of CPA funds that the Planning Board should make their request

directly to Town Meeting.

Town Moderator recognized Scott Maddern (12 Old Cart Road).

Scott Maddern recalled the previous year when Town Meeting denied various Zoning By-law changes that were in the current Master Plan. If money is not given to revise the Master Plan, it would only reflect housing plans that the Town did not actually want.

Rick Mitchell (36 Rock Maple and Planning Board) spoke in favor, spoke about increasing the tax base, and that the Master Plan reflect what residents wanted to see.

Town Moderator read the amended motion that the Town reserve \$30,000 from the community preservation fund balance to the community housing reserve fund.

Vote: Motion to amend does not carry.

Town Moderator asked to vote on the main motion.

Vote: Motion carries.

ARTICLE 2018/4 2-11 Annual Budget for Revolving Funds

This article passed with the Consent Motion To see if the Town, pursuant to M.G.L. c. 44, § 53E ½, will set the limit on the total amount that may be expended from each revolving fund established under Ch. XXXIV of the General Bylaws for the fiscal year beginning July 1, 2018, or take any action thereon or relative thereto.

ARTICLE 2018/4 2-12 Unused Borrowing Authorizations

This article passed with the Consent Motion To see if the Town will rescind unused borrowing authorizations voted by previous Town Meetings, or take any action thereon or relative thereto. (Expected request \$504,500.00)

ARTICLE 2018/4 2-13 Hamilton Development Corporation

Town Moderator read: "To see if the Town will raise and appropriate or transfer from available funds a sum of money to the Hamilton Development Corporation or take any action thereon or relative thereto."

Town Moderator recognized Brian Stein (175 Willow St).

Brian Stein read: "I move that the Town raise and appropriate \$65,000 to the Hamilton Development Corporation."

Seconded.

Brian Stein reviewed the history of the Corporation. In 2010 the Meals Tax was voted into effect with money to be used for downtown beautification and unification. Mr. Stein recalled the Corporation issued a RFP for the property at Willow St. with Harborlight being the only respondent with 20 senior units and possibly a commercial space on the first floor. The Hamilton Development Corporation approved the proposal but the project is subject to finding a partner site. Almost all abutting property owners had signed a letter of support to Harborlight. Previous and future downtown improvements were noted. Brian Stein said he had reached out to the Merchants group. Mr. Stein said he lived downtown and many residents wanted to have it look better.

Gerry Fallon (38 Goodhue St.) spoke in favor of the improvements, which was the intent of the Corporation. Mr. Fallon said they spend about \$10,000 per year on improvements and sit with \$200,000 in cash and don't need the \$65,000 this year. Mr. Fallon recalled that the Corporation

paid \$600,000 in 2014 to buy two lots on Willow St. with a \$480,000 mortgage on the properties, entirely due and payable next May. The only bid for the RFP was from Harborlight who were bringing low income housing to various neighborhoods. Harborlight would pay the Corporation \$600,000 to develop the senior housing, the price which is considerably above market value. Harborlight conditioned the Willow St. development by doing a dense 30 to 40 unit lower income family development next to the high school at Longmeadow, which Mr. Fallon considered to be a devil's bargain that turned the Corporation and its member, Rick Mitchell into a tireless advocate for affordable housing in the town. When the Corporation appears before boards to advocate for affordable housing, they do so with extreme bias and conflict of interest, which was never disclosed in front of the Schools or Selectmen. Brian Stein only recently disclosed that he worked for the architectural company that does Harborlight's work. The proposal of 20 senior units at Willow St. was not what the citizens had in mind when they formed the Corporation. The citizens thought they would promote economic development in the village. Harborlight's financial statements indicated that they would be operating within razor thin margins and Harborlight should contribute at least \$10,000 in tax payments for the project, which was the same amount generated currently at the site. Hamilton taxpayers paid \$125,000 down payment, \$65,000 per year in meals tax and \$300,000 derived from the Affordable Housing Committee. Taxpayers will have paid \$500,000 into this venture. According to Mr. Fallon, it would be 100 years until the town breaks even with this non-economic investment. The Corporation was failing at promoting sustainable and long term economic health for its citizens. The citizens cannot control the Corporation but the town can send a message that they are unhappy with the way in which they operate.

Brian Stein agreed that he was employed by the architecture firm that Harborlight uses and as soon as Harborlight submitted an RFP, Mr. Stein said he recused himself from the vote and any other discussion involving 59 Willow St. The Corporation would still own 63 Willow St., appraised at \$200,000. The proposed building would generate far more than \$10,000, which is what is currently being paid.

Jerry Fallon said the Harborlight would pay \$14,000, only \$4,000 more than currently paid. Rick Mitchell said the cost was not coming out of real estate taxes. Mr. Mitchell pleaded guilty as to moving the project forward by going to the Schools, Selectmen and Affordable Housing Trust.

Charles Chivakos (27 Village Lane) spoke in favor.

Doug Trees (557 Bay Road) spoke against the motion.

Town Moderator noted the residents would be voting on the main motion.

The Moderator called for a counted vote.

COUNTED VOTE: YES -- 169
 NO -- 110

Vote: Motion carries.

ARTICLE 2018/4 2-14 OPEB Trust Fund

This article passed with the Consent Motion To see if the Town will raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Other Post-Employment Benefits (OPEB) Liability Trust Fund, or take any action thereon or relative thereto. (*Expected request is \$125,000.00*)

ARTICLE 2018/4 2-15 Fire Engine Purchase

Town Moderator read: "To see if the Town will appropriate money for the purpose of purchasing or leasing fire apparatus to replace Fire Engine 1 and equipment including the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by borrowing or otherwise, or take any action thereon or relative thereto."

Town Moderator recognized Darcy Dale.

Darcy Dale said: "I move that the Town authorize the Town Manager to execute a lease purchase financing agreement to acquire fire apparatus to replace Fire Engine 1 and equipment, including the payment of all costs incidental and related thereto, and further raise and appropriate \$66,433 to fund the cost in FY19.

Seconded.

Darcy Dale said the truck is 23 years old and needed replacement as it was a first line of defense.

Town Moderator recognized Phil Stevens

Phil Stevens (118 Asbury St. Fire Chief) said it would \$50,000 to fix the truck and the body was being fatigued. Mr. Stevens recommended replacing the truck

Scott Maddern noted that Chief Stevens was retiring at the end of the year.

Town Moderator announced the motion required a 2/3's majority.

Vote: Motion carries by 2/3rds majority

SECTION 3: PLANNING/ZONING ACTIONS

ARTICLE 2018/4 3-1 Delete Conservancy District from Zoning By-law.

Town Moderator read: "To see if the Town will amend the Zoning By-law by deleting Section 9.3 CONSERVANCY DISTRICT to take any action thereon or relative thereto."

Town Moderator said the article seeks to repeal a By-law that has been deemed illegal.

Town Moderator recognized Allison Jenkins(75 Plum St).

Allison Jenkins moved that the Town amend the Zoning By-law by deleting Section 9.3 CONSERVANCY DISTRICT.

Seconded.

Allison Jenkins recalled the district was set up before other conservation districts were developed. The Board of Selectmen had been informed that the By-law as written the Conservancy District was illegal. Ms. Jenkins requested deletion and that if anyone wanted to rewrite the By-law to make it legal, it could be brought forward at Town Meeting.

Gretel Clark (823 Bay Road) Moved to take no action on the item.

Gretel Clark said the Open Space Committee and Planning Board met to discuss the merits of the By-law and decided unanimously to take no action. Ms. Clark said the By-law was not illegal with 100 cities and towns that have Conservancy Districts. Some offered protection to vernal pool species not protected under the Wetlands Protection Act. Ms. Clark recalled that Mark Brobowski did not say the By-law was illegal, nor did Town Counsel. The Attorney General approved the formatting changes to the Zoning By-law in 2016 including the Conservancy District but cautioned that the Conservancy District could not prohibit pesticide or defoliant that would be stricter than the State. Ms. Clark said the Selectmen and FinCom were misled. The Open Space Committee would come back with a strong set of guidelines that would benefit the

town and wildlife neighbors.

Allison Jenkins said FinCom and Selectmen read the letters the same way. The article was promoted by the Selectmen. Ms. Jenkins was aware of the decision that the Open Space and Planning Board would delay the process. There is no delineation of the use in the By-law. There is no delineation in the Conservancy District. While no developer has brought the issue forward, it didn't mean that it did not affect them.

Donna Brewer (Town Counsel) said her opinion is that the by-law is not legal and could not be enforced. The district says the ZBA must give a special permit to people trying to develop within the conservancy district, only exceptions are those limited uses protected by State law. Case law says you cannot have a valid By-law for special permits for everything that isn't permitted by State law. The second problem is that it gives no guidance to the ZBA regarding issuing a special permit. The Wetlands Protection Act is more restrictive than that of the State. Development near resources was better left to the Conservation Commission.

Brian Stein (175 Willow St on the Planning Board) spoke in favor of taking no action.

Heidi Clark (38 Porter Ln.) spoke in favor of taking no action noting the vernal pool By-law only protected 100' from the vernal pool. The local fauna made Hamilton special adding value to the homes in town.

Alison Day (947 Highland St) spoke against taking no action.

Bill Dery (356 Chebacco Rd.) spoke in favor of no action.

Donna Brewer said harm might occur if the ZBA denied a special permit and the Town was sued.

Allison Jenkins noted that Gretel Clark's property fell within the District and the high school was not able to extend in the area due to the restrictions of the District.

Annette Gonthier-Kiely (20 Autumn Lane) spoke against no action.

Town Moderator said this was a motion to amend the motion.

Vote: Motion carries.

Town Moderator said the motion would be to take no action.

Vote: Motion carries.

SECTION 4: TOWN BY-LAW AMENDMENTS

ARTICLE 2018/4 4-1 Vacant/Unsafe/Dilapidated Buildings By-law.

Town Moderator read: "To see if the Town will amend the Town By-laws by adding a new chapter, Ch. XXXVII 'Bylaw for improvement of Blighted or Unsafe Structures or Property and the Maintenance of Vacant buildings,' or take any action thereon or relative thereto."

Town Moderator recognized David Smith.

David Smith (27 Home St. and Board of Health) read: "I move that the Town amend the Town By-laws by adding a new chapter, Ch. XXXVII 'By-law for the Improvement of Blighted or Unsafe Structures or Property and the Maintenance of Vacant buildings' by adopting the language set forth in Appendix F to the 2018 Appendix Book, a copy of which has been provided to the Town Clerk for inclusion in the minutes of this meeting."

Seconded.

David Smith explained the history of the development of the By-law, noting there was no ability to handle the concerns of the residents who had homes in their neighborhood that would fall under the By-law. Mr. Smith was told to create a nuisance By-law based on the Selectmen's

encouragement. Mr. Smith researched dozens of By-laws to develop a By-law that would be appropriate to the Town of Hamilton. Mr. Smith met with various groups and took their concerns and implemented them into the By-law. A public hearing was held on January 25, 2018. Mr. Smith explained which structures would be covered. Not covered would be take an individual's interest against another property owner, such as a neighbor's color of door or landscape maintenance. Covered would be blighted structures and property, unsafe structures and property, and vacant structures. Mr. Smith said abandoned properties was a legal connotation that prohibited the Town from using it in the By-law. Blighted was defined by Massachusetts law. A building must meet three criteria: 1) not inhabited by humans, 2) manifest blighted or unsafe conditions, and 3) the owner must failed to comply with codes and By-laws. The By-law would be enforced by complaints filed with the Building Inspector, who would determine if the complaint was valid. If valid, the By-law required negotiations with the owner and eventually noticing a violation. There were agencies that might be able to help, such as the Council on Aging or Police and if those agencies were not able to help, the notice of violation would be issued. There was an appeal process to the Town Manager and ultimately the Board of Selectmen. David Smith said the By-law had unanimous support from everyone. Vacant buildings showed an increase of incidents of intentionally set building fires compared to inhabited buildings and would be 20% more likely to burn down buildings adjacent to them. Robin Davis (57 Lois St.) spoke for vacant and unsafe buildings, but spoke against blighted structures. A draft of the By-law included photos with the caption "How would you like to live next to this." Ms. Davis said her neighbor was upset when she saw people standing in her yard pointing at her broken windows. No one representing the Board of Health contacted her about her well-being. The neighbor was 77 years old and a widow living on a fixed income and felt that she was unwanted and that the Town was pushing her out. No one should live in the fear that their home could be taken away from them. Mr. Smith was quoted as saying that the Town could force owners to sell the property to fix it. Ms. Davis wanted to have people age in place rather than force them out.

Kathy Knudsen (14 Elliot St.) spoke in favor of the By-law.

Jack Davis (57 Lois St.) called for motion to refer the By-law back to the Board of Health to perfect and revise the language as it related to blighted properties.

Jack Davis said: "I move that Article 4-1 go back to the Board of Health for further consideration of provisions in the proposed By-law relating to blighted properties."
Seconded.

Jack Davis said there were two serious flaws in the By-law: 1) vagueness of blighted definition and unreasonable common interest or indecent common interest and what constituted rubbish and 2) the proposal cited M.G.L.121 Section 21, which was designed for urban development applying to small residential development. The language, as currently stood, represented a violation of due process in regard to procedures for enforcement in Section 8. The language should require a written complaint. No identity of the complainant would be required. Hamilton needs a high standard of due process. The By-law should represent the rights of the aggrieved abutter and property owner.

George Tarr (640 Essex St) spoke against the motion. Mice and chipmunks would cause one to be in violation of the By-law.

Cathy Carlin (4 Horseshoe Lane) spoke in favor of the By-law due to her neighbor having debris in the driveway, which she considered to be an attractive nuisance.

Sherry Leonard (229 Lake Drive and Council on Aging) recalled that she had reviewed the By-

law and was concerned with the By-law and definitions. The Board would not be supportive of the By-law as the By-law could not be used as a complaint as something that affected a property value, but could be used as something that affected health and safety. This became less of a building issue and more of social services issue. The Town should hire a social worker or resource person to support owners of the buildings.

David Smith apologized to Ms. Davis and her neighbor and thought the process might help a resident re-enter society.

Town Moderator said vote would amend the main motion to refer the By-law back to the Board of Health.

The Moderator called for a counted vote.

COUNTED VOTE: YES – 152
 NO -- 65

Vote: Motion to amend carries.

David Smith proposed an amendment to the By-law that it deleted in its entirety the Section 3 regarding blighted structure or property from the By-law and delete from the Bylaw all words “blighted” in the By-law.

Second.

Town Moderator said the effect would amend the main motion by asking the Town Meeting to adopt what was included in Appendix F with the exception that paragraph 3 and out all references to blighted. Town Moderator spoke of all sections where blighted would be removed.

Jack Davis (57 Lois St.) spoke in favor of the amendment.

Peter Hartline (160 Woodland Mead) spoke against the amendment.

David Smith said in anticipation of the eventuality, he had spoken to Donna Brewer to have an edition that would remove all cases of the term “blighted.”

Town Moderator said the vote would be to approve the motion to amend.

Vote: Motion carries.

Town Moderator said the vote would be to approve the main motion as amended.

Vote: Motion carries.

ARTICLE 2018/4 4-2 Demolition Delay By-law

Town Moderator read: “To see if the Town will amend Ch. XXXI, ‘Historic District By-law,’ by adding a new Section 8 to preserve historically significant buildings through the adoption of a demolition delay bylaw, or take any action thereon or relative thereto.”

Town Moderator recognized Tom Catalano.

Tom Catalano read: “I move that the Town amend the Town By-laws by adopting a new Section 8 to Ch. XXXI, “Historic District By-law” comprising the language set forth in Appendix G to the 2018 Appendix Book, a copy of which has been provided to the Town Clerk for inclusion in the minutes of this meeting.

Second.

Tom Catalano presented what the By-law would accomplish. The By-law was a temporary action while the Historic District Commission worked with an owner rather than demolishing the building. There would be no permanent encumbrance. A twelve month delay was proposed. A majority of towns in eastern Massachusetts had a Demolition Delay By-law, which saw increasing property values. Buildings in the Historic District are protected from demolition, but there were many important buildings in the town. 1940 was the date of applicability. The By-

law as written would protect fewer than 1,000 buildings, but only 238 were on the Massachusetts data base of significant buildings. The community house was a National Historic Registry as was Asbury Grove as a historic district. The listing did not protect the building or district. The Patton Homestead was not protected but was important to the Town. Mr. Catalano explained the process. A hardship clause was incorporated as was an early decision provision. Four criteria such as historic district homes, listed on National Register, associated with significant person, and a home that was historically important due to architectural style would be used to determine applicability.

Bill Dery (356 Chebacco Road) spoke against the article.

Tom Catalano said the process would be streamlined and that the inventory of homes was dated.

Bill Bowler (328 Essex St.) Donna Brewer was sworn in for the count as Mr. Bowler was the overflow room Moderator. Mr. Bowler spoke against the By-law.

Jeanne Maurand (21 Garfield Ave) spoke in favor of the By-law.

Vote: Motion carries.

ARTICLE 2018/4 4-3 Renumber Departmental Revolving Fund Bylaw

This article passed with the Consent Motion To see if the Town will renumber the Departmental Revolving Fund Bylaw, approved at the 2017 Annual Town Meeting pursuant to Article 4-1, as Ch. XXXVI of the Town Bylaws, or take any action thereon or relative thereto.

ARTICLE 2018/4 4-4 Amend Solicitor/Canvasser By-law

Town Moderator read: "To see if the Town will amend Section 3.j of Chapter XXIII of the Town By-laws "Solicitor/Canvasser," by striking the current language and substituting therefore, 'At the time of filing the application, each applicant shall pay a fee. The fee shall be set annually by the Town Manager' or take any action thereon or relative thereto."

Town Moderator recognized Shawn Farrell.

Shawn Farrell read: "I move that the Town amend Section 3.j of the Town By-laws, Chapter XXIII "Solicitor/Canvasser" by striking the current language and substituting therefore, 'At the time of filing the application, each applicant shall pay a fee. The fee shall be set annually by the Town Manager.'"

Seconded

Mr. Farrell said the current application process that included \$5, was out of date in regard to fees charged. The Town Manager would be allowed to cover the administration cost.

Vote: Motion carries.

SECTION 5 OTHER APPROPRIATIONS AND ACTIONS

ARTICLE 2018/4 5-1 Citizen's Petition Appropriation for Legal Fees.

