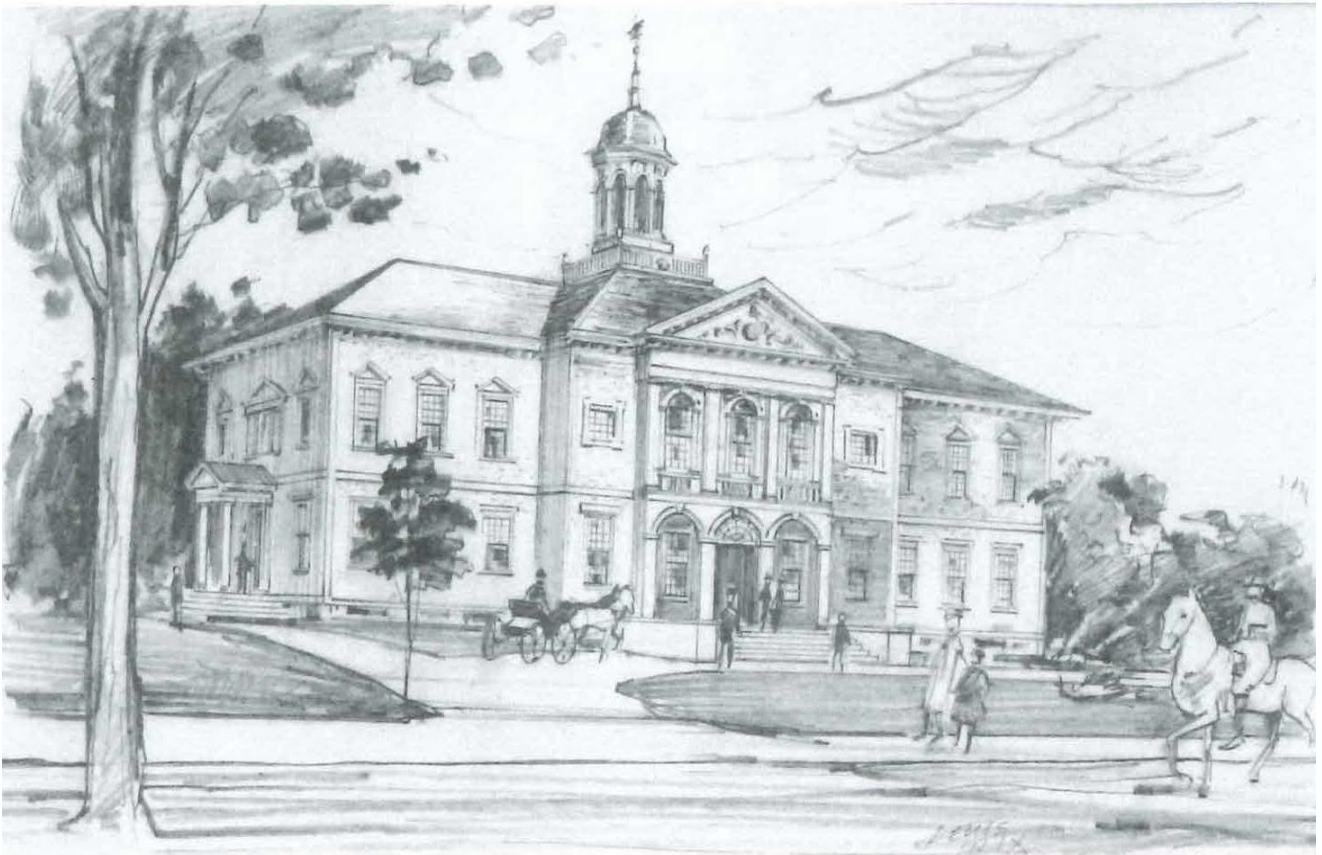


# *Town of Hamilton Massachusetts*

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## **Annual Town Report**



**2018**



**Town of Hamilton**

**Massachusetts**

**July 1, 2017 through June 30, 2018**



**Board of Selectmen**

Shawn Farrell, Chair

Scott Maddern, Vice-Chair

William Olson, Secretary

Allison Jenkins, Selectwoman

Jeffrey Hubbard, Selectman

**Town Manager**

Joseph J. Domelowicz Jr.



