

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Town Hall—Memorial Room

April 1, 2019

Selectmen Present: Chair Shawn Farrell, William Olson, Scott Maddern, Jeff Hubbard, and Allison Jenkin

Town Manager: Joe Domelowicz

Other Town Staff Present: Director of Public Works (DPW) Tim Olson

Shawn Farrell called the Board of Selectmen (BOS) meeting to order at 7:03 p.m. Pledge of Allegiance was recited.

ANNOUNCEMENTS & BOARD OPENINGS

- Board and Committee Openings included one for the Board of Health and two for the Town Hall Building Committee.
- Annual Town Meeting will be held April 6 at 9 a.m. in the Hamilton-Wenham Regional High School Auditorium.
- Annual Town Election is April 11 from 7 a.m. to 8 p.m. at the Hamilton-Wenham Recreation Gymnasium.

PUBLIC COMMENT

Peter Conant introduced himself and said his co. has been developing affordable housing for 40 years and recently acquired control of the site at the Gordon-Conwell Theological Seminary. They are filing an application for 43 cottage-style single-family homes and would like BOS support. They have had meetings with the neighborhood and look forward to working with the Town.

Selectmen/Town Manager/Department Reports

Scott Maddern had not arrived.

Jeff Hubbard noted Mike Toomey, chair of the Town Hall Building Committee, would be speaking with them this evening. Mr. Hubbard attended the Patton Homestead presentation to the public, also being discussed this eve. He watched the School Committee

meeting and said the Schools' Capital Improvement program is a high priority for them. He passed out the Capital Improvements list to the BOS.

Allison Jenkins said she received the recent notice from the Town Water Department in the mail as a resident; wasn't notified as a member of the BOS. The notice said to go to the Town website for more info., but there wasn't any more info. there.

William Olson reported the Planning Board has been discussing/modifying warrant articles for Town Meeting. Tomorrow starts the review of Green Meadow Farm's application. The Housing survey will be published on the website. He had no updates on the Affordable Housing Trust projects being proposed, which include the property Mr. Conant spoke of as well as a property on Asbury Street.

Mr. Farrell said the Conservation Commission (ConsCom) issued a certification of compliance for the Bridge Street culvert replacement project. They finalized a new vegetation agreement with the Patton Ridge condos. Herbicide will be applied to the weeds in Weaver Pond and the company (which did the same work in 2010 but under a different name) will hydro-rake in the fall. The Rain Barrel program will start again in the next week. Residents can order a discounted rain barrel via a link on the website. The cannons are back at Patton Park and look great thanks to the Community Preservation Committee (CPC).

Mr. Domelowicz reported the judge ruled in favor of Varsity Wireless. The judgment will be posted and there's a 30-day appeal period. Once that passes, Varsity Wireless can move forward or it will go back in front of a judge. He apologized for not notifying the BOS sooner about the water issue. He explained an equipment failure back in November caused a spike in one of the readings that triggered the three-month average to be high. It is required by the DEP [Department of Environmental Protection] to notify the residents and he was just notified the Town needed to do this. Town Meeting is Saturday. Mr. Domelowicz said Mr. Hubbard will be at the Council on Aging (COA) to talk about Town Hall renovations and Marc Johnson will talk about the Patton Homestead. At the last meeting, the BOS voted on agreements establishing a School Resource Officer (SRO), which the School department passed, as well. The SRO position only shows up in the Town budget now. He and new Patton Homestead Director Kaleigh Pare gave a presentation of the Patton Homestead business plan last Thursday, most of which was broadcasted on HW-Cam, and it is now on the Town website. His report, also on the website, includes updates on Chebacco Road, Town Hall renovations funding, and the housing element of the Master Plan.