Town Moderator read: " To see if the Town will raise and appropriate or transfer from available funds a sum of money for legal fees and expenses of Peter Clark, Claudia Woods Estin, and Edwin Howard in their capacities as members of the Town of Hamilton Planning Board in Varsity Wireless Investors, LLC v. Town of Hamilton, Town of Hamilton Planning Board, and Claudia Woods, Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Richard Boroff in their capacities as members of the Town of Hamilton Planning Board, Civil Action No. 1:17-cv-11286 (MLW) in the United States District Court for the District of Massachusetts, or

take any other action thereon or relative thereto.”

Town Moderator recognized Bill Shields.

Bill Shields (721 Bay Road) read: “I move that the Town raise and appropriate \$9,750 for legal fees and expenses of Peter Clark, Claudia Woods Estin, and Edwin Howard in their capacities as members of the Hamilton Planning Board in Varsity Wireless Investors, LLC v. Town of Hamilton, and Claudia Woods, Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Richard Boroff in their capacities as members of the Hamilton Planning Board, Civil Action No 1:1 – cv-11826 (MLW) in the United States District Court for the District of Massachusetts.

Seconded

Bill Shields said he had lived in Hamilton 50 years, and was a previous Conservation Commission member and Town Council and Government Study Committee member. Mr. Shields said complying with Town By-laws was important. Mr. Shields said the Town Manager asked permission to enter into leases for Town land to be used for cell towers. The sites had not been decided. The regulatory process with the Planning Board would be followed, according to minutes of the Town Meeting. Fran Parisi reportedly said that research would be done on viability and height of Town owned property. The following year, a special permit had been requested, while the Town By-law indicated that technical evaluation needed to be submitted before a request for approval. The Planning Board split saying the applicant had not provided technical evidence and the 2/3rds vote required for a special permit was not achieved. Under the law, the special permit was denied. Varsity could have fixed it showing the right studies but Varsity chose to appeal to Federal Court. The Town Manager hired special Town Counsel to file an answer not on behalf of the Planning Board but was representing the Town and left the Planning Board unrepresented, allowing the decision to go away. The three members asked for counsel and were denied and the four members who voted for the cell tower did not want counsel, which was indicated in their minutes. They did not want the three members to have counsel either. The Board of Selectmen had authority to litigate and compromise all litigation, but doesn't say it did not control the entire action. Town Counsel shall represent all actions and suits of the Town or officers in their official capacity. Members of the Board thought it was important to defend their decision and hired counsel. Not to defend the Planning Board's decision would undermine our cell By-law, which asked for materials that were not received. Chapter 40A says 2/3rds vote was required but by not defending the case, the decision would go away. The By-law would be violated because Town Counsel should defend the decision. Page Fleming (33 Essex St.) said volunteering in the town to serve on Boards and vote in a way to benefit the Town and its citizens was important and volunteers should be able to vote knowing the Town would support the democratic process. Ms. Fleming was in favor of the motion. Bill Olson (9 Anthony Rd. Planning Board member) was in opposition of the motion. A report that indicated the view of opponents and proponents of the application was filed with the rejection. The Town should not be liable for the decision to hire an attorney. Annette Gonthier-Kiely (20 Autumn Lane) spoke in favor of the motion. Ms. Gonthier-Kiely asked if the Town had an insurance policy. Donna Brewer said there was a policy, but the members were not seeking monetary damages. Ms. Brewer added that the individual members were not being sued in their individual capacity. Even if the article passed, the Town would not pay for funds as it was a private contract not entered into by the Town. Ms. Brewer said there was no monetary exposure, but a case against

the Planning Board's decision with the request that the decision be overturned.

Annette Gonthier-Kiely believed the fees should be reimbursed.

Brian Stein (175 Willow St. Planning Board Chairman) said four members thought the applicant provided technical analysis that there was a lack of coverage in the area via maps. Parcels were not available for acquisition. The Federal Communications Act stated if they can prove a lack of coverage, a tower would be constructed on the site. According to Mr. Stein, Town Meeting approved the site at Town Hall for a cell tower.

Marc Johnson (6 Patton Drive) spoke against the motion.

Rick Mitchell (36 Rock Maple Ave) spoke against the motion. Mr. Mitchell said Donna Brewer has opined that if the Planning Board denied the application and it was appealed, the Planning Board would lose. Mr. Mitchell did not want to pay for an attorney when the Planning Board knew it was a losing battle.

Lynnette Fallon (38 Goodhue St.) The Town did not defend the Planning Board and not participate in the litigation, in an effort to lose the litigation, which was what the majority of the Planning Board wanted to happen. The State law stated a 2/3rds vote was required. The majority usurped the State law that said the applicant needed a 2/3rds vote to go ahead. By not hiring counsel, they would default on the suit and the decision would go away.

David Thompson (103 Essex St.) spoke in favor of the motion. The decision should have been defended by the Town of Hamilton. Technology was not provided and the site was the lowest point in town behind Town Hall. Brown's Hill should have been considered. Gordon Conwell provided a letter indicating space was available in the steeple.

Jack Lawrence (105 Rock Maple Road) spoke in favor of the motion.

Rick Mitchell (36 Rock Maple Road) said the case was about a specific application rather than looking all over town.

Bill Derry (356 Chebacco Road) spoke in favor of the motion.

Bill Shields said between his and Donna Brewer's terms, it was 50 years and this was the first time that a decision was not defended. Varsity vs. Town of Hamilton was filed with the approval of Special Town Counsel. Mr. Shields provided an e-mail indicated the Town Manager and special counsel were filing the complaint against the town.

The Moderator called for a counted vote.

COUNTED VOTE: YES – 91
 NO -- 68

Vote: Motion carries.

ARTICLE 2018/4 5-2 Citizens' Petition Retention of Counsel for Planning Board.

Town Moderator read: "To see if the Town will engage special town counsel to represent the Planning Board's denial of the Application of Varsity Wireless Investors, LLC for a special permit in Varsity Wireless Investors, LLC v. Town of Hamilton and Claudia Woods, as members of the Hamilton Planning Board, Civil Action No. 1:17-cv-11286 (MLW) in the United States District application of Varsity Wireless Investors LLC, for a special permit, or take any other action thereon or relative thereto Court for the District of Massachusetts, and in any subsequent or related litigation involving the denial of the application of Varsity Wireless Investors, LLC for a special permit."

Town Moderator recognized Bill Shields.

Bill Shields read: "I move that the Town engage special town counsel to represent the Planning Board and its individual members in the case of Varsity Wireless Investors, LLC v. Town of Hamilton, and Claudia Woods, Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Richard Boroff in their capacities as members of the Hamilton Planning Board, Civil Action No. 1:17 - cv-11826 (MLW) in the United States District Court for the District of Massachusetts, and in any subsequent or related litigation involving the denial of the application of Varsity Wireless Investors, LLC, for a special permit.

Seconded.

Bill Shields asked to engage counsel going forward. Varsity can stop the litigation at any time if they file the appropriate papers.

Donna Brewer (Town Counsel) clarified the effect under State law and that the Town can hire counsel if the Board of Selectmen choose to do so. The Town does not have a By-law that Town Meeting has the power to hire counsel, so the motion was an advisory vote for the Selectmen Bill Olson (Planning Board) asked the costs for the Town for the litigation.

Donna Brewer thought it would be between \$50,000 and \$100,000.

Bill Shields no other Town has a By-law that states Town Counsel shall defend and represent individual members of Town Boards. The Town had an obligation to defend its people.

Donna Brewer disagreed saying the Selectmen chose to do so, but if so, Town Counsel would be the one to defend.

Bill Shields said the Selectmen did not have exclusive right to decide.

The Moderator called for a counted vote.

COUNTED VOTE: YES – 91
 NO -- 66

Vote: Motion carries.

ARTICLE 2018/4 5-3 Citizens' Petition Report to Town.

Town Moderator read: "To see if the Town will make inquiry into the hiring of special counsel to represent the Town but not to represent the Planning Board or the members of the Planning Board who have been sued in Varsity Wireless Investors, LLC v. Town of Hamilton, and Claudia Woods, Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Richard Boroff in their capacities as members of the Hamilton Planning Board, Civil Action No. 1: 17-cv-11286 (MLW) in the United States District Court for the District of Massachusetts; require that a written report of that inquiry be made to a subsequent special or annual town meeting, and require a full accounting of all expenditures by the Town to Town Counsel or special town counsel in connection with the Application of Varsity Wireless, LLC for a special permit and any subsequent litigation resulting therefrom, or take any other action thereon or relative thereto."

Town Moderator recognized Bill Shields.

Bill Shields read: "I move that the Town make inquiry into the hiring of special counsel to represent the Town but not to represent the Planning Board or the members of the Planning Board who have been sued in Varsity Wireless Investors, LLC v. Town of Hamilton, and Claudia Woods, Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Richard Boroff in their capacities as members of the Hamilton Planning Board, Civil Action No. 1:17 - cv-11826 (MLW) in the United States District Court for the District of Massachusetts; require that a written report of that inquiry be made to the 2019 annual town meeting; and require a full accounting of all expenditures by the Town to Town Counsel or special town counsel in

connection with the Application of Varsity Wireless, LLC for a special permit and any subsequent litigation resulting therefrom.”

Seconded.

Bill Shields said the article would determine how it happened and that it never happens again. The report would determine how special town counsel was hired to draft a complaint with Varsity against the Town of Hamilton.

Marc Johnson (6 Patton Drive) said the Town already knew what happened, so there was no need for a report.

Allison Jenkins (75 Plum St as an individual) asked about the fee and written scope of work.

Bill Shields thought a citizen in the town could determine what happened.

David Thompson (103 Essex St.) spoke in favor of the motion.

Vote: Motion carries.

ARTICLE 2018/4 5-4 Citizens' Petition Taxation of DCR Property.

Town Moderator read: “To see if the Town will take any action, including an amendment to the Town By-laws (see Appendix A) to clarify that residence-only leases of property owned by the Commonwealth of Massachusetts are properties leased or occupied for public purposes within the meaning of Massachusetts General Laws Chapter 59, Section 2B (or any successor statute); and/or take any other action relative thereto.”

Town Moderator recognized Lynette Fallon.

Lynette Fallon read: “I move that Town Meeting advise the Board of Selectmen, Board of Assessors, Town Manager and Town Counsel that the lease of 550 Highland Street under the terms of the State’s Historic Curatorship Program is not a property ‘leased or occupied for other than public purposes’ under MGL Ch. 59, section 2B, and therefore should be exempt from Town property tax to the lessee.”

Seconded

Lynette Fallon said the goal was to have the Town official evaluate the situation and taxing properties illegally was wrong. The Selectmen ignored her request to analyze Ms. Fallon’s position. The Historic Curator Program was adopted in 1994 to create a partnership to renovate properties on State land. Tenants were curators due to their experience in historic preservation and construction. The Dodge house was listed in the original 1994 document. The Dodge house was leased with a \$700,000 work plan in exchange for a 25 year rent free lease. Most properties were leased to businesses, but some for residences. The Willowdale case had two properties, one of which was a business. Program leases would be exempt and Towns should apply a case by case basis if they met the requirements of 2B. Ms. Fallon said it was not a business and that the lease was not for other than public purpose. The State had an obligation to maintain the properties of the residents of the State. Through the program, the State would fulfill that obligation. \$100,000 had been allocated for Town Hall and \$200,000 for the Patton Homestead preservation. Some don’t think historic preservation was a public purpose and that tax should occur as the property was not open to the public all the time. Twice a year, the open houses must occur, but don’t need to be advertised. The purpose of the lease was not to provide house tours, but to get the building renovated. The State provided the Town \$125,000 per year for State owned property. 15% of the total local aid for the Town.

Lynnette Fallon said the Town started taxing the property in 2013 because someone told the Director of Assessors that they could. The e-mail described the lease as a residential lease but not a historic curatorship. The Department of Revenue responded that it wasn't for public purpose, due to the lack of disclosure and said open houses were necessary to the operations of the park. The Town received advice but the advice was flawed as information had not been clear.

Jay Burnham (21 North St.) was in support of the article and supplied six letters from various preservation groups who said the Assessors were mistaken in their opinion that the property should be taxed.

Bill Wilson (36 Howard St) said the Assessors were not governed by the Department of Conservation and Recreation but were governed by the Department of Revenue. Mr. Wilson referred to the services of the town that were free for the residents of the home. The Assessors reportedly said the proper appeal process had not been completed, according to Mr. Wilson.

Peter Kane (72 Hamilton Ave. Board of Assessors) said the Town had never seen the curatorship program instance. Being a citizen of the town, he used the same services as anyone else in town. Jack Lawrence (105 Rockmaple Ave) spoke in favor of the article. The State had no obligation to pay taxes for the buildings on the State property.

Lynnette Fallon (38 Goodhue St) responded that the building was owned by the State of Massachusetts with no equity and was different from those who own their homes.

Lily Hsia (317 Highland St.) Federal legislation presented concerning Essex Natural Heritage corridor. The Selectmen's stance was counter to what the official elected administrator had set for their rules for Conservation and Recreation. Ms. Hsia spoke in favor of the article.

Gerry Fallon spoke in favor of the article stating all other towns did not tax the residential properties.

Bea Britton (466 Highland St.) spoke in favor of the article.

Bill Wilson said he would vote favorably but the Town had not received the paperwork for the appeal.

Vote: Motion carries.

ARTICLE 2018/ 4 5-5 Citizens' Petition Manager Salary in FY18.

Town Moderator read: "To see if the Town will reduce the annual appropriation of funds for compensation of the Town Manager for the period of employment beginning on or after February 9, 2018 by twenty percent (20%) from the amount appropriated for the Town Manager compensation for fiscal year 2018 at the 2017 Annual Town Meeting, or take any other action thereon or relative thereto."

Town Moderator recognized Jack Lawrence (105 Rock Maple Ave).

Jack Lawrence said: "I move that the Town take no action on this Article."

Seconded

Vote: Motion carries.

ARTICLE 2018/4 5-6 Citizens' Petition Zoning By-law Amendment Table of Regulations.

Town Moderator said he had asked Bruce Ramsey to serve as Town Moderator for this article as I Jeff Melick (Current Town Moderator) was Chairman of the Planning Board at the time in question.

Town Moderator read: “To see if the Town will amend Section 3 of the Zoning By-Law by deleting paragraph A.7 of the Table of Use Regulations which states ‘7. Two or more dwelling units, second floor and above when part of a mixed-use building or development – to be permitted as follows: R-1a – N; R-1b – N; RA – N; B – Y’ or take any other action thereon or relative thereto.”

Town Moderator recognized Rosemary Kennedy (61 Rust St).

Rosemary Kennedy said: “I move that the Town take no action on this article.
Seconded.

Rosemary Kennedy said the mixed use By-law allowed for unlimited residential use and something needed to be done to allow accountability for mixed use. The Planning Board meeting was fruitful and Ms. Kennedy intended on bringing the topic back to the Planning Board to have the community discuss the topic.

Brian Stein (175 Willow St) said everyone agreed to have the conversation continued until Special Town Meeting.

Vote: Motion carries.

SECTION 6: CLOSING FINANCIAL ACTIONS

ARTICLE 2018/4 6-1 Free Cash Application

Town Moderator read: “To see if the Town will reserve, appropriate, and authorize the Assessors to use available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2018, or take any action thereon or relative thereto.

Town Moderator recognized David Wanger.

David Wanger said: “I move that the Town reserve and authorize the Assessors to use \$375,000 of available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2018.
Seconded.

David Wanger said the current tax rate of 16.22 would remain throughout 2018. At the close of the fiscal year, the FinCom would come to Special Town Meeting with recommendations.

Annette Gonthier-Kiely (20 Autumn Lane) said there was \$2.1M in free cash. \$407,000 was appropriated for the school budget. Real estate taxes were no longer deductible. Ms. Gonthier-Kiely was concerned about taxes going up and education staying high. Why maintain \$2.5M in free cash when \$1M would be sufficient. If a need occurred, a Special Town Meeting could be held to pay for an emergency.

Annette Gonthier-Kiely moved that the Town allocate \$882,707.02 which represented the addition of the \$407,707.02 voted for the school budget.

Seconded.

Marc Johnson (6 Patton Drive) free cash was needed for a bond rating. Free cash was designed to float the amount of funding for Town operations.

Michael Lombardo said the FinCom and Selectmen looked at how much free cash could be used to stabilize the budget from swings. The free cash would dry up and would not be available in the future, which would result in a significant spike in the tax rate.

Annette Gonthier-Kiely asked if the bond company gave a threshold amount.

Michael Lombardo 5% was the norm.

Motion to amend was voted.

Vote: Motion did not carry.
The main motion was voted.
Vote: Motion carries.

ADJOURNMENT

The Moderator announced that the Annual Town Meeting is recessed until April 12, 2018 at 7:00 am at the Hamilton Wenham Recreation Center.

