

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

TOWN HALL—MEMORIAL ROOM

November 19, 2018

Selectmen Present:	Chair Shawn Farrell, Scott Maddern, William Olson and Jeff Hubbard
Selectmen Absent:	Allison Jenkins
Town Manager:	Joe Domelowicz
Other Town Staff Present:	Finance Director Marisa Batista

Chair Shawn Farrell called the Board of Selectmen (BOS) meeting to order with a quorum present at 7:07 p.m.

Public Comment

Jill Ciaramitaro, 56 Postgate Road, spoke at the last meeting. She said she was there again because she's at a breaking point. She lives in East Hamilton and her area has lost power five times since Aug. 29. She thanked National Grid for its tree trimming work, but said the outages aren't always related to trees and National Grid will need to commit money for a solution. She is doing what she can to reach out to political leaders and to National Grid. Mr. Farrell encouraged her to keep doing that and said the Town is doing so, as well.

Sheila Russell, 245 Echo Cove Road, also affected by the outages, clarified that the Town can't fix the problem; it can only be fixed by putting pressure on National Grid.

Noreen Slocomb, 5 Taft Woods Row, asked if a signed petition from neighbors might help. Town Manager Joe Domelowicz told her it couldn't hurt. William Olson said National Grid has acknowledged the issue and is trying to reduce the outages. Mr. Domelowicz noted there's more it needs to do.

Tax Classification Hearing

Mr. Farrell explained this agenda item was postponed to a future meeting because the BOS doesn't have official DOR [Department of Revenue] approval yet.

Vote to Establish Age Limit for the Chapter 91 Exemption

The Board of Assessors had recommended the BOS leave the limit for exemption at age 65.

Decision:

Scott Maddern made a motion that the BOS accept the Board of Assessors' recommendation of 65 as the age limit for the Chapter 91 Exemption. Jeff Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to accept the motion.

ANNOUNCEMENTS

- **Board and Committee Openings:** The Open Space Committee still has a few openings.
- The public is being asked to join the Hamilton Police Department in supporting the Shriner's Hospital by donating unwrapped toys. The Stuff-A-Cruiser event will take place Dec. 15, 10 a.m. -2 p.m. at the Hamilton Police Station. Santa will be there.

CONSENT AGENDA

- **Approve Minutes from the BOS meeting on Oct. 22.**
- **Approve Minutes from the BOS Executive Session on Oct. 22.**
- **Appoint Penny Wingate to the Council on Aging Board for a term through June 30, 2020**
- **Ferial Johnson DPW requests permission for "Buck Off Cancer 5K Walk" (route attached) on Saturday, Nov. 24.**

Decision:

Mr. Maddern made a motion to approve the Consent Agenda. Mr. Olson seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Maddern commented on the late addition of the cancer walk, but said it shouldn't pose a problem for the Police Department. Mr. Domelowicz noted the group wasn't aware they had to come before the board; the walk will benefit a local person diagnosed with cancer.

LIQUOR LICENSE RENEWALS

All Alcohol Licenses for 2019

- **15 Walnut, Black Cow, Weathervane Tavern, Myopia Hunt Club, and American Legion—Vote**

Decision:

Mr. Olson made a motion to approve the All Alcohol Licenses for 2019 for 15 Walnut, Black Cow, Weathervane Tavern, Myopia Hunt Club, and American Legion. Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Package Store All Alcohol Licenses for 2019

- **Harrigan's of Hamilton and the Community Package Store—Vote**

Decision:

Mr. Hubbard made a motion to approve the Package Store All Alcohol Licenses for 2019 for Harrigan's of Hamilton and the Community Package Store. Mr. Maddern seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Package Store Malt and Wine Licenses for 2019

- **Hamilton Convenience Store and Crosby's Marketplace—Vote**

Decision:

Mr. Olson made a motion to approve the Package Store Malt and Wine Licenses for 2019 for Hamilton Convenience Store and Crosby's Marketplace. Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Package Store Malt, Wine and Cordials License for 2019

- **Honeycomb—Vote**

This decision was postponed. Mr. Farrell said they were waiting on paperwork.

Selectmen/Town Manager Reports

Mr. Hubbard said the Veterans Affairs of Northern Essex County District is putting together goals for the Veterans Affairs director. The Gordon-Conwell Theological Seminary Task Force had a tour of the campus. The Seminary put time and resources into making sure they saw what they wanted to see, such as the steeple where the antennae may or may not go, and land around the water storage tanks. The Task Force was impressed with some of the large meeting spaces. Mr. Domelowicz said the outgoing and incoming Seminary president are on the same page and looking to get the two committees together shortly.

Mr. Olson thanked the American Legion for a great Veterans Day breakfast. The Hamilton Affordable Housing Trust (HAHT) will meet Dec. 10 and have a discussion on Willow Street. Two new houses were added to the affordable housing stock. The Planning Board will meet tomorrow night and discuss trees on scenic highways (cutting them down to avoid power outages), the Master Plan, and applications for some subdivisions.