Update on Water Plant—Director of Public Works, Tim Olson

Department of Works (DPW) Director Tim Olson explained the Town had an exceedance in the disinfection byproducts levels in the water system and had sent out a public notice to explain it. He gave an overview of the pretreatment system needed to remove organics in the source water. The original plant was an iron and manganese removal system and not designed to remove the organics. After the plant went back to its original design, the

number of THMs [trihalomethanes] started creeping up. These are chemical compounds formed when the water with organics is disinfected with chlorine. The levels are currently under the maximum contaminant level allowed, but the Town did have the exceedance back in November due to a plant infrastructure failure. Since then they have been back to being below the level allowed, but that one spike affected the average, which is why they needed to notify the public. As discussed at the previous meeting, they are proposing a pretreatment of the water prior to filtration, which would mean adding on a building to the existing plant. This is reflected in the warrant article to Town Meeting.

Ms. Jenkins noted the BOS are the water commissioners and should have been notified. She said the only thing on the website is the notice that was mailed out. Mr. [Tim] Olson said he wanted to first talk with the BOS before posting additional info.

Mr. [William] Olson asked about how much water was being wasted due to flushing out the system. Mr. [Tim] Olson said not too much. He explained the main producing well is currently offline and they are trying to go without it. With the upgrades they've already made at the plant, they have been able to push out almost twice the water and have been able to flush the system. He said the Plant Operator has been happier with the levels.

Mr. Farrell noted the building of the new pretreatment system could be done offline and then connected so there'd be minimal disruption.

Mr. Hubbard asked if organics meant e. coli. Mr. [Tim] Olson said organics meant leaves, dirt, loam and other material. The danger of bacteria is why they disinfect with chlorine. He said since he's been with the Town, water quality has been good. This is not an emergency; there is no "boil water" order, he said. The Town is moving forward and is in a good place, confident they can reduce the levels [of THMs] in the future.

Mr. Farrell said he went out to see the plant and noted improvements made. He said Finance and Advisory Committee (FinCom) member Nick Tensen will make the motion on the warrant article at Town Meeting as Mr. [Tim] Olson felt awkward promoting his own project. He will, though, be on hand to answer questions.

CONSENT AGENDA

- **Approve Minutes from the BOS regular meeting on March 4.**
- **Capital Committee appointments: Bill Wilson—two-year term; Jack Lawrence—one-year term; Robert Woodbury—three-year term; and David Thompson—two-year term.**
- **Poll worker appointments with term ending July 31: Kristine Ellis and Ann Fuery**
- **Registrar's appointment with term ending March 31, 2022: Bethany Johnson and Annika McKenna**

Decision:

Mr. Hubbard made a motion to approve the Consent Agenda. Mr. Olson seconded the motion. The BOS voted (4-0-1) in favor of approving the Consent Agenda.

Further Discussion:

Ms. Jenkins said she abstained because she hadn't read the March 4 minutes. Also, she had concerns pertaining to Massachusetts General Law about whether they were handling the appointments correctly in terms of when they can appoint, whether there's a different procedure for filling vacancies vs. appointing new people, and making sure there's equal representation of the political parties. Mr. Farrell suggested they put a hold on voting for the poll workers. Ms. Jenkins said the BOS also needed to know if they are filling the registrar positions appropriately. She said last week she had asked who the registrars were and now the item was on the agenda. Also, she said a quorum of the political parties makes the nominations. She wanted the Town's attorneys to review the rules prior to the BOS moving forward.

Mr. Farrell said they had received recommendations regarding the two registrar candidates. He suggested they table the discussion and have a brief meeting on it Saturday prior to Town Meeting.

Decision (Amended):

Mr. Olson made a motion that the BOS approve the Capital Committee appointments. Mr. Hubbard seconded the notion. The BOS voted unanimously among those present (*4-0) to accept the motion. *Mr. Maddern had not yet arrived.

Jack Lawrence, 105 Rock Maple Ave., said, pertaining to the representation issue, the biggest political party right now is "unenrolled." They discussed that unenrolled isn't considered to be a political party.