A TRUE COPY: ATTEST:

Andrea J. Carlson
Town Clerk

**APPENDIX A
COMPENSATION / CLASSIFICATION TABLE
FISCAL YEAR 2019**

Wage Grid

Note # = See footnote - end of Compensation Table

Exempt Positions										
Note #	Grade	Steps	I	II	III	IV	V	VI	VII	VIII
	21	Chief of Fire (40 Hrs)	100,339.20	102,336.00	104,374.40	106,454.40	108,576.00	110,739.20	112,944.00	115,211.20
2	21	Chief of Police (40 Hrs)	100,339.20	102,336.00	104,374.40	106,454.40	108,576.00	110,739.20	112,944.00	115,211.20
	21	Director of Finance/Accountant (40 Hrs)	100,339.20	102,336.00	104,374.40	106,454.40	108,576.00	110,739.20	112,944.00	115,211.20
	20	Director of Planning & Development (40 Hrs)	96,470.40	98,404.80	100,380.80	102,398.40	104,436.80	106,516.80	108,638.40	110,801.60
	20	Director of Public Works (40 Hrs)	96,470.40	98,404.80	100,380.80	102,398.40	104,436.80	106,516.80	108,638.40	110,801.60
	15	Recreation Director (40 Hrs)	75,753.60	77,272.00	78,811.20	80,392.00	81,993.60	83,636.80	85,300.80	87,006.40
1	14	Director of Assessors (37.5 Hrs)	69,966.00	71,370.00	72,793.50	74,256.00	75,738.00	77,259.00	78,799.50	80,379.00
1	14	Treasurer-Collector (37.5 Hrs)	69,966.00	71,370.00	72,793.50	74,256.00	75,738.00	77,259.00	78,799.50	80,379.00
	13	Council on Aging Director (40 Hrs)	73,902.40	75,379.50	76,876.80	78,416.00	79,976.00	81,577.60	83,200.00	84,864.00
	12	Town Clerk (Elected - Salary based on 37.5 Hrs)	64,155.00	65,442.00	66,748.50	68,074.50	69,439.50	70,824.00	72,247.50	73,690.50

Hourly Positions										
	Grade	Steps	I	II	III	IV	V	VI	VII	VIII
	17	Health Agent (<19 Hrs)	38.77	39.55	40.34	41.15	41.97	42.81	43.67	44.54
	12	Public Health Nurse (37.5 Hrs)	32.90	33.56	34.23	34.91	35.61	36.32	37.05	37.79
	12	Chief Appraiser (37.5 Hrs)	32.90	33.56	34.23	34.91	35.61	36.32	37.05	37.79
	11	Assistant Town Accountant (37.5 Hrs)	31.49	32.12	32.76	33.42	34.09	34.77	35.47	36.18
	11	Building/Zoning Inspectors (<19 Hrs)	31.49	32.12	32.76	33.42	34.09	34.77	35.47	36.18
	10	Conservation Coordinator (20 Hrs)	29.43	30.02	30.62	31.23	31.85	32.49	33.14	33.80
6	10	Community Project Coordinator (<19 Hrs)	29.43	30.02	30.62	31.23	31.85	32.49	33.14	33.80
7	10	Energy Manager (<19 Hrs)	29.43	30.02	30.62	31.23	31.85	32.49	33.14	33.80
	9	Assistant Treasurer/Collector (37.5 Hrs)	27.50	28.05	28.61	29.18	29.76	30.36	30.97	31.59
	8	Asst. to the Town Manager (37.5 Hrs)	26.18	26.70	27.23	27.77	28.33	28.90	29.48	30.07
	8	Fire Equipment Mechanic (<19 Hrs)	26.15	26.66	27.20	27.74	28.31	28.90	29.48	30.07
	8	Health Inspector (<19 Hrs)	26.18	26.70	27.23	27.77	28.33	28.90	29.48	30.07
	8	Reserve Patrolman	26.18	26.70	27.23					
	7	Facilities Maintenance Technician (40 Hrs)	23.28	23.75	24.23	24.71	25.20	25.70	26.21	26.73
	7	Information/Media Specialist (<19 Hrs)	23.28	23.75	24.23	24.71	25.20	25.70	26.21	26.73
	7	Social Services Specialists (<19 Hrs)	23.28	23.75	24.23	24.71	25.20	25.70	26.21	26.73
	7	Accounting Assistant (19 Hrs)	23.28	23.75	24.23	24.71	25.20	25.70	26.21	26.73
	7	Emergency Center Dispatcher (P/T)	23.28	23.75	24.23					
	4	Clerk/Typist (<19 Hrs)	16.08	16.40	16.73	17.06	17.40	17.75	18.11	18.47
	4	Custodian (<19 Hrs)	16.08	16.40	16.73	17.06	17.40	17.75	18.11	18.47
		Matron	20.14	21.35	22.63	23.99				

**APPENDIX A
COMPENSATION / CLASSIFICATION TABLE
FISCAL YEAR 2019**

Collective Bargaining Unions

Administrative Assistant Union - Hourly Compensation table established by Union Contract.

		7/1/16 - (existing agreement expires 6/30/19)							
Grade	Steps	I	II	III	IV	V	VI	VII	VIII
6	Administrative Assistants	22.48	22.93	23.39	23.86	24.34	24.83	25.33	25.84
7	Administrative Assistants	23.28	23.75	24.23	24.71	25.20	25.70	26.21	26.73

DPW Union - Hourly Compensation table established by Union Contract.

		7/1/17 (existing agreement expires 6/30/20)							
Grade	Steps	I	II	III	IV	V	VI	VII	VIII
9	Foreman	27.50	28.05	28.61	29.18	29.76	30.36	30.97	31.59
9	Mechanic	27.50	28.05	28.61	29.18	29.76	30.36	30.97	31.59
9	Plant Operator-Primary	27.50	28.05	28.61	29.18	29.76	30.36	30.97	31.59
7	Heavy Equipment Operator	23.28	23.75	24.23	24.71	25.20	25.70	26.21	26.73
6	Truck Driver/Laborer	22.48	22.93	23.39	23.86	24.34	24.83	25.33	25.84

Firefighter Union - Hourly Compensation table established by Union Contract.

		7/1/16 (existing agreement expires 6/30/19)							
Grade	Steps	I	II	III	IV	V	VI	VII	VIII
8	Firefighter/EMT	26.18	26.70	27.23	27.77	28.33	28.90	29.48	30.07
11	FF/Lieutenant-Inspector	31.49	32.12	32.76	33.42	34.09	34.77	35.47	36.18
13	FF/Captain-Inspector	35.53	36.24	36.96	37.70	38.45	39.22	40.00	40.80
	EMT Certification Stipend (Bi-weekly)	130.00							
	On-Call Stipend (per night)	25.00							

Police & Fire Signal Operator Union - Hourly Compensation table established by Union Contract.

		7/1/17 (existing agreement expires 6/30/20)							
Grade	Steps	I	II	III	IV	V	VI	VII	VIII
7	Dispatcher	23.28	23.75	24.23	24.71	25.20	25.70	26.21	26.73

**APPENDIX A
COMPENSATION / CLASSIFICATION TABLE
FISCAL YEAR 2019**

Police Union - Hourly Compensation table established by Union Contract.								
	7/1/16 (existing agreement expires 6/30/19)							
	PATROLMAN							
	Steps	I	II	III	IV	V	VI	VII
	Upon completion of years of service	0	1 yrs.	5 yrs.	10 yrs.	15 yrs.	20 yrs.	25 yrs.
	Employees Hired Prior to 7/1/2010							
1,3	W/O College Degree	26.17	27.14	27.82	28.49	29.17	29.84	30.26
1,3	BA/BS	31.41	32.57	33.38	34.18	35.00	35.81	36.31
1,3	MA/MS	32.72	33.93	34.78	35.61	36.46	37.30	37.82
	Employees Hired After 7/1/2010							
1,3	W/O College Degree	26.17	27.14	27.82	28.49	29.17	29.84	30.26
1,3	BA/BS	28.79	29.86	30.61	31.34	32.09	32.83	33.29
1,3	MA/MS	29.45	30.54	31.30	32.05	32.82	33.57	34.04

	SERGEANT							
	Steps	I	II	III	IV	V	VI	VII
	Upon completion of years of service	0	1 yrs.	5 yrs.	10 yrs.	15 yrs.	20 yrs.	25 yrs.
	Employees Hired Prior to 7/1/2010							
	BA/BS	36.12	37.46	38.39	39.31	40.25	41.18	41.76
	MA/MS	37.63	39.02	40.00	40.95	41.93	42.90	43.49
	Employees Hired After 7/1/2010							
	BA/BS	33.11	34.34	35.20	36.04	36.90	37.75	38.28
	MA/MS	33.87	35.12	36.00	36.86	37.74	38.61	39.15

	LIEUTENANT							
	Steps	I	II	III	IV	V	VI	VII
	Upon completion of years of service	0	1 yrs.	5 yrs.	10 yrs.	15 yrs.	20 yrs.	25 yrs.
	Employees Hired Prior to 7/1/2010							
	BA/BS	39.26	40.71	41.73	42.73	43.75	44.76	45.39
	MA/MS	40.90	42.41	43.48	44.51	45.58	46.63	47.28
	Employees Hired After 7/1/2010							
	BA/BS	35.99	37.33	38.26	39.18	40.11	41.04	41.61
	MA/MS	36.81	38.18	39.13	40.06	41.03	41.96	42.55

**APPENDIX A
COMPENSATION / CLASSIFICATION TABLE
FISCAL YEAR 2019**

Other Municipal Positions

	Elected/Appointed Positions (MGL 41 s.108 & 108A)	Annual Salary
8	Town Manager	142,881.87
	Chief of Police	152,070.43
	Selectmen/Chairman	3,225
	Board of Assessors/Chairman	2,936
	Selectmen/Members	2,852
	Board of Assessors/Members	2,193
	Board of Appeals/Chairman	1,681
	Board of Health/Chairman	873
	Board of Health/Members	495

	Professional Stipends	Annual Rate
5	Animal Control Officer/Inspector	12,000
	Animal Pick-Up (Deceased)	2,400
	Wildlife Officer	2,400
	Call Fire Deputy Chief	1,500
	EMT Certification (Police Officers)	1,500
	Harbormaster	1,200
	Professional Certifications	1,000
	Call Fire Captain	750
	Call Fire Training Officer	500
	Accreditation Stipend (Police)	450
	On-Call Stipend (per night)	25

Call Firefighters	Hourly Wage	Certified 5%
Rank		
Deputy Chief	28.67	30.11
Captain	26.56	27.89
Lieutenant	24.42	25.64
Inspector; Electrical/Building	24.42	n/a
Firefighter w/ CPR 1st. Responder	21.23	22.29
Probationary Firefighter	18.05	n/a

Part-time/Contractual	Contract Rate
MIS Systems Analyst (annually)	35,373.60

Occasional Help	Range of Compensation	
Registrar of Voters (annually)	400.00	
Recreation Instructor (hourly/per class)	12.00	100.00
Seasonal Employee	12.00	20.00
Senior Work-Off Program	12.00	
	Jul/Dec 2018	Jan/Jun 2019
Poll Worker	12.00	13.00
Warden (Elections/Registration Dept)	13.00	14.00

Legend Notes

- 1 Position also receives either a "Professional Stipend" or additional compensation for certification. See M.G.L. Ch. 41, Sec. 19K & 108P.
- 2 Differs from Wage Grid table; see "Other Municipal Positions" section for additional information.
- 3 Shift differential is 7% for Evening and 9% for Midnight shift.
- 4 Shift differential is 5% for Evening and 7% for Midnight shift.
- 5 Position is shared with the Town of Manchester-by-the-Sea; 50% cost sharing.
- 6 Position funded through the Community Preservation Act Fund and Affordable Housing Trust.
- 7 Position is shared with the Town of Wenham and HWRSD; cost sharing in accordance with contract/approved hours.
- 8 In negotiations; includes 2% COLA.

FY19 Wage Grid

Grade	****	Minimum							Maximum
		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
1	Hrly	\$ 9.74	\$ 9.93	\$ 10.13	\$ 10.33	\$ 10.54	\$ 10.75	\$ 10.97	\$ 11.19
	37.5/wk	\$365.25	\$372.38	\$379.88	\$387.38	\$395.25	\$403.13	\$411.38	\$419.63
	52/yr	\$18,993.00	\$19,363.50	\$19,753.50	\$20,143.50	\$20,553.00	\$20,962.50	\$21,391.50	\$21,820.50
	40/wk	\$389.60	\$397.20	\$405.20	\$413.20	\$421.60	\$430.00	\$438.80	\$447.60
	52/yr	\$20,259.20	\$20,654.40	\$21,070.40	\$21,486.40	\$21,923.20	\$22,360.00	\$22,817.60	\$23,275.20
2	Hrly	\$ 10.72	\$ 10.93	\$ 11.15	\$ 11.37	\$ 11.60	\$ 11.83	\$ 12.07	\$ 12.31
	37.5/wk	\$402.00	\$409.88	\$418.13	\$426.38	\$435.00	\$443.63	\$452.63	\$461.63
	52/yr	\$20,904.00	\$21,313.50	\$21,742.50	\$22,171.50	\$22,620.00	\$23,068.50	\$23,536.50	\$24,004.50
	40/wk	\$428.80	\$437.20	\$446.00	\$454.80	\$464.00	\$473.20	\$482.80	\$492.40
	52/yr	\$22,297.60	\$22,734.40	\$23,192.00	\$23,649.60	\$24,128.00	\$24,606.40	\$25,105.60	\$25,604.80
3	Hrly	\$12.86	\$13.12	\$13.38	\$13.65	\$13.92	\$14.20	\$14.48	\$14.77
	37.5/wk	\$482.25	\$492.00	\$501.75	\$511.88	\$522.00	\$532.50	\$543.00	\$553.88
	52/yr	\$25,077.00	\$25,584.00	\$26,091.00	\$26,617.50	\$27,144.00	\$27,690.00	\$28,236.00	\$28,801.50
	40/wk	\$514.40	\$524.80	\$535.20	\$546.00	\$556.80	\$568.00	\$579.20	\$590.80
	52/yr	\$26,748.80	\$27,289.60	\$27,830.40	\$28,392.00	\$28,953.60	\$29,536.00	\$30,118.40	\$30,721.60
4	Hrly	\$16.08	\$16.40	\$16.73	\$17.06	\$17.40	\$17.75	\$18.11	\$18.47
	37.5/wk	\$603.00	\$615.00	\$627.38	\$639.75	\$652.50	\$665.63	\$679.13	\$692.63
	52/yr	\$31,356.00	\$31,980.00	\$32,623.50	\$33,267.00	\$33,930.00	\$34,612.50	\$35,314.50	\$36,016.50
	40/wk	\$643.20	\$656.00	\$669.20	\$682.40	\$696.00	\$710.00	\$724.40	\$738.80
	52/yr	\$33,446.40	\$34,112.00	\$34,798.40	\$35,484.80	\$36,192.00	\$36,920.00	\$37,668.80	\$38,417.60
5	Hrly	\$19.14	\$19.52	\$19.91	\$20.31	\$20.72	\$21.13	\$21.55	\$21.98
	37.5/wk	\$717.75	\$732.00	\$746.63	\$761.63	\$777.00	\$792.38	\$808.13	\$824.25
	52/yr	\$37,323.00	\$38,064.00	\$38,824.50	\$39,604.50	\$40,404.00	\$41,203.50	\$42,022.50	\$42,861.00
	40/wk	\$765.60	\$780.80	\$796.40	\$812.40	\$828.80	\$845.20	\$862.00	\$879.20
	52/yr	\$39,811.20	\$40,601.60	\$41,412.80	\$42,244.80	\$43,097.60	\$43,950.40	\$44,824.00	\$45,718.40
6	Hrly	\$22.48	\$22.93	\$23.39	\$23.86	\$24.34	\$24.83	\$25.33	\$25.84
	37.5/wk	\$843.00	\$859.88	\$877.13	\$894.75	\$912.75	\$931.13	\$949.88	\$969.00
	52/yr	\$43,836.00	\$44,713.50	\$45,610.50	\$46,527.00	\$47,463.00	\$48,418.50	\$49,393.50	\$50,388.00
	40/wk	\$899.20	\$917.20	\$935.60	\$954.40	\$973.60	\$993.20	\$1,013.20	\$1,033.60
	52/yr	\$46,758.40	\$47,694.40	\$48,651.20	\$49,628.80	\$50,627.20	\$51,646.40	\$52,686.40	\$53,747.20

FY19 Wage Grid

Grade	****	Minimum							Maximum
		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
7	Hrly	\$23.28	\$23.75	\$24.23	\$24.71	\$25.20	\$25.70	\$26.21	\$26.73
	37.5/wk	\$873.00	\$890.63	\$908.63	\$926.63	\$945.00	\$963.75	\$982.88	\$1,002.38
	52/yr	\$45,396.00	\$46,312.50	\$47,248.50	\$48,184.50	\$49,140.00	\$50,115.00	\$51,109.50	\$52,123.50
	40/wk	\$931.20	\$950.00	\$969.20	\$988.40	\$1,008.00	\$1,028.00	\$1,048.40	\$1,069.20
	52/yr	\$48,422.40	\$49,400.00	\$50,398.40	\$51,396.80	\$52,416.00	\$53,456.00	\$54,516.80	\$55,598.40
8	Hrly	\$26.18	\$26.70	\$27.23	\$27.77	\$28.33	\$28.90	\$29.48	\$30.07
	37.5/wk	\$981.75	\$1,001.25	\$1,021.13	\$1,041.38	\$1,062.38	\$1,083.75	\$1,105.50	\$1,127.63
	52/yr	\$51,051.00	\$52,065.00	\$53,098.50	\$54,151.50	\$55,243.50	\$56,355.00	\$57,486.00	\$58,636.50
	40/wk	\$1,047.20	\$1,068.00	\$1,089.20	\$1,110.80	\$1,133.20	\$1,156.00	\$1,179.20	\$1,202.80
	52/yr	\$54,454.40	\$55,536.00	\$56,638.40	\$57,761.60	\$58,926.40	\$60,112.00	\$61,318.40	\$62,545.60
9	Hrly	\$27.50	\$28.05	\$28.61	\$29.18	\$29.76	\$30.36	\$30.97	\$31.59
	37.5/wk	\$1,031.25	\$1,051.88	\$1,072.88	\$1,094.25	\$1,116.00	\$1,138.50	\$1,161.38	\$1,184.63
	52/yr	\$53,625.00	\$54,697.50	\$55,789.50	\$56,901.00	\$58,032.00	\$59,202.00	\$60,391.50	\$61,600.50
	40/wk	\$1,100.00	\$1,122.00	\$1,144.40	\$1,167.20	\$1,190.40	\$1,214.40	\$1,238.80	\$1,263.60
	52/yr	\$57,200.00	\$58,344.00	\$59,508.80	\$60,694.40	\$61,900.80	\$63,148.80	\$64,417.60	\$65,707.20
10	Hrly	\$29.43	\$30.02	\$30.62	\$31.23	\$31.85	\$32.49	\$33.14	\$33.80
	37.5/wk	\$1,103.63	\$1,125.75	\$1,148.25	\$1,171.13	\$1,194.38	\$1,218.38	\$1,242.75	\$1,267.50
	52/yr	\$57,388.50	\$58,539.00	\$59,709.00	\$60,898.50	\$62,107.50	\$63,355.50	\$64,623.00	\$65,910.00
	40/wk	\$1,177.20	\$1,200.80	\$1,224.80	\$1,249.20	\$1,274.00	\$1,299.60	\$1,325.60	\$1,352.00
	52/yr	\$61,214.40	\$62,441.60	\$63,689.60	\$64,958.40	\$66,248.00	\$67,579.20	\$68,931.20	\$70,304.00
11	Hrly	\$31.49	\$32.12	\$32.76	\$33.42	\$34.09	\$34.77	\$35.47	\$36.18
	37.5/wk	\$1,180.88	\$1,204.50	\$1,228.50	\$1,253.25	\$1,278.38	\$1,303.88	\$1,330.13	\$1,356.75
	52/yr	\$61,405.50	\$62,634.00	\$63,882.00	\$65,169.00	\$66,475.50	\$67,801.50	\$69,166.50	\$70,551.00
	40/wk	\$1,259.60	\$1,284.80	\$1,310.40	\$1,336.80	\$1,363.60	\$1,390.80	\$1,418.80	\$1,447.20
	52/yr	\$65,499.20	\$66,809.60	\$68,140.80	\$69,513.60	\$70,907.20	\$72,321.60	\$73,777.60	\$75,254.40
12	Hrly	\$32.90	\$33.56	\$34.23	\$34.91	\$35.61	\$36.32	\$37.05	\$37.79
	37.5/wk	\$1,233.75	\$1,258.50	\$1,283.63	\$1,309.13	\$1,335.38	\$1,362.00	\$1,389.38	\$1,417.13
	52/yr	\$64,155.00	\$65,442.00	\$66,748.50	\$68,074.50	\$69,439.50	\$70,824.00	\$72,247.50	\$73,690.50
	40/wk	\$1,316.00	\$1,342.40	\$1,369.20	\$1,396.40	\$1,424.40	\$1,452.80	\$1,482.00	\$1,511.60
	52/yr	\$68,432.00	\$69,804.80	\$71,198.40	\$72,612.80	\$74,068.80	\$75,545.60	\$77,064.00	\$78,603.20