Mr. Maddern said he and John Pruellage met with Gene Lee of the School Committee in preparation for tonight's meeting with the Finance and Advisory Committee (FinCom). The School Committee meeting last week to discuss the school resource officer was postponed.

Mr. Farrell echoed Mr. Olson's comments about the Veteran's Day event and mentioned the rededication of the army tank in Patton Park. The Cultural Council will award \$10.5K in grants. They had 18 applicants. Grant recipients will be announced in January after an appeals process. The Recreation Board is meeting tonight for discussion on a potential skate park, a temporary batting cage at Patton Park, the Pingree Park tennis courts, which are in rough shape, and the synthetic turf field project. The Conservation Commission (ConsCon) had School District rep come in and will vote Nov. 28 about continuing to give Hamilton kids (in conjunction with Mass Audubon) a grant for going on field trips. Patton Ridge residents now have a MOU (memorandum of understanding) regarding delineation of mowing there. The Canter Brook property is seeking to amend their wetlands permit to allow replacement of the water main serving Sharon Road at the request of the Department of Public Works (DPW). A continuation of this hearing is Nov. 28. Hamilton received a Green Energy Award for electricity aggregation, being accepted tonight in Boston.

POLE HEARING

Mr. Farrell read the following petitions: * **Lake Shore Ave.** – *National Grid to install 2 JO Poles on Lake Shore Ave. and remove 1 JO Pole beginning at a point approximately 215 feet northeast of the center line of the intersection of Forest St. at Lake Shore Ave. and continuing approximately 89 feet in a northeast direction. National Grid to install 2 JO Poles in front of 114 Lake Shore Ave. and remove 1 JO Pole—deliberation and vote* * **Village Lane** – *National Grid to install 1 JO Pole on Village Lane beginning at a point approximately 655 feet northwest of the center line of the intersection of Forest St. and Village Lane. National Grid to install 1 JO Pole and appurtenances—deliberation and vote.*

Sibhita Mahabier-Sheehy, 44 River Street, Beverly, MA, introduced herself as a representative for National Grid. [She is an engineer who has appeared at previous pole hearings.]

Mr. Maddern asked if there would be anything National Grid could do to improve electrical service in that part of town. She said this was above her pay grade. He asked who the contact would be and she replied Faith Hassell. Mr. Maddern suggested perhaps the Town might withhold its approval until some of the problems with National Grid (concerning power outages and double poles) are worked out. Ms. Mahabier-Sheehy said she would have no problem relaying that to the customer. Mr. Maddern asked if any double poles would be created with these two petitions. She said no. He inquired about other double poles in Town. She said National Grid had done its part and the Town would need to reach out to Verizon. She said she could do what was within her jurisdiction, which was removing the top section. What was left of the pole had to do with other entities using the poles, such as fire wires, Comcast, and Verizon.

Mr. Farrell asked for the inter-company agreement, wanting to know the Verizon contact person. She said he could ask Ms. Hassell for it. She explained there are cases in which Verizon disputes whether it is responsible for removing a pole and National Grid has to send reps out in the field to double-check. She asserted National Grid doesn't have the authority to make Verizon address the removal. Mr. Domelowicz suggested National Grid take a photo of the pole after removing the wires to show they are off of it and send the photo to Verizon. She said they have done that.

Mr. Maddern suggested the BOS not approve any more pole installations until someone with authority within each of the companies on the pole is present at the pole hearings. This is not to slow things up for residents, he said, but to find out who is responsible for the double poles and have them removed. Ms. Mahabier-Sheehy said Verizon was informed of the meeting and chose not to show up and it wasn't her issue.

Mr. Domelowicz suggested nobody be allowed to put anything on a pole until coming to the BOS for permission. This would require all the parties involved (including National Grid and Verizon) to attend the pole hearings.

Mr. Hubbard asked what this meant for the two customers in this case. Ms. Mahabier-Sheehy explained the first petition involved moving a pole because the wires are too close to the customer's roof (a safety issue). The other involves a dead tree that a customer wants taken down and there is some aerial trespassing of wires National Grid needs to address.

Mr. Maddern said approving these two things is appropriate, but the BOS should require that at any and all future pole hearings, the person of the proper paygrade with authority to make improvements be present at the meeting.

Mr. Hubbard said he did not like tying the proceeding of this current work with the motion for the future pole hearings. The BOS decided on making two separate motions.

Decisions:

Mr. Maddern made a motion to approve the two applications (Lake Shore Ave. and Village Lane, language above). Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Olson made a motion that the BOS require National Grid and Verizon representatives (with authority to make decisions and advise the Town about energy problems and concerns) to be in the room during future pole hearings. Mr. Maddern seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Duke Seaver, 402 Essex Street, commented the Town can approve a pole installation but then require anyone who wants to put a wire on it to request permission from the Town. Mr. Farrell said yes, that's what they will do.