AGENDA

Phil Tocci to present and request permission for the boosters to donate a scoreboard for the Large Baseball Diamond at Patton Park

Mr. Tocci presented a handout. He said the Little League boosters had received the scoreboard as a gift and wanted to donate it to the Town with maintenance and upkeep being borne by the boosters and its volunteers. He noted the boosters would provide volunteers who were bonded and insured. He noted they had picked what they thought was the safest location for the scoreboard, outside right field about 15 feet off the snacks building where the power source is.

Ms. Jenkins said she thought all looked great, but Mr. Tocci needed approval from the Zoning Board of Appeals (ZBA). Mr. Tocci said they were looking for a BOS endorsement and then will go to the next review board, which he thought was first to the Planning Board for site plan review and then to the ZBA. He will check this further.

Mr. Farrell noted there is an ask coming up at Town Meeting for bathrooms and the snack shack. Mr. Tocci said from his conversations with Recreation Director Sean Timmons, they didn't think the scoreboard would interfere with that.

Decision:

Ms. Jenkins made a motion that the BOS approve the donation of the scoreboard from the Hamilton Little League Boosters with the stipulation they get the required permitting from the Town. Mr. Hubbard seconded the motion. The BOS voted unanimously among those present (4-0) to accept the motion.

Overview and feedback from Town Hall Building Committee presentation

Town Hall Building Committee Chair Mr. Toomey gave a history of what's been done, including the studies done. There is no exterior lead paint, he said. There are 8 options on the design. He gave a brief synopsis of each. The one the Committee liked best includes no addition to the building and takes out the grand staircase to make room for office space. This option requires further exploration on pricing. It also requires a paperless initiative. The basement would be earmarked for storage. The Committee would like input from citizens, and particularly from any professionals in Town to look at the plans. He said in his mind, all eight options are still on the table and perhaps there may be some hybrid that would work best.

Mr. Hubbard said he thought the Committee has done an outstanding job. They need feedback, though, to know how committed people in Town are to the staircase, which has played an important role in the building's history. Mr. Farrell asked if the department heads had weighed in. Mr. Toomey said not yet.

Ms. Jenkins said Mass. laws haven't caught up yet with the paperless initiative. Mr. Toomey said there's a large percentage of paper that can be digitized and they can send paper off-site for storing. She said right now that's a lot of paper. Also she felt the floor plans looked a bit broken up. Offices having one or two people with walls and doors around them doesn't facilitate departments being able to cover for each other when someone is out at lunch or on vacation.

Mr. Farrell asked Mr. Toomey how the BOS can help. They need to circle back to see what Town employees think of the designs and then get through to Fall Town Meeting.

Ms. Jenkins thought they should define the number of seats needed in the large meeting space. In Option 8, there are 78; there are 40 in the current meeting room. She also asked where people would park if they did decide to build an addition out back. Mr. [Tim] Olson answered there are ways to do some realignment of the current DPW yard fence line by taking out some trees. She inquired about the fueling station and they discussed that, as well as the septic system and potential cell tower.

Duke Seaver, 402 Essex St., asked about putting a second story onto the building out back. Mr. [Tim] Olson said that would require redoing two buildings, which was most costly. The most cost-effective plan is to house everyone within the existing footprint, he said. Ms. Jenkins said having everyone together in the same building is also better for residents coming in to pay bills. Mr. Domelowicz said to let him know what they need as far as getting the staff together to gather input.

Mr. [William] Olson asked what would be presented at Town Meeting. Mr. Toomey replied they have a presentation. The BOS reviewed funding. The money remaining from previous asks as well as the current CPC grant should get them through to the Fall Town Meeting.

Scott Maddern arrived at 8:28 p.m.

Mr. Johnson said he thought they might want to clarify what is a valid expense of CPC money.

Mr. Hubbard asked when they will talk about funding for Town Hall. Mr. Farrell said right after Town Meeting.