FY19 Wage Grid

Grade	****	Minimum							Maximum
		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
13	Hrly	\$35.53	\$36.24	\$36.96	\$37.70	\$38.45	\$39.22	\$40.00	\$40.80
	37.5/wk	\$1,332.38	\$1,359.00	\$1,386.00	\$1,413.75	\$1,441.88	\$1,470.75	\$1,500.00	\$1,530.00
	52/yr	\$69,283.50	\$70,668.00	\$72,072.00	\$73,515.00	\$74,977.50	\$76,479.00	\$78,000.00	\$79,560.00
	40/wk	\$1,421.20	\$1,449.60	\$1,478.40	\$1,508.00	\$1,538.00	\$1,568.80	\$1,600.00	\$1,632.00
	52/yr	\$73,902.40	\$75,379.20	\$76,876.80	\$78,416.00	\$79,976.00	\$81,577.60	\$83,200.00	\$84,864.00
14	Hrly	\$35.88	\$36.60	\$37.33	\$38.08	\$38.84	\$39.62	\$40.41	\$41.22
	37.5/wk	\$1,345.50	\$1,372.50	\$1,399.88	\$1,428.00	\$1,456.50	\$1,485.75	\$1,515.38	\$1,545.75
	52/yr	\$69,966.00	\$71,370.00	\$72,793.50	\$74,256.00	\$75,738.00	\$77,259.00	\$78,799.50	\$80,379.00
	40/wk	\$1,435.20	\$1,464.00	\$1,493.20	\$1,523.20	\$1,553.60	\$1,584.80	\$1,616.40	\$1,648.80
	52/yr	\$74,630.40	\$76,128.00	\$77,646.40	\$79,206.40	\$80,787.20	\$82,409.60	\$84,052.80	\$85,737.60
15	Hrly	\$36.42	\$37.15	\$37.89	\$38.65	\$39.42	\$40.21	\$41.01	\$41.83
	37.5/wk	\$1,365.75	\$1,393.13	\$1,420.88	\$1,449.38	\$1,478.25	\$1,507.88	\$1,537.88	\$1,568.63
	52/yr	\$71,019.00	\$72,442.50	\$73,885.50	\$75,367.50	\$76,869.00	\$78,409.50	\$79,969.50	\$81,568.50
	40/wk	\$1,456.80	\$1,486.00	\$1,515.60	\$1,546.00	\$1,576.80	\$1,608.40	\$1,640.40	\$1,673.20
	52/yr	\$75,753.60	\$77,272.00	\$78,811.20	\$80,392.00	\$81,993.60	\$83,636.80	\$85,300.80	\$87,006.40
16	Hrly	\$37.63	\$38.38	\$39.15	\$39.93	\$40.73	\$41.54	\$42.37	\$43.22
	37.5/wk	\$1,411.13	\$1,439.25	\$1,468.13	\$1,497.38	\$1,527.38	\$1,557.75	\$1,588.88	\$1,620.75
	52/yr	\$73,378.50	\$74,841.00	\$76,342.50	\$77,863.50	\$79,423.50	\$81,003.00	\$82,621.50	\$84,279.00
	40/wk	\$1,505.20	\$1,535.20	\$1,566.00	\$1,597.20	\$1,629.20	\$1,661.60	\$1,694.80	\$1,728.80
	52/yr	\$78,270.40	\$79,830.40	\$81,432.00	\$83,054.40	\$84,718.40	\$86,403.20	\$88,129.60	\$89,897.60
17	Hrly	\$38.77	\$39.55	\$40.34	\$41.15	\$41.97	\$42.81	\$43.67	\$44.54
	37.5/wk	\$1,453.88	\$1,483.13	\$1,512.75	\$1,543.13	\$1,573.88	\$1,605.38	\$1,637.63	\$1,670.25
	52/yr	\$75,601.50	\$77,122.50	\$78,663.00	\$80,242.50	\$81,841.50	\$83,479.50	\$85,156.50	\$86,853.00
	40/wk	\$1,550.80	\$1,582.00	\$1,613.60	\$1,646.00	\$1,678.80	\$1,712.40	\$1,746.80	\$1,781.60
	52/yr	\$80,641.60	\$82,264.00	\$83,907.20	\$85,592.00	\$87,297.60	\$89,044.80	\$90,833.60	\$92,643.20
18	Hrly	\$41.28	\$42.11	\$42.95	\$43.81	\$44.69	\$45.58	\$46.49	\$47.42
	37.5/wk	\$1,548.00	\$1,579.13	\$1,610.63	\$1,642.88	\$1,675.88	\$1,709.25	\$1,743.38	\$1,778.25
	52/yr	\$80,496.00	\$82,114.50	\$83,752.50	\$85,429.50	\$87,145.50	\$88,881.00	\$90,655.50	\$92,469.00
	40/wk	\$1,651.20	\$1,684.40	\$1,718.00	\$1,752.40	\$1,787.60	\$1,823.20	\$1,859.60	\$1,896.80
	52/yr	\$85,862.40	\$87,588.80	\$89,336.00	\$91,124.80	\$92,955.20	\$94,806.40	\$96,699.20	\$98,633.60

FY19 Wage Grid

Grade	****	Minimum							Maximum
		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
19	Hrly	\$43.97	\$44.85	\$45.75	\$46.67	\$47.60	\$48.55	\$49.52	\$50.51
	37.5/wk	\$1,648.88	\$1,681.88	\$1,715.63	\$1,750.13	\$1,785.00	\$1,820.63	\$1,857.00	\$1,894.13
	52/yr	\$85,741.50	\$87,457.50	\$89,212.50	\$91,006.50	\$92,820.00	\$94,672.50	\$96,564.00	\$98,494.50
	40/wk	\$1,758.80	\$1,794.00	\$1,830.00	\$1,866.80	\$1,904.00	\$1,942.00	\$1,980.80	\$2,020.40
	52/yr	\$91,457.60	\$93,288.00	\$95,160.00	\$97,073.60	\$99,008.00	\$100,984.00	\$103,001.60	\$105,060.80
20	Hrly	\$46.38	\$47.31	\$48.26	\$49.23	\$50.21	\$51.21	\$52.23	\$53.27
	37.5/wk	\$1,739.25	\$1,774.13	\$1,809.75	\$1,846.13	\$1,882.88	\$1,920.38	\$1,958.63	\$1,997.63
	52/yr	\$90,441.00	\$92,254.50	\$94,107.00	\$95,998.50	\$97,909.50	\$99,859.50	\$101,848.50	\$103,876.50
	40/wk	\$1,855.20	\$1,892.40	\$1,930.40	\$1,969.20	\$2,008.40	\$2,048.40	\$2,089.20	\$2,130.80
	52/yr	\$96,470.40	\$98,404.80	\$100,380.80	\$102,398.40	\$104,436.80	\$106,516.80	\$108,638.40	\$110,801.60
21	Hrly	\$48.24	\$49.20	\$50.18	\$51.18	\$52.20	\$53.24	\$54.30	\$55.39
	37.5/wk	\$1,809.00	\$1,845.00	\$1,881.75	\$1,919.25	\$1,957.50	\$1,996.50	\$2,036.25	\$2,077.13
	52/yr	\$94,068.00	\$95,940.00	\$97,851.00	\$99,801.00	\$101,790.00	\$103,818.00	\$105,885.00	\$108,010.50
	40/wk	\$1,929.60	\$1,968.00	\$2,007.20	\$2,047.20	\$2,088.00	\$2,129.60	\$2,172.00	\$2,215.60
	52/yr	\$100,339.20	\$102,336.00	\$104,374.40	\$106,454.40	\$108,576.00	\$110,739.20	\$112,944.00	\$115,211.20
22	Hrly	\$52.57	\$53.62	\$54.69	\$55.78	\$56.90	\$58.04	\$59.20	\$60.38
	37.5/wk	\$1,971.38	\$2,010.75	\$2,050.88	\$2,091.75	\$2,133.75	\$2,176.50	\$2,220.00	\$2,264.25
	52/yr	\$102,511.50	\$104,559.00	\$106,645.50	\$108,771.00	\$110,955.00	\$113,178.00	\$115,440.00	\$117,741.00
	40/wk	\$2,102.80	\$2,144.80	\$2,187.60	\$2,231.20	\$2,276.00	\$2,321.60	\$2,368.00	\$2,415.20
	52/yr	\$109,345.60	\$111,529.60	\$113,755.20	\$116,022.40	\$118,352.00	\$120,723.20	\$123,136.00	\$125,590.40

APPENDIX B
Town Debt Service (excluding CPA and Water) for Fiscal Year 2019

	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	Variance \$	Variance %
	Actuals	Actuals	Actuals	Actuals	Budget	Request		
<u>DEBT SERVICE</u>								
<i>Interest/Issuance Costs</i>								
Public Safety Bldg	147,858	134,558	121,258	69,044	78,600	67,000	(11,600)	-14.8%
ESCO	5,100	4,500	3,900	3,300	2,550	1,650	(900)	-35.3%
Library	20,225	17,725	15,325	12,925	10,050	6,600	(3,450)	-34.3%
Water (Town)	30,475	26,675	22,975	19,375	15,000	9,900	(5,100)	-34.0%
Ladder/Pumper Truck	-	-	24,780	23,800	21,700	19,600	(2,100)	-9.7%
Landfill Capping	-	-	37,463	36,258	33,558	30,858	(2,700)	-8.0%
Landfill Closure	-	-	-	-	7,680	3,000	(4,680)	-60.9%
Short-term (bond anticipation notes)	1,269	19,102	20,000	9,138	5,000	9,200	4,200	84.0%
Total Interest/Issuance Costs	\$ 204,927	\$ 202,560	\$ 245,701	\$ 173,840	\$ 174,138	\$ 147,808	\$ (26,330)	-15.1%
<i>Principal</i>								
Public Safety Bldg	325,000	325,000	325,000	335,000	290,000	290,000	-	0.0%
ESCO	30,000	30,000	30,000	30,000	30,000	30,000	-	0.0%
Library	125,000	120,000	120,000	115,000	115,000	110,000	(5,000)	-4.3%
Water (Town)	190,000	185,000	180,000	175,000	170,000	165,000	(5,000)	-2.9%
Ladder/Pumper Truck	-	-	72,000	70,000	70,000	70,000	-	0.0%
Landfill Capping	-	-	92,000	90,000	90,000	90,000	-	0.0%
Landfill Closure	-	-	-	-	42,000	40,000	(2,000)	-4.8%
Total Principal	\$ 670,000	\$ 660,000	\$ 819,000	\$ 815,000	\$ 807,000	\$ 795,000	\$ (12,000)	-1.5%
TOTAL DEBT SERVICE (EXCLUDING SCHOOL DEBT)	\$ 874,927	\$ 862,560	\$ 1,064,701	\$ 988,840	\$ 981,138	\$ 942,808	\$ (38,330)	-3.9%
<i>School Debt (Principal & Interest)</i>								
Middle/High School	476,674	479,893	470,145	467,914	460,018	462,869	2,851	0.6%
Cutler Roof/Other	-	85,983	84,424	84,965	85,560	83,124	(2,436)	-2.8%
Buker & Winthrop Boilers & Windows	-	-	20,388	15,257	79,631	76,901	(2,730)	-3.4%
ENSATSD	5,155	19,031	30,536	24,082	25,692	25,692	-	0.0%
Short-term (bond anticipation notes)	-	-	-	-	-	16,163	16,163	0.0%
Total School Debt	\$ 481,829	\$ 584,907	\$ 605,493	\$ 592,218	\$ 650,901	\$ 664,749	\$ 13,848	2.1%
TOTAL DEBT SERVICE	\$ 1,356,756	\$ 1,447,467	\$ 1,670,194	\$ 1,581,058	\$ 1,632,039	\$ 1,607,557	\$ (24,482)	-1.5%

APPENDIX B
Town Capital Improvements for Fiscal Year 2019

Department	Model/Items	Purchase Price	Planned Usage	Notes
Cemetery (DPW)	Cemetery Road Pavement for New Section	\$ 25,000	Installation of new bituminous asphalt pavement at the new section of the Hamilton Cemetery.	
Facilities (DPW)	Town Hall Preservation	\$ 100,000	Town Hall preservation; including but not limited to improvement of ADA access, office/meeting space, etc.	
Facilities (DPW)	Install Insulation	\$ 10,000	Install insulation at the Public Safety Building.	
Facilities (DPW)	Upgrades to the Ventilation and AC fans	\$ 10,000	Ventilation upgrades at ECO buildings (repairs to the existing HVAC system).	
Facilities (DPW)	Roof Repairs	\$ 10,000	Town Hall roof repairs, to include, flashing repairs or replacement, wood consolidation and shingle replacement.	
Facilities (DPW)	COA Partition Wall	\$ 5,800	Construction of partition wall at the Senior Center.	
Highway (DPW)	Road Repair Program	\$ 90,000	Repair Town roadways, drainage, sidewalks etc.	To supplement the MassDOT Ch 90 Program funds
Highway (DPW)	National Pollutant Discharge Elimination System - Phase II Compliance	\$ 60,000	General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems(MS4).	Environmental Protection Agency Mandated
Police	Police Cruiser	\$ 38,750	Line of operation cruiser.	Rotation replacement
Police	Magnetsic Swipe Card System	\$ 25,000	Purchase FOB Keyless system to replace the keyed system currently utilized.	
Police	Camera System	\$ 8,500	Replace outdated DVR camera/recording system in the interview room.	
Sub-total		\$ 383,050	ARTICLE 2018/4 2-3	
Fire	Fire Engine 1 & Equipment	\$ 66,433	Replace Fire Engine 1 and equipment.	Total estimated purchase price is \$550,000; the \$66,433 represents the estimated annual lease payment on a 10-year lease
Sub-total		\$ 66,433	ARTICLE 2018/4 2-15	

Total \$ 449,483

APPENDIX B
FY2019 GENERAL FUND BUDGET

	FY2015 ACTUALS	FY2016 ACTUALS	FY2017 ACTUALS	FY2018 BUDGET	FY2019 PROJECTED	FY18/19 BUDGET	
						Variance \$	Variance %
GENERAL GOVERNMENT							
<i>122 Selectmen</i>							
Personnel Expenses	25,951.82	28,895.85	31,232.98	39,655.00	32,135.00	(7,520.00)	-19.0%
Operating Expenses	5,062.50	6,437.50	1,574.00	13,525.00	15,850.00	2,325.00	17.2%
<i>Total Selectmen</i>	31,014.32	35,333.35	32,806.98	53,180.00	47,985.00	(5,195.00)	-9.8%
<i>123 Town Manager</i>							
Personnel Expenses	187,277.10	179,882.06	188,627.58	196,708.87	201,647.51	4,938.64	2.5%
Operating Expenses	109,441.01	76,004.58	93,884.74	103,336.88	112,068.60	8,731.72	8.4%
<i>Total Town Manager</i>	296,718.11	255,886.64	282,512.32	300,045.75	313,716.11	13,670.36	4.6%
<i>132 Fin Com/Reserve</i>							
Expenses	226.00	176.00	176.00	250.00	390.00	140.00	56.0%
Reserve Fund	-	-	-	100,000.00	100,000.00	-	0.0%
<i>Total Fin Com</i>	226.00	176.00	176.00	100,250.00	100,390.00	140.00	0.1%
<i>135 Finance/IT Dept</i>							
Personnel Expenses	152,358.41	167,090.49	124,852.66	193,539.97	220,871.01	27,331.04	14.1%
Operating Expenses	126,987.64	247,146.15	223,527.64	217,164.00	172,660.48	(44,503.52)	-20.5%
Capital Expenses	6,367.78	22,814.36	5,220.07	-	1,500.00	1,500.00	0.0%
<i>Total Finance/IT Dept</i>	285,713.83	437,051.00	353,600.37	410,703.97	395,031.49	(15,672.48)	-3.8%
<i>141 Assessor</i>							
Personnel Expenses	147,072.43	149,374.08	153,934.50	158,415.35	162,816.48	4,401.13	2.8%
Operating Expenses	12,008.27	17,787.18	15,789.11	22,566.00	21,566.00	(1,000.00)	-4.4%
<i>Total Assessor</i>	159,080.70	167,161.26	169,723.61	180,981.35	184,382.48	3,401.13	1.9%
<i>145 Treasurer/Collector</i>							
Personnel Expenses	168,694.12	176,559.43	173,224.31	187,060.72	194,316.68	7,255.96	3.9%
Operating Expenses	30,240.00	37,710.34	40,128.43	46,450.00	49,700.00	3,250.00	7.0%
<i>Total Treasurer/Collector</i>	198,934.12	214,269.77	213,352.74	233,510.72	244,016.68	10,505.96	4.5%