Nancy Wendt, 117 Lake Shore Ave., had questions about the placement of the poles being discussed in the petitions and said she and others had come to the meeting to provide their input. The BOS said they would give her the contact information of the National Grid rep. who had left the meeting. They tried to catch her and have her return to the meeting room but were unsuccessful.

Selectmen/Town Manager Reports (continued)

Town Manager Mr. Domelowicz said there's been confusion about leaf pickups this year due to the fact that Nov. 17 (the date the pickup was supposed to be) followed the Veterans Day observance and there wasn't time within the shortened week. Leaf pickups will be Dec. 1 and Dec. 8. People can leave their bags at the curb if they already have them out. He also reported that to date four qualified candidates have applied for the position of Patton Homestead director. A small committee will be established to conduct interviews and the hope is to have someone on board in January.

Joint Meeting with the Finance and Advisory Committee

(Please see separate Minutes for the BOS/FinCom Joint Meeting.)

The Joint Meeting was called to order at 7:56 p.m. and was adjourned at 9:20 p.m. after which the FinCom members left the meeting and the BOS resumed its regular meeting at 9:22 p.m.

Approve the BAN sale for Water in the amount of \$1,500,000—vote

Mr. Olson read the following statement: *I, the Clerk of the Board of Selection of the Town of Hamilton, Massachusetts, certify that at a meeting of the Board held Nov. 19, 2018, of which meeting all members of the Board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:*

Decisions:

Mr. Maddern made a motion *to approve the sale of a \$1,500,000 3.00 percent General Obligation Bond Anticipation Note (the "Notes") of the Town dated Nov. 30, 2018 and payable Nov. 13, 2019, to Eastern Bank at par and accrued interest plus a premium of \$10,089.92.* Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Hubbard made a motion *that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated Oct. 31, 2018, and a final Official Statement dated Nov. 15, 2018, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.* Mr. Olson seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Olson made a motion *that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Notes from time to time.* Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Maddern made a motion *that we [the BOS] authorize and direct the Town Treasurer to establish such post issuance federal tax compliance procedures in such form as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes.* Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Olson made a motion *that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts, or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.* Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

Mr. Olson read beginning statement (*see above*) again along with all of the votes [decisions] stated above and concluded with the following statement: *I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adopted of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b) at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.I. c.30A, §§18-25, as amended.*

The statement was dated Nov. 19 and signed by Mr. Olson as Clerk of the BOS.

Discuss and decide on use of \$6K of the nearly \$300K available cemetery funds to place wreaths on veterans' graves with Wreaths Across America program

Mr. Maddern brought this agenda item forward to see if the BOS would support the buying of wreaths for veterans' graves as part of the Wreaths Across America program using the Cemetery Perpetual Care Fund. The cost of each wreath is approximately \$15. Approving the use of \$6K would cover the cost of about half of the wreaths and there would still be ongoing private fundraising.

Mr. Domelowicz issued a community challenge that the Town pay up to half of the cost and community members "cover the distance." Forms for this purpose are available at Town Hall, via a link on the Town's website, the Eastern Essex District of Veterans Services, and the American Legion.

Decision:

Mr. Olson made a motion to approve the use of 6K of the Cemetery Perpetual Care Fund for purchasing wreaths to be placed on veterans' graves at the Hamilton cemetery as part of the Wreaths Across America program. Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to approve the motion.

New Business

Consideration of Topics for Discussion at Future BOS Meetings

- Tax Classification Hearing (that was postponed this evening).
- Patton Ridge trash pickup.
- Report from Department of Public Works (DPW) Director Tim Olson on plowing of private ways.
- Policy by the Planning Board about turning private ways into public streets
- Census data (previously suggested by Allison Jenkins who was not present this evening). This will involve the Town Clerk, as well.
- The Hamilton Foundation's annual appeal.
- Zoning bylaw changes and discussion with the Planning Board. (Mr. Olson will discuss with Brian Stein.)
- Figuring out a way to communicate with residents so that things don't become a surprise at Town Meeting floor. Mr. Olson's previous suggestion of publishing "top 15 things" residents need to know, consisting of meeting topics and concerns.
- Review of goals for the Town Manager. Mr. Maddern noted the BOS had held a goals setting meeting with the Town Manager [Nov. 10]. Mr. Farrell said he meant to mention it in his report and it had been a productive meeting.

Mr. Domelowicz said he will get the Social Media policy up on the Town website and forward a copy to employees to sign off on that they've received it.

Adjournment

Mr. Hubbard made a motion to adjourn the meeting at 9:37 p.m. Mr. Maddern seconded the motion. The BOS voted unanimously among those present (4-0) to adjourn.

Prepared by:

Mary Alice Cook, 1/7/19
Mary Alice Cookson Date
Minutes Secretary

Attest:

William Olson, 1/7/19
William Olson Date
Board of Selectmen Clerk