Presentation and discussion of Patton Homestead business plan

Mr. Domelowicz reviewed the business plan he and Ms. Pare presented to the public last Thursday evening. The plan is also posted on the Town website. Empower Success Corps was consulted to help identify uses of the Homestead in partnership with the Wenham Museum. He reviewed what's been done so far and went over projected revenue streams and plans for fundraising, stressing how money will go back to the Town rather than cost the Town, especially in light of the Town's other pressing priorities, such as the Town Hall renovation.

Mr. [William] Olson asked what the first event would be. Mr. Domelowicz replied Ms. Pare already had a list of events booked and has only been on board about six weeks.

Mr. Hubbard said he represented what he thought was a minority view that a municipality getting involved in an event-planning venue didn't make financial sense and wasn't the best use of the gift to the Town.

Mr. Domelowicz noted the Homestead is a public asset and provides access to the Ipswich River; there's a launch for canoes, kayaks, etc. He said they need to do a better job to let people know that and to program events for that space. Mr. Olson added that the Town invests a lot of money in open space that has no return while the Homestead is an opportunity to have a return. Mr. Hubbard said this property is adjacent to Willow Bend and there is access to the river within a mile of the Homestead. His primary concern was that the Homestead adds to the Town's property taxes. Mr. Olson said they need to keep in mind that the Town receives the tax benefit from Patton Ridge.

Mr. Johnson and Mr. Hubbard debated the actual tax benefit of Patton Ridge. Mr. Johnson listed some specifics of the Homestead's funding, noting what goes to reimburse the Town for its costs. He said if you added up all that was spent, the Town will be about \$175K ahead and next year would be \$250K ahead. Mr. Hubbard questioned that. He said if the income received from Patton Ridge wasn't used for the Homestead, it would be used to reduce the tax rate. They went through some numbers until Mr. Farrell brought them back to the topic of the business plan.

Mr. Farrell said they now have transparency on all of the numbers and thought it was a great step in the right direction. He discussed the merits of the property, Military History Day, and how it is a part of the culture of the Town.

Ms. Jenkins said everyone has differences of opinion on the Homestead, but Mr. Domelowicz had done a great job and they now have it aligned properly to move forward. She said while the plan is great, it is hypothetical and they will need to see if it's going to fly or not fly.

Another thing Mr. Domelowicz brought up is the fact that the Hamilton Historical Society, previously housed in the basement of Town Hall, was relocated to the Homestead, which may help it to rebuild its waning membership. Ms. Jenkins said she felt having them in the basement previously was disrespectful to them.

Discussion of ATM Warrant Draft Script

Mr. Domelowicz went over the script for Town Meeting and noted changes that were made. For example, it was added that he will be speaking on the Town's budget. Regarding the CPC budget, the FinCom originally voted in favor of the CPC article as presented but had since changed their vote based on the action of the BOS [which was to reduce the amount of the grant for The Community House].

Regarding Article 2-12—FinCom had asked that its member John Pruellage clarify FinCom's decision not to make a recommendation and instead to leave it up to the Town for a vote.

Regarding Articles 2-17 and 2-17, Water Department articles—Mr. Farrell is now going to lead the discussion (instead of Tim Olson).

It was noted that the Planning Board hadn't finalized the language on the three Planning Board-related bylaws until after the warrant had gone to press.

Warrant Article 3-1: Mr. Olson went over the changes made to the signage bylaw. He said that two months before an election period, residents can have five temporary yard signs, which can be of any content, and they can be up for two months before an election. Real estate signs can be up for the duration of the sale of a home, but need to be taken down

after closing. Ms. Jenkins asked if they had held the public hearings on these articles and if they had been read into the record. Mr. [William] Olson said yes.

Decision:

Mr. Olson made a motion that the BOS recommend favorable action on Warrant Article 3-1. Mr. Hubbard seconded the motion.

Further Discussion:

Mr. Maddern said while he admires Town Counsel and always listens to what she has to say, he thought this was overreacting to what happened in one town where one person put up a huge sign that was offensive to somebody. In his opinion it is over-administrating something that isn't a problem here.