APPENDIX B
FY2019 GENERAL FUND BUDGET

	FY2015 ACTUALS	FY2016 ACTUALS	FY2017 ACTUALS	FY2018 BUDGET	FY2019 PROJECTED	FY18/19 BUDGET	
						Variance \$	Variance %
151 Town Counsel							
Retainer	27,000.00	33,000.00	36,000.00	37,000.00	42,000.00	5,000.00	13.5%
Expenses	120,181.75	71,439.00	89,434.03	90,000.00	90,000.00	-	0.0%
Total Town Counsel	147,181.75	104,439.00	125,434.03	127,000.00	132,000.00	5,000.00	3.9%
161 Town Clerk							
Personnel Expenses	81,050.68	89,416.80	99,586.01	109,593.30	113,997.00	4,403.70	4.0%
Operating Expenses	25,501.87	19,509.14	10,703.64	20,920.00	13,920.00	(7,000.00)	-33.5%
Total Town Clerk	106,552.55	108,925.94	110,289.65	130,513.30	127,917.00	(2,596.30)	-2.0%
162 Elections & Registration							
Personnel Expenses	10,449.14	10,246.72	17,212.24	8,915.11	21,167.80	12,252.69	137.4%
Operating Expenses	12,197.63	15,440.63	18,514.97	20,900.00	23,900.00	3,000.00	14.4%
Total Elections & Registration	22,646.77	25,687.35	35,727.21	29,815.11	45,067.80	15,252.69	51.2%
171 Conservation Commission							
Personnel Expenses	27,804.77	28,254.08	29,524.32	30,607.20	32,538.13	1,930.93	6.3%
Operating Expenses	845.00	1,085.87	746.00	5,425.00	1,925.00	(3,500.00)	-64.5%
Total Conservation Commission	28,649.77	29,339.95	30,270.32	36,032.20	34,463.13	(1,569.07)	-4.4%
172 Planning							
Personnel Expenses	70,011.30	103,869.92	108,019.18	111,935.40	114,354.60	2,419.20	2.2%
Operating Expenses	3,412.00	38,293.92	1,810.12	4,850.00	4,850.00	-	0.0%
Total Planning	73,423.30	142,163.84	109,829.30	116,785.40	119,204.60	2,419.20	2.1%
174 Chebacco Woods							
Operating Expenses	1,705.00	784.99	2,500.00	2,500.00	2,500.00	-	0.0%
Total Chebacco Woods	1,705.00	784.99	2,500.00	2,500.00	2,500.00	-	0.0%
192 Facilities							
Personnel Expenses	26,459.70	59,652.79	68,781.30	90,700.00	87,275.00	(3,425.00)	-3.8%
Operating Expenses	238,486.00	193,907.95	233,185.87	198,892.99	202,946.00	4,053.01	2.0%
Total Facilities	264,945.70	253,560.74	301,967.17	289,592.99	290,221.00	628.01	0.2%
Subtotal General Government	1,616,791.92	1,774,779.83	1,768,189.70	2,010,910.79	2,036,895.29	25,984.50	1.3%

APPENDIX B
FY2019 GENERAL FUND BUDGET

	FY2015 ACTUALS	FY2016 ACTUALS	FY2017 ACTUALS	FY2018 BUDGET	FY2019 PROJECTED	FY18/19 BUDGET Variance \$	Variance %
PUBLIC SAFETY							
<i>210 Police Department</i>							
Personnel Expenses	1,309,823.10	1,344,799.20	1,382,633.90	1,449,506.82	1,502,071.06	52,564.24	3.6%
Operating Expenses	111,812.43	102,144.64	103,351.38	118,586.00	117,251.00	(1,335.00)	-1.1%
Capital Expenses	36,919.00	36,899.00	-	-	-	-	0.0%
Total Police Department	1,458,554.53	1,483,842.84	1,485,985.28	1,568,092.82	1,619,322.06	51,229.24	3.3%
<i>233 Emergency Report Center</i>							
Personnel Expenses	245,503.05	237,839.20	246,800.12	282,472.06	282,977.23	505.17	0.2%
Operating Expenses	22,109.05	41,272.22	50,277.46	38,779.00	39,108.75	329.75	0.9%
Total Emergency Report Center	267,612.10	279,111.42	297,077.58	321,251.06	322,085.98	834.92	0.3%
<i>220 Fire Department</i>							
Personnel Expenses	534,345.95	485,632.42	548,704.91	640,117.25	644,879.17	4,761.92	0.7%
Operating Expenses	98,784.77	72,241.69	66,753.75	86,023.60	82,855.60	(3,168.00)	-3.7%
Capital Expenses	52,631.71	27,818.74	3,810.98	1,500.00	1,500.00	-	0.0%
Total Fire Department	685,762.43	585,692.85	619,269.64	727,640.85	729,234.77	1,593.92	0.2%
<i>241 Inspectional Services</i>							
Personnel Expenses	111,545.09	118,369.86	88,291.41	102,074.09	48,283.00	(53,791.09)	-52.7%
Operating Expenses	3,545.66	5,378.46	1,758.30	7,850.00	5,000.00	(2,850.00)	-36.3%
Assessment	-	-	-	-	90,664.00	90,664.00	0.0%
Total Inspectional Services	115,090.75	123,748.32	90,049.71	109,924.09	143,947.00	34,022.91	31.0%
<i>291 Emergency Management</i>							
Operating Expenses	699.16	-	941.97	1,100.00	1,100.00	-	0.0%
Total Emergency Management	699.16	-	941.97	1,100.00	1,100.00	-	0.0%
<i>292 Animal Control</i>							
Personnel Expenses	5,466.67	26,030.84	28,338.54	17,800.00	17,800.00	-	0.0%
Operating Expenses	75.00	1,414.99	2,093.00	1,240.00	1,590.00	350.00	28.2%
Total Animal Control	5,541.67	27,445.83	30,431.54	19,040.00	19,390.00	350.00	1.8%
<i>919 Street Lights</i>							
Operating Expenses	57,770.39	33,677.31	1,076.00	20,000.00	20,000.00	-	0.0%
Total Street Lights	57,770.39	33,677.31	1,076.00	20,000.00	20,000.00	-	0.0%
Subtotal Public Safety	2,591,031.03	2,533,518.57	2,524,831.72	2,767,048.82	2,855,079.81	88,030.99	3.2%

APPENDIX B
FY2019 GENERAL FUND BUDGET

DEPARTMENT OF PUBLIC WORKS	FY2015 ACTUALS	FY2016 ACTUALS	FY2017 ACTUALS	FY2018 BUDGET	FY2019 PROJECTED	FY18/19 BUDGET	
						Variance \$	Variance %
421 Public Works							
Personnel Expenses	177,696.35	146,144.80	107,838.14	148,292.86	154,268.36	5,975.50	4.0%
Operating Expenses	82,178.70	72,870.75	66,872.71	93,629.50	46,381.56	(47,247.94)	-50.5%
Total Public Works	259,875.05	219,015.55	174,710.85	241,922.36	200,649.92	(41,272.44)	-17.1%
422 Highway							
Personnel Expenses	248,554.57	266,932.52	269,841.13	323,772.69	233,799.05	(89,973.64)	-27.8%
Operating Expenses	132,150.78	209,014.14	212,999.67	195,900.00	191,900.00	(4,000.00)	-2.0%
Capital Expenses	339,194.40	72,367.00	43,900.00	-	-	-	0.0%
Total Highway	719,899.75	548,313.66	526,740.80	519,672.69	425,699.05	(93,973.64)	-18.1%
423 Snow & Ice							
Personnel Expenses	112,788.74	58,386.17	78,323.19	86,700.00	89,175.00	2,475.00	2.9%
Operating Expenses	367,925.80	120,781.94	173,821.02	175,200.00	179,250.00	4,050.00	2.3%
Total Snow & Ice	480,714.54	179,168.11	252,144.21	261,900.00	268,425.00	6,525.00	2.5%
425 Vehicle Maintenance							
Personnel Expenses	-	-	-	-	84,772.60	84,772.60	0.0%
Operating Expenses	-	-	-	-	57,695.00	57,695.00	0.0%
Total Vehicle Maintenance	-	-	-	-	142,467.60	142,467.60	0.0%
429 Cemetery							
Personnel Expenses	75,859.83	73,809.91	81,149.14	76,335.09	81,364.67	5,029.58	6.6%
Operating Expenses	6,844.96	9,291.34	8,945.39	9,700.00	9,700.00	-	0.0%
Total Cemetery	82,704.79	83,101.25	90,094.53	86,035.09	91,064.67	5,029.58	5.8%
433 Waste, Recycling & Landfill							
Personnel Expenses	-	-	-	5,170.00	4,594.02	(575.98)	-11.1%
Operating Expenses	10,041.89	-	24,000.00	591,272.00	628,176.00	36,904.00	6.2%
Enterprise Subsidy	294,270.00	323,138.02	609,302.00	-	-	-	0.0%
Prior Year Deficit	9,810.00	-	-	-	-	-	0.0%
Total Waste, Recycling & Landfill	314,121.89	323,138.02	633,302.00	596,442.00	632,770.02	36,328.02	6.1%

APPENDIX B
FY2019 GENERAL FUND BUDGET

	FY2015 ACTUALS	FY2016 ACTUALS	FY2017 ACTUALS	FY2018 BUDGET	FY2019 PROJECTED	FY18/19 BUDGET	
						Variance \$	Variance %
650 Parks & Fields							
Personnel Expenses	41,519.38	32,506.53	49,763.15	65,407.55	65,469.01	61.46	0.1%
Operating Expenses	67,969.50	9,044.51	26,284.03	8,350.00	8,750.00	400.00	4.8%
Capital Expenses	-	30,927.00	-	-	-	-	0.0%
Total Parks & Fields	109,488.88	72,478.04	76,047.18	73,757.55	74,219.01	461.46	0.6%
651 HWRSD Fields & Grounds							
Personnel Expenses	1,772.07	14,894.44	10,880.21	6,941.57	-	(6,941.57)	-100.0%
Total HWRSD Fields & Grounds	1,772.07	14,894.44	10,880.21	6,941.57	-	(6,941.57)	-63.8%
Subtotal Public Works	1,968,576.97	1,440,109.07	1,763,919.78	1,786,671.26	1,835,295.27	48,624.01	2.7%
HEALTH & HUMAN SERVICES							
511 Public Health Dept							
Personnel Expenses	110,320.80	110,369.56	113,625.34	125,853.50	131,784.00	5,930.50	4.7%
Operating Expenses	2,155.77	2,196.28	3,113.33	4,630.00	5,760.00	1,130.00	24.4%
Total Public Health Dept	112,476.57	112,565.84	116,738.67	130,483.50	137,544.00	7,060.50	5.4%
541 Council on Aging							
Personnel Expenses	58,178.09	61,857.63	70,353.13	78,675.70	82,776.20	4,100.50	5.2%
Operating Expenses	27,036.32	26,045.04	27,795.40	29,063.08	30,163.08	1,100.00	3.8%
Total Council on Aging	85,214.41	87,902.67	98,148.53	107,738.78	112,939.28	5,200.50	4.8%
543 Veterans Benefits							
Operating Expenses	12,299.91	18,091.75	33,019.80	35,000.00	30,000.00	(5,000.00)	-14.3%
Administration Fee	27,518.92	27,490.32	30,243.08	33,267.39	35,094.00	1,826.61	5.5%
Total Veterans Benefits	39,818.83	45,582.07	63,262.88	68,267.39	65,094.00	(3,173.39)	-4.6%
Subtotal Health & Human Services	237,509.81	246,050.58	278,150.08	306,489.67	315,577.28	9,087.61	3.0%
CULTURE & RECREATION							
610 Library							
Assessment	617,367.00	715,197.08	696,354.96	722,436.13	758,664.21	36,228.08	5.0%
Indirect Costs	19,293.00	21,072.00	22,718.03	22,411.00	22,235.77	(175.23)	-0.8%
State contribution	11,876.59	12,300.26	12,269.69	12,443.30	12,224.00	(219.30)	-1.8%
Total Library	648,536.59	748,569.34	731,342.68	757,290.43	793,123.98	35,833.55	4.7%

APPENDIX B
FY2019 GENERAL FUND BUDGET

	FY2015 ACTUALS	FY2016 ACTUALS	FY2017 ACTUALS	FY2018 BUDGET	FY2019 PROJECTED	FY18/19 BUDGET	
						Variance \$	Variance %
630 Recreation							
Personnel Expenses	82,937.33	80,894.13	88,402.76	99,900.40	125,930.10	26,029.70	26.1%
Operating Expenses	26,314.01	18,897.36	18,146.36	19,920.00	26,105.00	6,185.00	31.0%
Total Recreation	109,251.34	99,791.49	106,549.12	119,820.40	152,035.10	32,214.70	26.9%
Subtotal Culture & Recreation	757,787.93	848,360.83	837,891.80	877,110.83	945,159.08	68,048.25	7.8%
UNCLASSIFIED							
148 Salary Reserve	-	-	-	596.25	-	(596.25)	-100.0%
149 Capital Spending	-	-	210,993.18	754,961.35	449,483.00	(305,478.35)	-40.5%
692 Celebrations	2,982.64	2,867.27	3,853.74	2,300.00	2,945.00	645.00	28.0%
722 Debt Service	862,559.60	1,046,774.77	990,339.50	982,638.00	942,808.00	(39,830.00)	-4.1%
820 State Assessments	228,079.00	230,532.00	232,015.00	237,134.00	234,072.00	(3,062.00)	-1.3%
911 Retirement	704,356.00	721,863.00	794,132.00	789,304.00	921,648.00	132,344.00	16.8%
913 Unemployment	5,710.22	-	25,502.05	10,000.00	10,000.00	-	0.0%
914 Health & Life Insurance	729,544.92	800,985.73	738,329.07	876,158.85	874,142.00	(2,016.85)	-0.2%
916 Other Insurance	177,672.73	184,933.33	191,216.44	212,793.00	228,895.68	16,102.68	7.6%
917 Medicare Tax	52,081.46	50,762.37	54,615.41	79,077.37	71,674.00	(7,403.37)	-9.4%
992 Transfer to Special Revenue	44,583.75	-	-	22,422.42	-	(22,422.42)	-100.0%
994 Transfer to Capital Project	100,000.00	-	-	-	-	-	0.0%
996 Transfer to OPEB	25,000.00	25,000.00	75,000.00	100,000.00	125,000.00	25,000.00	25.0%
997 Transfer to Agency	65,000.00	65,000.00	65,000.00	65,000.00	65,000.00	-	0.0%
Subtotal Unclassified	2,997,570.32	3,128,718.47	3,380,996.39	4,132,385.24	3,925,667.68	(206,717.56)	-5.0%
SCHOOLS							
300 Schools							
HWRSD Assessment	16,302,008.00	16,417,016.00	16,837,974.00	16,776,063.00	17,746,437.94	970,374.94	5.8%
ENSATSD Assessment	163,748.00	197,798.00	227,628.00	205,594.00	191,079.00	(14,515.00)	-7.1%
HWRSD Debt Service	565,876.20	573,916.62	568,136.39	625,209.00	639,057.06	13,848.06	2.2%
ENSATSD Debt Service	19,031.00	30,536.00	24,082.00	25,692.00	21,877.00	(3,815.00)	-14.8%
Total Schools	17,050,663.20	17,219,266.62	17,657,820.39	17,632,558.00	18,598,451.00	965,893.00	5.5%
TOTAL GENERAL FUND	27,219,931.18	27,190,803.97	28,211,799.86	29,513,174.61	30,512,125.41	998,950.80	3.4%
TOTAL TOWN (EXCLUDING HWRSD)				12,111,903.61	12,126,630.41	14,726.80	0.1%

FINANCIAL ARTICLES

Capital Spending (ARTICLE 2018/4 2-3)	383,050.00
General Town Departmental Appropriations (ARTICLE 2018/4 2-4)	11,487,147.41
Hamilton Development Corporation (ARTICLE 2018/4 2-13)	65,000.00
OPEB Trust Fund (ARTICLE 2018/4 2-14)	125,000.00
Fire Engine Purchase (ARTICLE 2018/4 2-15)	66,433.00
TOTAL	12,126,630.41



FY19 Budget – District Totals

Level Service PLUS Critical Priorities Net Assessment Budget

Total Expenses					
	FY17 BUD	FY18 BUD	FY19 BUD	Difference	
General Operating Expense (Before Offsets)	\$ 30,166,532	\$ 31,403,624	\$ 33,097,866	\$ 1,694,242	5.40%
Expense Offsets	\$ 1,016,500	\$ 1,203,808	\$ 1,203,808	\$ -	0.00%
General Operating Expenses (After Offsets)	\$ 29,150,032	\$ 30,199,816	\$ 31,894,058	\$ 1,694,242	5.61%
Debt Service Expense	\$ 2,129,250	\$ 2,092,860	\$ 2,115,275	\$ 22,415	1.07%
TOTAL EXPENDITURES	\$ 31,279,282	\$ 32,292,676	\$ 34,009,333	\$ 1,716,657	5.32%
Total Funding Sources					
	FY17 BUD	FY18 BUD	FY19 BUD	Difference	
<i>Revenues</i>					
Chapter 70-Base Aid	\$ 3,457,966	\$ 3,554,656	\$ 3,606,706	\$ 52,050	1.5%
MSBA Debt Service Reimbursement	\$ 1,132,065	\$ 1,132,065	\$ 1,132,065	\$ -	0.0%
State Transportation Reimbursement	\$ 331,304	\$ 340,686	\$ 330,837	\$ (9,849)	-2.9%
Medicaid Reimbursement	\$ 85,000	\$ 85,000	\$ 150,000	\$ 65,000	76.5%
Interest Income	\$ 4,000	\$ 4,000	\$ 4,000	\$ -	0.0%
Prior Year Unexpended Encumbrances	\$ -	\$ -	\$ -	\$ -	#DIV/0!
Other Non-recurring Income (Including Transp)	\$ -	\$ -	\$ -	\$ -	#DIV/0!
Total Revenues	\$ 5,010,335	\$ 5,116,407	\$ 5,223,608	\$ 107,201	2.1%
<i>Transfers In From Other Funds</i>					
Excess and Deficiency	\$ 555	\$ 568,821	\$ 347,218	\$ (221,603)	-39.0%
Total Transfers	\$ 555	\$ 568,821	\$ 347,218	\$ (221,603)	-39.0%
Total Funding Sources	\$ 5,010,890	\$ 5,685,228	\$ 5,570,826	\$ (114,402)	-2.0%
Total Expenditures	\$ 31,279,282	\$ 32,292,676	\$ 34,009,333	\$ 1,716,657	5.3%
Less Total Funding Sources	\$ 5,010,890	\$ 5,685,228	\$ 5,570,826	\$ (114,402)	-2.0%
NET ASSESSMENT including Debt Service	\$ 26,268,391	\$ 26,607,448	\$ 28,438,507	\$ 1,831,059	6.9%
Total Town Assessments					
	FY17 BUD	FY18 BUD	FY19 BUD	Difference	
Hamilton	\$ 17,494,749	\$ 17,401,271	\$ 18,385,495	\$ 984,224	5.7%
Wenham	\$ 8,773,643	\$ 9,206,177	\$ 10,053,012	\$ 846,835	9.2%
NET ASSESSMENT including Debt Service	\$ 26,268,391	\$ 26,607,448	\$ 28,438,507	\$ 1,831,059	6.9%



FY19 Budget – District Totals

5 Year Summary of Net Assessments to the Towns

	<u>FY15 BUD</u>	<u>FY16 BUD (1)</u>	<u>FY17 BUD (2)</u>	<u>FY18 BUD (3)</u>	<u>FY19 BUD (4)</u>
Operations					
Hamilton	\$16,302,008	\$16,417,016	\$16,837,974	\$16,776,063	\$17,746,438
Wenham	<u>\$7,338,512</u>	<u>\$7,724,443</u>	<u>\$8,433,233</u>	<u>\$8,870,590</u>	<u>\$9,708,859</u>
SubTotal	\$23,640,520	\$24,141,459	\$25,271,207	\$25,646,653	\$27,455,297
Debt					
Hamilton	\$565,876	\$574,956	\$656,775	\$625,208	\$639,057
Wenham	<u>\$272,451</u>	<u>\$286,487</u>	<u>\$340,410</u>	<u>\$335,587</u>	<u>\$344,153</u>
SubTotal	\$838,327	\$861,443	\$997,185	\$960,795	\$983,210
Total					
Hamilton	\$16,867,884	\$16,991,972	\$17,494,749	\$17,401,271	\$18,385,495
Wenham	<u>\$7,610,963</u>	<u>\$8,010,930</u>	<u>\$8,773,643</u>	<u>\$9,206,177</u>	<u>\$10,053,012</u>
Total	\$24,478,847	\$25,002,902	\$26,268,392	\$26,607,448	\$28,438,507

- (1) FY16 Assessment reduced by \$395,781 (return of Certified E&D) per School Committee Policy D4021.
- (2) FY17 Assessment reduced by \$555 (return of Certified E&D) per School Committee Policy D4021.
- (3) FY18 Assessment reduced by \$568,821 (return of Certified E&D) per School Committee Policy D4021.
- (4) FY19 Assessment reduced by \$347,218 (return of Certified E&D) per School Committee Policy D4021.



FY19 Budget – District Totals

4 Year Impact Analysis of Net Assessments to the Towns

Total Net Assessment:		
FY15	\$	24,478,847
FY19	\$	28,438,507
4 Year Chg \$	\$	3,959,660
4 Year Chg %		16.18%
<i>Avg Annual Chg</i>		<i>4.04%</i>
Hamilton's Total Net Assessment:		
FY15	\$	16,867,884
FY19	\$	18,385,495
4 Year Chg \$	\$	1,517,611
4 Year Chg %		9.00%
<i>Avg Annual Chg</i>		<i>2.25%</i>
This 4 Yr Period includes a \$900K shift to Wenham (re: 3 Yr Enrollment)		
Wenham's Total Net Assessment:		
FY15	\$	7,610,763
FY19	\$	10,053,012
4 Year Chg \$	\$	2,442,249
4 Year Chg %		32.09%
<i>Avg Annual Chg</i>		<i>8.02%</i>
This 4 Yr Period includes a \$900K shift from Hamilton (re: 3 Yr Enrollment)		

Hamilton Wenham Regional School District
5 Year Capital* Improvement Program Summary as of February 13, 2018

Department	Project	Location	Total Est Cost	FY19	FY20	FY21	FY22	FY23
Fac & Grds	New Roof	HS	3,000,000	-	-	-	-	3,000,000
Fac & Grds	Building Energy Management Systems	Elem Schools	210,000	210,000	-	-	-	-
Fac & Grds	Replace Recalled Sprinkler Heads	HS / MS	37,500	37,500	-	-	-	-
Fac & Grds	Replace Classroom Sinks, Countertops & Water bubblers	Elem Schools	61,000	-	25,000	36,000	-	-
Fac & Grds	Waste Water Treatment Plant	District	100,000	20,000	20,000	20,000	20,000	20,000
Fac & Grds	Repair, refinish & reline Gymnasium Floors	District	60,000	-	30,000	30,000	-	-
Fac & Grds	Install Keyless Entryway Swipecard Systems	District	35,000	35,000	-	-	-	-
Fac & Grds	Install Exterior Surveillance Cameras	District	30,000	30,000	-	-	-	-
Fac & Grds	Install Main Entry & Main Office Interior Surveillance Cameras	District	25,000	25,000	-	-	-	-
Fac & Grds	Interior Classroom & Hallway Painting	Cut	30,000	-	-	-	30,000	-
Fac & Grds	Replace Classroom Carpets with Tile (2)	Cut	10,000	-	10,000	-	-	-
Fac & Grds	Classroom Shades	Cut, Buk, HS & MS	135,000	135,000	-	-	-	-
Fac & Grds	Emergency Generator	Buk & Admin Bldg	40,000	40,000	-	-	-	-
Fac & Grds	Autoscrubbers (4)	District	60,000	-	15,000	15,000	15,000	15,000
Fac & Grds	Replace flooring in HS Fitness Center	HS	15,000	-	15,000	-	-	-
Fac & Grds	Equipment for HS Fitness Center	HS	20,000	-	20,000	-	-	-
Fac & Grds	Install ADA Accessible Handicap Lifts/Ramps for school stages	Win & Buk	30,000	30,000	-	-	-	-
Fac & Grds	Project Adventure Course Upgrades	HS / MS	15,000	-	15,000	-	-	-
Fac & Grds	Replace front sidewalks at Middle School	MRMS	60,000	60,000	-	-	-	-
Fac & Grds	Replace Ceiling Tiles in Primary Wing Classrooms & Hallway	Winthrop	10,000	-	-	-	10,000	-
Fac & Grds	Repair sidewalks and curbing at Admin Bldg	Admin	15,000	15,000	-	-	-	-
Fac & Grds	Upgrade, repair and install Intercom systems	Various	24,000	24,000	-	-	-	-
Fac & Grds	Replace Sound System in gymnasium	HS / MS	20,000	20,000	-	-	-	-
Fac & Grds	40' - 50' Scissor Lift w/ Trailer	District	25,000	-	25,000	-	-	-
Fac & Grds	Buker Drainage	Buker	20,000	20,000	-	-	-	-
Fac & Grds	Buker Side Entryway and Handicap Ramp (Replace)	Buker	80,000	80,000	-	-	-	-
Tech	iPads for Students on Scholarship and F&RL	District	87,500	17,500	17,500	17,500	17,500	17,500
Tech	Classroom Hardware Refresh 4 year cycle (iPads)	District	280,000	21,000	42,000	84,000	70,000	63,000
Tech	Classroom Hardware Refresh 7 year cycle (Laptops & Labs)	District	262,305	33,480	47,470	34,970	92,430	53,955
Tech	Classroom Chromebooks 4 year cycle	District	135,000	-	18,000	18,000	18,000	81,000
Tech	Upgrade Wireless Access Points including wiring	District	49,920	49,920	-	-	-	-
Tech	Replace Phone System with new VoIP System	HS / MS	47,000	47,000	-	-	-	-
Tech	Replace Backup Server / Services	District	52,000	52,000	-	-	-	-
Tech	Replace VMWare Server and Licenses	District	113,000	113,000	-	-	-	-
Tech	Replace Network Area Storage Arrays	District	207,000	207,000	-	-	-	-
Tech	Replace Network IDF	District	72,000	72,000	-	-	-	-
Tech	Replace Classroom SMARTBoards, Projectors, etc	District	232,600	37,216	65,128	65,128	65,128	-
Tech	Upgrade Auditorium Theatrical Electrical Systems	HS	75,000	75,000	-	-	-	-
Tech	Replace Auditorium Lighting Control Console	HS	17,000	17,000	-	-	-	-
Tech	Auditorium HD Projector, Projection Screen & Monitors	HS	50,000	-	-	50,000	-	-
Tech	Install redundant line for Internet Connectivity	District	32,000	32,000	-	-	-	-
Food Svc	Kitchen Equipment	District	373,575	373,575	-	-	-	-
Subtotal Operating:			6,253,400	1,929,191	365,098	370,598	338,058	3,250,455

Hamilton Wenham Regional School District
5 Year Capital* Improvement Program Summary as of February 13, 2018

Department	Project	Location	Total Est Cost	FY19	FY20	FY21	FY22	FY23
Fac & Grds	Building Fire Suppression System	Win	850,000	850,000	-	-	-	-
	Subtotal Sprinklers:		850,000	850,000	-	-	-	-
Master Plan	Classroom Furniture (Master Plan)	District	800,000	800,000	-	-	-	-
Master Plan	HS/MS Library Media Center Renovation (Master Plan)	HS / MS	2,460,000	-	-	-	-	2,460,000
Master Plan	Elementary Library Media Center Renovations (Master Plan)	Elem Schools	2,841,825	-	-	-	-	2,841,825
	Subtotal Master Plan:		6,101,825	800,000	-	-	-	5,301,825
Athletics	Turf Fields: Track & Field	District	3,671,863	-	-	-	-	3,671,863
Athletics	Turf Fields: Combination Baseball Field	District	3,051,365	-	-	-	-	3,051,365
Athletics	Turf Fields: Entrance Improvements & Amenities	District	2,024,928	-	-	-	-	2,024,928
	Subtotal Athletics:		8,748,156	-	-	-	-	8,748,156
	Totals:		\$ 21,953,381	\$ 3,579,191	\$ 365,098	\$ 370,598	\$ 338,058	\$ 17,300,436

\$ 129,196 - A "green" shaded entry in FY19 denotes an expense has been incorporated into the FY19 Operating Budget Recommendation.

\$ 850,000 - The "blue" shaded entry in FY19 denotes a Winthrop Sprinkler Project expense that will be presented at April 2018 Town Meeting as a Debt Exclusion.

\$ 2,599,995 - An "orange" shaded entry in FY19 denotes a Safety, Accessibility or Critical Infrastructure Project expense that will be presented at April 2018 Town Meeting as a Debt Exclusion.

* - Tangible assets or projects that cost at least \$10,000 and have a useful life of at least 5 years.

Note - The final principal and interest payment for the HS/MS Project is due in May 2019. Net annual Debt Service Expense Costs associated with that Project are ~\$711,000.

APPENDIX D
Water Enterprise Capital Improvements for Fiscal Year 2019

Water Department	Purchase Price	Planned Usage	Notes
Hydrant & Gate Valve Replacement Program	\$ 15,000	Develop a hydrant flushing and valve exercising program to improve quality of water and efficiency in the operational system	Replacement program
Meter Replacement Program	\$ 15,000	Purchase meters and associated components to replace faulty equipment	Replacement program
TOTAL	\$ 30,000		

APPENDIX D

WATER ENTERPRISE	FY2015	FY2016	FY2017	FY2018	FY2019	Variance \$	Variance %
	Actuals	Actuals	Actuals	Budget	Request		
REVENUES							
PENALTY & INTEREST WATER	3,101	4,884	7,177	3,500	4,000	500	14.3%
INCOME (usage & service charges)	1,097,448	1,649,396	1,712,592	1,800,571	1,712,500	(88,071)	-4.9%
WATER LIEN REVENUE	28,309	42,579	59,783	35,000	35,000	-	0.0%
EARNINGS ON INVESTMENTS	2,366	2,675	4,420	1,000	1,000	-	0.0%
BOND/BAN PREMIUM	168,236	-	-	-	-	-	0.0%
MISCELLANEOUS INCOME	9,113	21,057	8,278	10,000	7,500	(2,500)	-25.0%
OFS - TRANSFER FROM GENERAL FUND	-	-	100,000	-	-	-	0.0%
TOTAL REVENUE	\$ 1,308,573	\$ 1,720,591	\$ 1,892,250	\$ 1,850,071	\$ 1,760,000	\$ (90,071)	-4.9%
EXPENDITURES							
<i>Personnel</i>							
SEASONAL WAGES	80	-	-	1,760	-	(1,760)	-100.0%
PERMANENT WAGES	200,804	204,132	212,381	229,018	283,932	54,914	24.0%
PERSONNEL/CONTRACT RESERVE	-	-	-	6,000	-	(6,000)	-100.0%
OVERTIME WAGES	40,056	44,945	54,162	70,213	64,621	(5,593)	-8.0%
LONGEVITY/STIPEND/DIFFERENTIAL	900	900	1,500	900	1,500	600	66.7%
MEDICARE	3,533	3,740	3,833	4,400	4,900	500	11.4%
WORKER COMPENSATION	-	3,242	-	-	-	-	0.0%
MEAL/UNIFORM/CLEAN ALLOWANCE	2,258	2,194	1,918	2,400	3,200	800	33.3%
Total Personnel	\$ 247,631	\$ 259,153	\$ 273,794	\$ 314,691	\$ 358,152	\$ 43,461	13.8%
<i>Expenses</i>							
UTILITIES/FUEL CHARGES	96,848	80,747	93,485	102,500	102,500	-	0.0%
REPAIR & MTC VEHICLES	264	-	100	1,000	1,000	-	0.0%
REPAIR & MTC PLANT	51,789	52,751	89,851	99,100	99,100	-	0.0%
REPAIR & MTC DISTRIBUTION SYST	30,818	19,060	16,879	20,000	20,000	-	0.0%
RENTAL/LEASE UNIFORMS	1,431	1,410	1,232	1,400	1,400	-	0.0%
PROFESSIONAL EMPLOY TRAINING	1,650	-	1,353	2,000	2,500	500	25.0%
LITIGATION SERVICES	1,621	4,464	19,729	5,000	5,000	-	0.0%
BILL COLLECT & DATA SERVICES	8,793	6,661	6,594	9,000	9,000	-	0.0%
CONSULTATIVE SERVICES	1,455	4,205	17,586	20,000	10,000	(10,000)	-50.0%
INSPECTIONAL SERVICES	13,132	13,368	16,226	17,500	14,500	(3,000)	-17.1%
MIS & SOFTWARE SERVICES	-	-	1,666	1,300	11,500	10,200	784.6%
VOICE DATA & VIDEO SERVICES	9,757	9,922	9,772	11,000	11,000	-	0.0%
ADVERTISING & PRINTING SERVICE	6,554	700	617	2,500	2,500	-	0.0%
POSTAGE AND SHIPPING	601	1,950	26	1,500	1,500	-	0.0%
PUBLIC SAFETY DETAIL SERV	2,229	6,003	5,637	4,500	4,500	-	0.0%
HVAC/ELECT/PLUMB SUPPLIES	1,702	956	2,058	2,500	2,500	-	0.0%
CUSTODIAL SUPPLIES	342	243	334	500	350	(150)	-30.0%

APPENDIX D

	FY2015	FY2016	FY2017	FY2018	FY2019	Variance \$	Variance %
WATER ENTERPRISE	Actuals	Actuals	Actuals	Budget	Request		
VEHICLE & EQUIP SUPPLIES	1,381	1,767	2,706	2,500	2,500	-	0.0%
VEHICLE & EQUIP FUEL	7,652	4,569	6,325	9,000	8,800	(200)	-2.2%
SMALL EQUIP SUPPLIES	590	2,163	3,218	2,000	2,000	-	0.0%
FOOD SUPPLIES	591	387	-	700	700	-	0.0%
MEDICAL & EQUIP SUPPLIES	-	-	134	400	400	-	0.0%
WATER TREATMENT SUPPLIES	60,439	51,066	47,383	62,500	62,500	-	0.0%
UNIFORMS AND GEAR	477	183	582	300	300	-	0.0%
GOVERNMENTAL FEES	2,590	2,662	4,173	3,000	3,000	-	0.0%
IN STATE TRAVEL	-	-	-	400	400	-	0.0%
WATER EMERGENCY FUND	-	-	13,507	15,000	15,000	-	0.0%
DUES MEMBERSHIP ETC	829	908	590	850	1,500	650	76.5%
OFU - TRANSFER TO GENERAL FUND	328,982	334,307	414,489	386,157	406,078	19,921	5.2%
Total Expenses	\$ 632,516	\$ 600,454	\$ 776,252	\$ 784,107	\$ 802,028	\$ 17,921	2.3%
Debt							
DEBT SERVICE INTEREST	4,125	148,682	145,048	212,273	204,923	(7,350)	-3.5%
DEBT SVC PRINCIPAL	45,000	305,000	300,000	390,000	350,000	(40,000)	-10.3%
INTEREST ON TEMPORARY LOANS	35,618	-	-	-	43,656	43,656	0.0%
Total Debt	\$ 84,743	\$ 453,682	\$ 445,048	\$ 602,273	\$ 598,579	\$ (3,693)	-0.6%
Capital							
CAPITAL PLANT	10,195	12,886	-	160,000	30,000	(130,000)	-81.3%
CAPITAL DISTRIBUTION SYSTEM	24,894	4,796	22,635	-	-	-	0.0%
CAPITAL WATER METERS	9,509	34,919	10,738	15,000	-	(15,000)	-100.0%
REPLACEMENT EQUIPMENT -VEHICLE	77,500	31,667	-	-	7,012	7,012	0.0%
Total Capital	\$ 122,097	\$ 84,268	\$ 33,373	\$ 175,000	\$ 37,012	\$ (137,988)	-78.9%
PRIOR YEAR ENCUMBRANCE	\$ -	\$ 8,685	\$ 2,142	\$ -	\$ -	\$ -	0.0%
TOTAL OPERATING EXPENDITURES	\$ 1,086,988	\$ 1,406,241	\$ 1,530,608	\$ 1,876,071	\$ 1,795,771	\$ (80,300)	-4.3%
BEGINNING FUND BALANCE	\$ 357,580	\$ 579,165	\$ 893,516	\$ 1,255,158	\$ 1,229,158		
NET INCOME/(LOSS)	\$ 221,585	\$ 314,351	\$ 361,642	\$ -	\$ -		
RETAINED EARNINGS	\$ -	\$ -	\$ -	\$ (26,000)	\$ (35,771)		
ENDING FUND BALANCE	\$ 579,165	\$ 893,516	\$ 1,255,158	\$ 1,229,158	\$ 1,193,387		
				Projected	Projected		

APPENDIX E
COMMUNITY PRESERVATION COMMITTEE BUDGET

1) Open Space and Recreation - Project

To appropriate \$42,400 from the Community Preservation Fund Balance to fund the debt service for the Donovan Acquisition.