Ms. Jenkins asked Mr. Domelowicz how this came forward. He commented he didn't know specifically, but said in the fall there had been some complaints about "sign pollution" and the Building Inspector had said it was difficult to enforce anything.

Ms. Jenkins said she thought it was unusual for Town Counsel to bring something forward unless someone had come to her with an issue. She wanted to change the motion to read: as long as all appropriate hearings have taken place.

Decision (Amended):

Ms. Jenkins made a motion that the BOS amend the previous motion and vote to recommend favorable action on Warrant Article 3-1 conditional upon the Planning Board holding all the necessary hearings. Mr. Hubbard seconded the motion. The BOS voted (3-1-1) to recommend favorable action on the amended motion. *Mr. Maddern was opposed to the amended motion. *Mr. Farrell abstained. [*Ms. Jenkins, Mr. Hubbard, and Mr. Olson were in favor.]

Warrant Article 3-2: Mr. Olson discussed the changes the Planning Board had made to the Inclusionary Housing bylaw. Instead of making the formula [for the payment in lieu of creating an affordable unit] 3 x 80% of AMI (area median income), the Planning Board decided to make it 3 x AMI [3 x \$100K]. This decision was based in part on what happened at Canter Brook where the payment in lieu was \$290K.

Decision:

Mr. Maddern made a motion that the BOS recommend favorable action on Warrant Article 3-2. Mr. Hubbard seconded the motion. The BOS voted unanimously to accept the motion.

Warrant Article 3-3: Mr. Olson said the purpose of this bylaw was to define location and aesthetics for the microcell poles coming in to Town. He thought the only thing that has changed with this article was the order of the language. Mr. Domelowicz said regarding aesthetics, there is impetus to have this bylaw sooner than later.

Decision:

Mr. Maddern made a motion to recommend favor on Warrant Article 3-3. Mr. Hubbard seconded the motion. The BOS voted unanimously (5-0) to recommend favorable action.

Application for road races, walks, or block parties—Second Reading

Ms. Jenkins had some small changes: where it says "Please attach route of the event," she wanted it to read: "Please attach route or location of the event." She also wanted the applicant to add the event's ending time in addition to beginning time. Also, she wanted to add a line for a printed name under the signature line.

Mr. Olson said he thought they had also added a recommendation to "Please submit within four weeks." They noted that was added and appeared at the bottom of the form.

Decision:

Mr. Hubbard made a motion to approve the application for road races, walks, or block parties pending the changes to the document discussed this evening. Mr. Olson seconded the motion. The BOS voted unanimously (5-0) to accept the motion.

Mr. Farrell announced it was Ms. Jenkins' and Mr. Maddern's last official BOS meeting aside from Saturday's Town Meeting. He said it was a pleasure to serve with them and presented them each with an official Hamilton citation/certificate and parting gifts. Mr. Olson noted what each had taught him and said he looked forward to working with Mr. Maddern in his new position on the Town's Capital Committee.

Ms. Jenkins noted nobody had pulled papers for the Accessors position. She said if anyone wanted to run for the position, it was easier for them to go to the Town Clerk's office and file for a write-in vs. telling people to write it in.

NEW BUSINESS

Consideration of Topics for Discussion at Future BOS Meetings

Mr. Farrell said he would be out of Town on the date of the next meeting. Since it will be the first meeting for the two newly elected members, he wondered about postponing it to the following week. Mr. Domelowicz said he wouldn't be there the following week. The BOS suggested skipping April 16. Ms. Jenkins suggested having a meeting April 29 and they decided on that.

Ms. Jenkins said she had enjoyed working with them and knows their intentions were for the best of the residents. Mr. Domelowicz said she taught him a few things to keep him on his toes.

Mr. Seaver thanked Mr. Maddern and Ms. Jenkins and said he considered her a "sparkplug."