2) Open Space and Recreation - Project

To appropriate \$114,000 (\$67,000 from the Community Preservation Fund Balance and \$47,000 from the FY19 Community Preservation Revenues) to fund the debt service for the Sagamore Hill conservation project.

3) Historic Preservation - Project

To appropriate \$200,000.00 (\$153,000 from the Community Preservation Fund Balance and \$47,000 from the FY19 Community Preservation Fund Revenues) as requested by the Town Manager for the Hamilton Department of Public Works to fund the restoration/renovation of the Patton Homestead, with the condition that if required by the nature of the restoration, architect stamped plans are submitted to the Hamilton Building Department and/or (in the case of work not requiring architectural plans) building permits are issued (which cannot be renewed) by July 1, 2020. *Note: The vote of the Community Preservation Committee was five in favor, with one abstention and none opposed.*

4) Community Housing - Project

To appropriate \$100,000 (\$53,000 from the Community Preservation Fund Balance and \$47,000 from the FY19 Community Preservation Revenues) to the Affordable Housing Trust for community housing purposes as required by G.L. c 44, § 55C(c)(1).

Note: The vote of the Community Preservation Committee was seven in favor, with none opposed.

5) Community Housing - Project

To appropriate \$30,000 (from the Community Preservation Fund Balance) to the Hamilton Planning Board to update the Housing Element of the Hamilton Comprehensive Plan.

Note: The vote of the Community Preservation Committee was eight in favor, with none opposed..

6) Administration - Expense

To appropriate \$23,500 of FY19 Community Preservation Fund Revenues for administration costs including, but not limited to, annual Community Preservation Coalition membership fees, signs publicizing CPA projects and salary for part-time Community Projects Coordinator position.

TOWN of HAMILTON, MASSACHUSETTS -- TOWN BYLAWS

BYLAW FOR THE IMPROVEMENT OF BLIGHTED OR UNSAFE STRUCTURES OR PROPERTY AND THE MAINTENANCE OF VACANT BUILDINGS - DRAFT 2.28.2018

1. AUTHORITY AND PURPOSE

Pursuant to the general powers granted to towns by Article 89 of the Amendments to the Massachusetts Constitution, and the specific powers granted by Massachusetts General Laws, Chapter 139, Sections 1-3A, this Bylaw is adopted for the prevention of any unreasonable interference with the common interest of the general public in maintaining decent, safe, and sanitary structures. The provisions of this Bylaw shall be applicable to any building or structure or property that meets any one of the three sets of conditions set forth herein under the definitions of “Blighted Structure or Property”, “Unsafe Structure or Property,” or “Vacant Buildings”.

2. DEFINITIONS

A. **Building** - A structure, whether portable or fixed, with exterior walls or firewalls and a roof, built, erected or framed, of a combination of any materials, to form shelter for persons, animals, or property.

B. **Structure** - A combination of materials, whether wholly or partially level with, above or below the surface of the ground, whether permanent or temporary, assembled at a fixed location to give support, shelter, or enclosure such as a building (see above), framework, retaining wall, platform, bin, fence, parking area, sign, flagpole, or mast for antenna or the like.

C. **Enforcement Authority** – This Bylaw shall be enforced by the Building Commissioner or his qualified designee.

D. **Interested Parties** - In connection with the enforcement and notification requirements of this Bylaw, Interested Parties are: the Enforcement Authority; any Responsible Party; owners and occupants of property abutting the subject property; owners and occupants of property directly opposite the subject property on any public or private street or way; and a person filing a complaint under this Bylaw.

E. **Occupant** - A person who occupies real property with the consent of the owner as a lessee, tenant at will, licensee, or otherwise. The singular use of the term includes the plural when the context so indicates.

F. **Owner** - Every person who alone or jointly or severally with others (a) has legal title to any building, structure or property; or (b) has care, charge, or control of any such building structure or property in any capacity including but not limited to agent, executor, executrix,

administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or (c) is a mortgagee in possession; or (d) is an agent, trustee or other person appointed by the courts.

G. Responsible Party - The owner or occupant (in the case of real property) of property that is the subject of proceedings under this Bylaw. The singular use of the term includes the plural when the context so indicates.

3. BLIGHTED STRUCTURE OR PROPERTY

Blighted is a condition of structure or property that by reasonable determination displays physical deterioration that renders the structure unfit for human habitation, in need of major maintenance or repair, or lacks ventilation, light or sanitation facilities, and that contributes to detrimental effects to safety or health and unreasonably interferes with the common interest of the general public in maintaining decent, safe, and sanitary structures. This definition of the term "blighted" is based on Massachusetts General Laws Chapters 121A and 121B and the implementing regulations which provide guidance regarding the definition of blighted structures. Blighted does not constitute a condition that merely adversely affects property values. The term blighted includes, but is not limited to:

- (a) property having deteriorated roofs, foundations, walls, or floors, including broken or inadequately secured windows or doors;
- (b) burned structures not otherwise lawfully habitable or usable;
- (c) property that attracts or harbors vermin or rodents or wild animals; or
- (d) garbage and rubbish.

4. UNSAFE STRUCTURE OR PROPERTY

Unsafe is a condition of a structure or structures or personal property that exposes persons to unreasonable risk of injury or harm, or exposes property to unreasonable risk of damage, loss or destruction.

5. VACANT BUILDINGS

Vacant buildings or structures are ones which (a) are or will be unoccupied, i.e., not inhabited or lived in, by a Responsible Party for a period of one-hundred-and-eighty (180) consecutive days or more and (b) which appear to manifest blighted or unsafe conditions as defined in Sections 3 and 4, and (c) for which the Responsible Party has failed to do any of the following:

- (a) comply with all applicable sanitary, building, and fire codes and orders issued pursuant thereto;
- (b) secure the premises to prevent unauthorized entry and exposure to the elements;
- (c) maintain the premises in a manner that ensures their external/visible maintenance, including but not limited to the maintenance of major systems, the removal of trash and debris, and the

upkeep of lawns, shrubbery, and other landscape features;

(d) repair or replace broken windows or doors within thirty (30) days. Boarding up any doors or windows is prohibited except as a temporary measure for no longer than thirty (30) days, and;

(e) for properties vacant for six months or more at which the utilities have been shut off, remove or cut and cap such utilities to prevent accidents.

6. VIOLATIONS

If the Enforcement Authority is informed of or has reason to believe that blighted or unsafe conditions, as defined in Sections 3 and 4, or that vacant buildings, as defined in Section 5, exist on any real property in the Town, he may make or cause to be made an investigation of the facts, including an inspection of the property where the condition may exist. In making such inspection, the Enforcement Authority shall have such right of access to premises that may be lawfully exercised by him under the laws and constitution of the Commonwealth and/or of the United States.

7. PROCEDURES FOR ENFORCEMENT

A. Procedures – During his investigation of the matter, the Enforcement Authority shall make reasonable efforts to consult with the Responsible Party for the purpose of obtaining voluntary compliance with this Bylaw before initiating any enforcement action.

If, after inspection, the Enforcement Authority confirms the existence of blighted or unsafe conditions or vacant buildings in violation of this Bylaw and the Responsible Party fails to voluntarily comply, he shall issue a Notice of Violation and may make and issue such Orders as he deems necessary to correct or eliminate the blighted or unsafe conditions or obtain compliance with the requirements for vacant buildings. Said Notice and Orders shall be in writing and shall be served upon all Responsible Parties as can be determined after reasonable inquiry.

Any Interested Party who has filed a written complaint of blighted or unsafe conditions or vacant buildings to the Enforcement Authority upon which complaint the Enforcement Authority has determined that the conditions do not exist, or the Enforcement Authority has taken action that the Interested Party claims is inadequate, shall have a right to a review of the matter by the Town Manager. At the request of such an Interested Party, the Town Manager shall confer with the Enforcement Authority and may confer with other appropriate agencies of Town government such as the Council on Aging, Assessors Department, and Building Department. The Town Manager shall make a decision and recommend appropriate action in writing to the Interested Parties, the Responsible Parties, the Enforcement Authority, and the Board of Selectmen.

Any person aggrieved by the decision and recommendation of the Town Manager may request a hearing before the Board of Selectmen. Said request shall be in writing and received by the Board of Selectmen within ten (10) business days of issuance of the Town Manager's decision. A copy of the hearing request shall also be delivered to the complainant, if any, and to all

Interested Parties. It shall be the responsibility of the person requesting the hearing to show that all Interested Parties have been notified of the request. If no such request is received within the time specified herein, the order of the Enforcement Authority shall be final.

A request for hearing shall not constitute a stay of the Enforcement Authority's Order unless the Enforcement Authority so orders.

Upon receipt of a timely request, the Board of Selectmen shall convene a public hearing, which may include an examination of any complainant or Responsible Party, under oath, to determine whether conditions under this Bylaw exist. Based on the evidence and testimony presented at said public hearing, the Board of Selectmen may affirm the Enforcement Authority's Order, reverse and nullify the Order, or issue any such Order as it deems necessary to ensure the protection of public safety and/or eliminate blighted or unsafe conditions. The determination of the Board of Selectmen after a hearing shall be final.

Fines for non-compliance with the Enforcement Authority's or Board of Selectmen's Order may be assessed as a non-criminal disposition pursuant to M.G.L. Chapter 40, Section 21D and Article XIII of the Town's Bylaws in the following amounts:

- i. First offense, \$100.00
- ii. Second offense, \$200.00
- iii. Third and successive offenses, \$300.00 each

Each violation of this Bylaw shall constitute a separate offense. Each day that any such violation continues shall constitute a separate offense.

The Enforcement Authority may require that a complaint be made in writing subject to the penalties of perjury. If the Enforcement Authority determines that a reported condition may warrant immediate action, or constitutes a substantial violation of this Bylaw, the Enforcement Authority may seek authority to file for injunctive relief in court without first holding a hearing or providing prior notice to the Responsible Party and without requiring the disclosure of the identity of the complainant.

If the Enforcement Authority determines that the condition is subject to the jurisdiction of the Board of Health or is a violation of the State Sanitary Code or any health regulation, in addition to enforcing this Bylaw, he shall refer the matter to the Board of Health for action.

B. Notice to Complainant - In any matter in which a complaint has been made by a person other than the Enforcement Authority, the Enforcement Authority shall notify the complainant in advance of all conferences or proceedings concerning resolution of the complaint or of any enforcement action and the complainant shall be allowed to be present.

C. Removal of Blighted or Unsafe Conditions or Vacant Buildings by Selectmen - If the Responsible Party fails to remedy the conditions upon notice and order from the Enforcement Authority to do so, the Board of Selectmen may cause corrective action for the conditions as provided in General Laws c. 139.

E. Reports by Enforcement Authority - The Enforcement Authority shall file with the Town Manager each month a report that shall include all complaints under this Bylaw made to him during the prior month; all proceedings begun by him under this Bylaw; all pending complaints and all investigations and enforcement actions taken by him or referred to the Board of Health. The report shall state the location of the premises, a summary of the nature of the complaint, the name of the Responsible Party(ies), and the disposition or the status of the matter.

8. OTHER LAWS

Compliance with this Bylaw shall not relieve the Responsible Party of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.

Approved at Town Meeting (date)

Approved by Attorney General's Office (date)

Chapter XXXI, Section 8: Preservation of Historically Significant Buildings

Purpose and Intent

This bylaw is adopted for the purpose of preserving and protecting significant historic buildings, as defined herein, within the Town of Hamilton and encouraging owners of such buildings to seek out alternatives so as to preserve, rehabilitate, or restore such buildings rather than to demolish them or alter them in a detrimental way. Such buildings constitute or reflect distinctive features of the architectural, cultural, economic, agricultural, political, or social history of the Town. Further, through the bylaw, residents of the Town are alerted to impending demolition or alteration of significant buildings. By preserving and protecting significant buildings, streetscapes, landscapes and neighborhoods, this bylaw promotes the public welfare by making the Town a more attractive and desirable community.

To achieve these purposes, the Hamilton Historic District Commission, exercising its powers and duties as the Historical Commission, shall advise the Building Inspector with respect to applications for demolition permits, as defined herein. The issuance of demolition permits is regulated as provided by this bylaw.

Definitions – As used throughout this bylaw, the terms defined below have the following meanings:

APPLICANT - Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

APPLICATION - An application for the demolition of a building.

BUILDING - Any combination of materials having a roof, whether partial or full, and regardless of the presence or absence of walls or sides, and which is intended for shelter, housing, or enclosure of any person, process, equipment, animals, or goods, including a structure.

BUILDING INSPECTOR - The person occupying the office of Building Inspector or otherwise authorized to issue demolition permits.

COMMISSION – The Hamilton Historic District Commission, as defined by Chapter XXXI of the Town Bylaws, or its designee.

DEMOLITION - Any act of pulling down, destroying, removing, dismantling, or razing a building or commencing the work of total or substantial destruction with the intent of completing the same. The removal, whether in one project or more than one project over the course of a twenty-four (24) month period, of 50% or greater of a building involving the removal of historically significant character-defining exterior features as determined by the Commission

shall constitute demolition. Normal repairs or maintenance in kind that is identical to the original structure does not constitute demolition.

DEMOLITION/ALTERATION PERMIT - The building permit issued by the Building Inspector as required by the State Building Code for demolition, substantial demolition, alteration, renovation or removal of a building, excluding a building permit issued solely for the demolition of the interior of a building. **HISTORIC DISTRICT** - a defined district, such as the existing Hamilton Historic District, that has been established under the Historic Districts Act, General Laws, Chapter 40C.

PREFERABLY PRESERVED - Any significant building or structure that the Commission determines, following a public hearing, should be preserved or rehabilitated rather than demolished. A preferably preserved building or structure is subject to the 12-month demolition delay period of this bylaw.

SIGNIFICANT BUILDING – Any building or portion thereof within the Town constructed prior to 1940 and which has been determined by the Commission or its designee to be significant based on any of the following criteria:

- The building is listed on, or is within an area listed on, the National Register of Historic Places; or
- The building has been found, by the Massachusetts Historical Commission, to be eligible for the National Register of Historic Places; or
- The building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the Town, the Commonwealth or the nation; or
- The building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

If a building is of an unknown age, it shall be presumed to be constructed prior to 1940.

Procedure

No Demolition/Alteration Permit for a significant building shall be issued until the provisions of this bylaw have been satisfied.

An application for a Demolition/Alteration Permit for a building regulated by this bylaw is to be submitted to the Building Inspector, who shall within seven (7) calendar days of receipt transmit a copy thereof to the Commission. No Demolition/Alteration Permit shall be issued during this time.

An applicant who requires a Special Permit from the Planning Board or from the Board of Appeals in order to perform any activity subject to the requirements of this bylaw may, at the time of filing an application for said Special Permit, file with the Building Inspector a Notice of Intention to apply for a Demolition/Alteration Permit. Such Notice shall be filed in the same manner, and contain the same documentation, as an application for a Demolition/Alteration Permit for a building that was, in whole or part, built prior to 1940. The purpose of the Notice is to allow, if necessary, the applicable boards to hear and decide historic preservation and Special Permit matters contemporaneously. Once filed, such Notice shall be treated for the purpose of Historic Preservation review by the Commission and the special permit granting authority as an application filed pursuant to this section. In the event that the required Special Permit issues to the applicant, the Building Inspector may treat such Notice as an application for a Demolition/Alteration Permit.

An applicant may withdraw an application without prejudice at any time prior to a decision by the Commission.

The Building Inspector shall, within seven (7) calendar days of receipt of such application, forward a copy thereof to the Commission.

Within ten (10) business days of the receipt of the Application by the Commission, the Commission staff in consultation with the Chair of the Commission shall make an initial determination as to whether the building falls into one or more of the categories listed as (a) through (d) below, and shall notify in writing the Commission, the Building Commissioner, Town Clerk, Planning Director, the Applicant, and the owner of record if different from the Applicant, of the initial determination. The categories are as follows:

- a. The building is located in the Historic District;
- b. The building is listed on or is within an area listed on the National or State Register of Historic places; is eligible for listing on either Register; or is a building for which a preliminary determination of eligibility has been made by the Massachusetts Historical Commission;
- c. The building is associated with one or more significant historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the Town, Commonwealth, or nation; or
- d. The building is historically or architecturally significant in terms of its period, style, method of building construction, or its association with a significant architect or builder, either by itself or as part of a group of buildings.

If the building does not fall into any of these categories, the Chair and Commission Staff may determine that the building in question is not preferably preserved and not subject to the public hearing process. Within five (5) business days of the filing of the initial determination with the Town Clerk, any person aggrieved by the determination may file with Commission Staff and the Town Clerk an appeal of the Chair and Commission Staff's determination and the application

will require review by the full Commission. The Building Inspector may not issue the demolition permit until the expiration of the five (5) business day appeal period.

Within twenty one (21) calendar days of receipt of the application from the Building Inspector, the Commission shall hold a meeting to determine if a public hearing will be required to determine whether the significant building is preferably preserved. If it is determined that no public hearing is required, the Building Inspector is authorized to issue the demolition permit. If it is determined that a public hearing is required, the Commission will hold a public hearing as specified in this bylaw.

Within forty five (45) calendar days of the determination that a public hearing is required, the Commission shall hold a public hearing to determine if it is in the public interest for a significant building to be preserved or rehabilitated rather than demolished, and, based on such determination, whether the significant building is a preferably preserved building.

No less than fourteen (14) calendar days prior to the hearing date, the Commission shall transmit written notice of the meeting time and place to the applicant, owner of record (if different from the applicant), the owners of all properties within 300 (three hundred) feet of the subject property, the Building Inspector, the Hamilton Historical Society, and any others the Commission deems necessary to notice. The Commission shall give notice of the public hearing by publishing once at least fourteen (14) calendar days before the hearing a notice in a newspaper of general circulation in the town of the time, place, and purpose of the hearing. The applicant shall be responsible for the payment of the cost of publication.

In cases where it is known that additional approvals will be required for the proposed redevelopment of the premises, including zoning variances, special permits, and/or subdivision approvals, notice of the Commission's public hearing shall be provided to the authority responsible for granting said approvals.

If, following the public hearing, the Commission determines that:

1. The building is historically or architecturally significant; and
2. The demolition of this historically or architecturally significant building would be detrimental to the historical or architectural resources of the Town,

the Commission shall declare the building a preferably preserved significant building.

If, following the public hearing, the Commission determines that the building proposed for demolition is not historically or architecturally significant, or that the proposed demolition of the building would not be detrimental to the purposes protected by this bylaw, the Commission shall notify the Building Inspector. The Building Inspector may then issue the Demolition/Alteration Permit.

The Commission shall file written notice of its decision with the Town Clerk within thirty (30) calendar days of its vote. A copy of the decision shall also be mailed to the applicant and provided to the Building Inspector.

Failure to open the hearing or file its decision with the Town Clerk within these prescribed time periods shall be deemed to constitute constructive approval by the Commission, and in such case, the Building Inspector shall, subject to the requirements of the State Building Code and any other applicable laws, by-laws, rules and regulations, issue the Demolition/Alteration Permit.

Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved building, no permit for new construction or alterations of the premises shall be issued for a period of twelve (12) months from the date of the receipt of the application of the Demolition/Alteration Permit to the Building Inspector unless otherwise agreed to by the Commission. The time period for delay shall be extended until the final resolution of any appeal of the Commission's decision to delay filed by the applicant, if the appeal is not resolved by the end of the twelve month period.

If twelve (12) months (if no appeal by the applicant) or the extended time period as set forth in the preceding paragraph have passed since the Demolition/Alteration Permit application was submitted to the Building Inspector, a Demolition/Alteration Permit shall be promptly issued by the Building Inspector.

Notwithstanding the above, the Building Inspector may issue a Demolition/Alteration Permit for a preferably preserved building after receipt of written notice from the Commission that:

1. The building has been fully documented to the satisfaction of the Commission,
2. All salvageable and valuable artifacts and materials have been or will be removed and preserved to the satisfaction of the Commission, and
3. Any of the following applies:
 - a) The Commission is satisfied that there is no reasonable likelihood that the applicant, owner, or some other reasonable person or group is willing to purchase, preserve, rehabilitate, restore, or relocate said building; or
 - b) The Commission is satisfied that for at least 12 (twelve) months, including periods of time prior to the date of submission of an application for demolition permit, the owner has made continuing, bona fide, and reasonable efforts to locate a purchaser to preserve, rehabilitate, restore, or relocate said building or structure, and that such efforts have been unsuccessful; or
 - c) The Commission is satisfied that the proposed demolition may be conducted in a manner that is not detrimental to the historical or architectural resources of the town.

The Building Inspector may issue a demolition permit or a building permit for a preferably preserved building within the 12 (twelve) months if the Commission notifies the Building Inspector in writing that the Commission finds that the intent and purpose of this bylaw is served even with the issuance of the demolition permit.

No permit for demolition of a building determined to be a preferably preserved building shall be granted until all plans for future use and development of the site have been filed with the Building Inspector and have been found to comply with all laws pertaining to the issuance of a building permit. All approvals necessary for the issuance of such building permit including without limitation any necessary zoning variances or special permits must be granted and all appeals from the granting of such approvals must be concluded prior to the issuance of a demolition permit under this bylaw.

A decision by the Commission expires two (2) years from the date of the decision. If demolition has not occurred prior to the expiration of the Commission's decision, a new application for a demolition permit must be filed with the Building Inspector, and reviewed by the Commission in accordance with the provisions of this section, prior to any subsequent demolition.

Application Contents

An applicant proposing to demolish a building subject to this bylaw shall file with the Building Inspector an application containing the following information:

1. The address of the building to be demolished.
2. Map showing location of the building or portion thereof to be demolished, with reference to the lot lines and to neighboring buildings and structures.
3. Written description of the building or portion thereof to be demolished sufficient to identify the nature and extent of the proposed demolition.
4. Photographs of all elevations.
5. The owner's name, address and telephone number, and e-mail address.
6. Construction date of building and source for information.
7. The reason for requesting a Demolition/Alteration Permit.
8. A brief description of the proposed reuse, reconstruction or replacement.
9. Authorization for a site visit by the Commission.

Administration

The Commission may adopt such rules and regulations as are necessary to administer the terms of this bylaw, but may not increase the length of the delay period stated herein.

In computing any period of time prescribed in this bylaw, the day of the act, event, or default after which the designated period begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next business day.

The Commission is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this bylaw, including the retention of consultants deemed necessary to assist the Commission in its review of an application.

The Commission may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee.

The Commission may proactively develop a list of significant buildings that will be subject to this by-law. Buildings proposed for the significant building list shall be added following a public hearing, with notice to the record owners of any building proposed to be included on the list.

Responsibilities of the Owner

The owner of a significant building for which a Demolition/Alteration Permit is being sought shall:

1. Provide such information as is reasonably requested by the Commission in connection with its consideration of whether the significant building is a preferably preserved building.
2. Allow exterior access to the property on which the significant building is located, as reasonably requested by the Commission; and
3. Secure the significant building.

An applicant who has applied for a Demolition/Alteration Permit for a preferably preserved building shall:

1. Participate in the investigation of preservation options for the preferably preserved building; and
2. Reasonably cooperate with the Commission and any interested parties seeking alternatives to the demolition of the preferably preserved building.

Once a significant building is determined to be a preferably preserved building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the Building Inspector.

Should the owner fail to secure the building, a subsequent destruction of the building at any time during the demolition delay period, which destruction could have been prevented by the required security measures, shall be considered a demolition in violation of this bylaw.

Emergency or Hardship Demolition

If after an inspection the Building Inspector finds that a building subject to this bylaw is found to pose an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building, then the Building Inspector may issue an emergency demolition permit to the owner.

The Building Inspector shall then prepare a report explaining the condition of the building and the basis for his decision, which shall be forwarded to the Commission, within five (5) calendar days.

If the owner of the building suffers from financial hardship such that sale of the building to a buyer who wishes to demolish the building is the only option to provide the owner with financial support to preserve or protect the owner's health, safety or well-being, the Chair and the Commission staff may file with the Town Clerk and the Building Inspector a determination of financial hardship. Within five (5) business days of the filing of the determination of financial hardship with the Town Clerk, any person aggrieved by the determination may file with Commission Staff and the Town Clerk an appeal of the Chair and Commission Staff's determination and the application will require review by the full Commission. The Building Inspector may not issue the demolition permit until the expiration of the five (5) business day appeal period. In reviewing a request for a determination of financial hardship, the Chair and Commission staff may consider the sale price, the identity of the buyer, and the buyer's relationship with the owner, if any, to ensure that the purchase is not an effort to evade the provisions of this bylaw.

Nothing in this bylaw is intended to conflict with or abridge any obligations or rights conferred by G.L. c. 143, §§ 6-10 regarding removal or demolition of dangerous or abandoned structures. In the event of a conflict, the applicable provisions of Chapter 143 shall control.

Nothing in this bylaw shall be deemed to conflict with or abridge the authority of the Board of Health pursuant to G.L. c. 111, § 127B or the Board of Selectmen pursuant to G.L. c. 139, §§ 1 – 3A. The Board of Health or the Board of Selectmen is encouraged to consult with the Commission prior to taking action against a building constructed prior to 1940.

Nothing in this by-law shall be deemed to conflict with the provisions of the Historic Districts Act, Massachusetts General Laws, Chapter 40C, with respect to requirements of notice, hearing and issuance by the Commission of a Certificate of Appropriateness, a Certificate of Non-Applicability or a Certificate of Hardship prior to demolition of any building in the historic district.

Enforcement and Remedies

Permits and determinations under this bylaw shall run with the land.

The Commission and Building Inspector are each specifically authorized to institute any and all actions and proceedings as either of them may deem necessary and appropriate to obtain compliance with the requirements of this bylaw or to prevent a threatened violation thereof.

Any owner of a significant building that is demolished without first obtaining a Demolition/Alteration Permit in accordance with the provisions of this bylaw shall be subject to a penalty of \$100 (one hundred dollars). Each day the violation exists until a faithful restoration of the demolished building or other remediation plan has been approved by the Commission shall constitute a separate offense. The Building Inspector may enforce this section by noncriminal disposition as provided by MGL c. 40, § 21D.

If a significant building is voluntarily demolished without first obtaining a Demolition/Alteration Permit, no building permit authorizing construction on the lot on which the building was located or on any adjoining lot under common ownership therewith shall be issued for a period of two (2) years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership or control, unless the building permit is for the faithful restoration of the significant building or unless otherwise agreed to by the Commission.

Appeals

A person aggrieved by reason of their inability to obtain a Demolition/Alteration Permit may appeal to the Board of Selectmen. The appeal shall be filed with the Town Clerk within twenty-one (21) calendar days after the date that the Commission's decision is filed with the Town Clerk. The Petitioner shall transmit a copy of the Commission's decision, with the date of filing certified by the Town Clerk, to the Board of Selectmen. The Board of Selectmen shall hold a public hearing within thirty (30) calendar days of the receipt of the petition and shall render a decision within sixty (60) calendar days from the date of filing. Failure by the Board of Selectmen to take final action upon a petition within the sixty (60) day period shall be deemed to be a grant of the appeal.

A person aggrieved by a decision of the Board of Selectmen may appeal to a court of competent jurisdiction within twenty-one (21) calendar days after the Board's decision has been filed with the Town Clerk. Notice of such action with a copy of the complaint shall be filed with the Town Clerk within the same twenty-one (21) days.

Historic Districts Act

Following a determination that the building is significant and preferably preserved, the Commission may recommend to Town Meeting that the building be protected through the provisions of Massachusetts General Law, Chapter 40C, the Historic Districts Act. The steps

required under M.G.L. Chapter 40C shall be followed prior to the expansion of the local historic district. Nothing in this by-law shall be deemed to conflict with the provisions of the Historic Districts Act, Massachusetts General Laws Chapter 40C. If any of the provisions of this by-law do so conflict, that act shall prevail.

Severability

If any provision of this bylaw shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible, and the balance of the bylaw shall be deemed to be amended to the minimum extent necessary so as to secure the purposes of this bylaw.

DATE \@ "M/d/yyyy"

Ch. XXXVII

BYLAW FOR THE IMPROVEMENT OF UNSAFE STRUCTURES OR PROPERTY AND THE MAINTENANCE OF VACANT BUILDINGS

1. AUTHORITY AND PURPOSE

Pursuant to the general powers granted to towns by Article 89 of the Amendments to the Massachusetts Constitution, and the specific powers granted by Massachusetts General Laws, Chapter 139, Sections 1-3A, this Bylaw is adopted for the prevention of any unreasonable interference with the common interest of the general public in maintaining decent, safe, and sanitary structures. The provisions of this Bylaw shall be applicable to any building, structure, or property that meets any one of the two sets of conditions set forth herein under the definitions of "Unsafe Structure or Property," or "Vacant Buildings".

2. DEFINITIONS

A. **Building** - A structure, whether portable or fixed, with exterior walls or firewalls and a roof, built, erected or framed, of a combination of any materials, to form shelter for persons, animals, or property.

B. **Structure** - A combination of materials, whether wholly or partially level with, above or below the surface of the ground, whether permanent or temporary, assembled at a fixed location to give support, shelter, or enclosure such as a building (see above), framework, retaining wall, platform, bin, fence, parking area, sign, flagpole, or mast for antenna or the like.

C. **Enforcement Authority** – This Bylaw shall be enforced by the Building Commissioner or his qualified designee.

D. **Interested Parties** - In connection with the enforcement and notification requirements of this Bylaw, Interested Parties are: the Enforcement Authority; any Responsible Party; owners and occupants of property abutting the subject property; owners and occupants of property directly opposite the subject property on any public or private street or way; and a person filing a complaint under this Bylaw.

E. **Occupant** - A person who occupies real property with the consent of the owner as a lessee, tenant at will, licensee, or otherwise. The singular use of the term includes the plural when the context so indicates.

F. **Owner** - Every person who alone or jointly or severally with others (a) has legal title to any building, structure or property; or (b) has care, charge, or control of any such building structure or property in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or (c) is a mortgagee in possession; or (d) is an agent, trustee or other person appointed by the courts.

G. Responsible Party - The owner or occupant (in the case of real property) of property that is the subject of proceedings under this Bylaw. The singular use of the term includes the plural when the context so indicates.

3. UNSAFE STRUCTURE OR PROPERTY

Unsafe is a condition of a structure or structures or personal property that exposes persons to unreasonable risk of injury or harm, or exposes property to unreasonable risk of damage, loss or destruction.

4. VACANT BUILDINGS

Vacant buildings or structures are ones which (a) are or will be unoccupied, i.e., not inhabited or lived in, by a Responsible Party for a period of one hundred eighty (180) consecutive days or more and (b) for which the Responsible Party has failed to do any of the following:

- (a) comply with all applicable sanitary, building, and fire codes and orders issued pursuant thereto;
- (b) secure the premises to prevent unauthorized entry and exposure to the elements;
- (c) maintain the premises in a manner that ensures their external/visible maintenance, including but not limited to the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery, and other landscape features;
- (d) repair or replace broken windows or doors within thirty (30) days. Boarding up any doors or windows is prohibited except as a temporary measure for no longer than thirty (30) days, and;
- (e) for properties vacant for six months or more at which the utilities have been shut off, remove or cut and cap such utilities to prevent accidents.

5. VIOLATIONS

If the Enforcement Authority is informed of or has reason to believe that unsafe conditions, as defined in Section 3, or that vacant buildings, as defined in Section 4, exist on any real property in the Town, he may make or cause to be made an investigation of the facts, including an inspection of the property where the condition may exist. In making such inspection, the Enforcement Authority shall have such right of access to premises that may be lawfully exercised by him under the laws and constitution of the Commonwealth and/or of the United States.

6. PROCEDURES FOR ENFORCEMENT

A. Procedures – During his investigation of the matter, the Enforcement Authority shall make reasonable efforts to consult with the Responsible Party for the purpose of obtaining voluntary compliance with this Bylaw before initiating any enforcement action.

If, after inspection, the Enforcement Authority confirms the existence of unsafe conditions or vacant buildings in violation of this Bylaw and the Responsible Party fails to voluntarily comply, he shall issue a Notice of Violation and may make and issue such Orders as he deems necessary to correct or eliminate the unsafe conditions or obtain compliance with the requirements for vacant buildings. Said Notice and Orders shall be in writing and shall be served upon all Responsible Parties as can be determined after reasonable inquiry.

Any Interested Party who has filed a written complaint of unsafe conditions or vacant buildings to the Enforcement Authority upon which complaint the Enforcement Authority has determined that the conditions do not exist, or the Enforcement Authority has taken action that the Interested Party claims is inadequate, shall have a right to a review of the matter by the Town Manager. At the request of such an Interested Party, the Town Manager shall confer with the Enforcement Authority and may confer with other appropriate agencies of Town government such as the Council on Aging, Assessors Department, and Building Department. The Town Manager shall make a decision and recommend appropriate action in writing to the Interested Parties, the Responsible Parties, the Enforcement Authority, and the Board of Selectmen.

Any person aggrieved by the decision and recommendation of the Town Manager may request a hearing before the Board of Selectmen. Said request shall be in writing and received by the Board of Selectmen within ten (10) business days of issuance of the Town Manager's decision. A copy of the hearing request shall also be delivered to the complainant, if any, and to all Interested Parties. It shall be the responsibility of the person requesting the hearing to show that all Interested Parties have been notified of the request. If no such request is received within the time specified herein, the order of the Enforcement Authority shall be final.

A request for hearing shall not constitute a stay of the Enforcement Authority's Order unless the Enforcement Authority so orders.

Upon receipt of a timely request, the Board of Selectmen shall convene a public hearing, which may include an examination of any complainant or Responsible Party, under oath, to determine whether conditions under this Bylaw exist. Based on the evidence and testimony presented at said public hearing, the Board of Selectmen may affirm the Enforcement Authority's Order, reverse and nullify the Order, or issue any such Order as it deems necessary to ensure the protection of public safety and/or eliminate unsafe conditions. The determination of the Board of Selectmen after a hearing shall be final.

Fines for non-compliance with the Enforcement Authority's or Board of Selectmen's Order may be assessed as a non-criminal disposition pursuant to M.G.L. Chapter 40, Section 21D and Article XIII of the Town's Bylaws in the following amounts:

- i. First offense, \$100.00
- ii. Second offense, \$200.00
- iii. Third and successive offenses, \$300.00 each

Each violation of this Bylaw shall constitute a separate offense. Each day that any such violation continues shall constitute a separate offense.

The Enforcement Authority may require that a complaint be made in writing subject to the penalties of perjury. If the Enforcement Authority determines that a reported condition may warrant immediate action, or constitutes a substantial violation of this Bylaw, the Enforcement Authority may seek authority to file for injunctive relief in court without first holding a hearing or providing prior notice to the Responsible Party and without requiring the disclosure of the identity of the complainant.

If the Enforcement Authority determines that the condition is subject to the jurisdiction of the Board of Health or is a violation of the State Sanitary Code or any health regulation, in addition to enforcing this Bylaw, he shall refer the matter to the Board of Health for action.

B. Notice to Complainant - In any matter in which a complaint has been made by a person other than the Enforcement Authority, the Enforcement Authority shall notify the complainant in advance of all conferences or proceedings concerning resolution of the complaint or of any enforcement action and the complainant shall be allowed to be present.

C. Removal of Unsafe Conditions or Vacant Buildings by Selectmen - If the Responsible Party fails to remedy the conditions upon notice and order from the Enforcement Authority to do so, the Board of Selectmen may cause corrective action for the conditions as provided in General Laws c. 139.

E. Reports by Enforcement Authority - The Enforcement Authority shall file with the Town Manager each month a report that shall include all complaints under this Bylaw made to him during the prior month; all proceedings begun by him under this Bylaw; all pending complaints and all investigations and enforcement actions taken by him or referred to the Board of Health. The report shall state the location of the premises, a summary of the nature of the complaint, the name of the Responsible Party(ies), and the disposition or the status of the matter.

7. OTHER LAWS

Compliance with this Bylaw shall not relieve the Responsible Party of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.