Incorporated: June 21, 1793

Government  
Open Town Meeting  
Five-member Board of Selectmen with Town Manager

Annual Town Meeting  
First Saturday in April

Annual Town Election  
First Thursday in April following Town Meeting

Town Census: 8,291

Area: 14.99 Square Miles

Fiscal 2018 Tax Rate: 16.48

Tax Levy: \$27,516,935.10

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

State Officials  
Congressman: Seth Moulton, Representative 6th District  
Senator: Bruce E. Tarr, Gloucester  
Representative, Brad Hill, Ipswich

Schools:  
Winthrop Elementary School (PK-5)  
Cutler Elementary School (K-5)  
Buker Elementary School K-5)  
Miles River Middle School (6-8)  
Hamilton-Wenham Regional High School (9-12)

Town Website  
[www.hamiltonma.gov](http://www.hamiltonma.gov)

Town Hall Hours  
Monday: 8:00 AM - 4:30PM  
Tuesday: 8:00AM - 6:30PM  
Wednesday: 8:00AM - 4:30PM  
Thursday: 8:00AM - 4:30PM  
Friday: 8:00AM - 12:30PM

## 2018 Hamilton Elected Officials

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### **BOARD OF SELECTMEN (Elected 3 year term)**

Allison M. Jenkins	2019
Scott F. Maddern	2019
Jeffrey Miles Hubbard	2020
Shawn M. Farrell, Chairman	2021
William A. Olson	2021

### **TOWN CLERK (Elected 3 year term)**

Andrea J. Carlson	2020
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### **BOARD OF ASSESSORS (Elected 3 year term)**

Gelean M. Campbell, Chairman	2019
Peter J. Kane	2020
Steven G. Ozahowski	2021

### **PLANNING BOARD (Elected 3 year term) Patrick Reffett, Coordinator**

Claudia Allison Woods	2019
Edwin M Howard	2019
Janel Curry	2019
Peter B. Clark,	2020
Richard L. Boroff	2020
Brian D. Stein, Chairman	2021
Frederick G. Mitchell	2021

### **HOUSING AUTHORITY (Elected 5 year term) Kate McGuire (Coordinator)**

Leon Purington, State Appointed	2013
Theresa Mimi Fanning	2019
Clarence N. Trepanier	2020
Sherryl L. Leonard	2021
Michelle F. Horgan	2022

### **TOWN MODERATOR (Elected 1 year term)**

Jeffrey C. Melick	2019
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### **H-W LIBRARY TRUSTEE (Elected 3 year term)**

Judith Bubriski (Wenham)	2019
Nichole R. Gray	2019
Dolores M. Boghdan	2020
Dorothy A. Goudie (Wenham)	2020
Dianne L. Johnson (Hamilton)	2021
Julie Clay (Wenham)	2021

### **H-W REGIONAL SCHOOL COMMITTEE (Elected 3 year term)**

David Polito	2019 W
Jeanise A. Bertrand	2019 W
Michelle Bailey	2019 W
Gene K. Lee	2020 H
Kerry J. Gertz	2020 H
Peter Alan Wolczik, Jr	2021 W
Stacey L. Metternick	2021 W



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## ***Board of Selectmen***

The Selectmen represent all the citizens of Hamilton. We communicate regularly with our many volunteer boards and committees, solicit new volunteers, listen to and read a large amount of input before deliberating and making decisions in public meetings. We develop an effective working relationship with our town manager through meetings, phone calls, development of his/her annual goals as well as meeting with and providing his/her annual review. Our Citizens are essentially the legislature of our town, voting at our annual town meeting in the spring and special town meeting in the fall on warrant articles (e.g. town budget, CPC spending, zoning by laws, etc.). The Selectmen are responsible for policy while the Town Manager is responsible for working with the Board of Selectmen and all elected and appointed officers, boards and commissions to ensure appropriate coordination in the implementation of town policy. Selectmen review and approve polices based upon best practices review with other similarly sized towns as well as the implications on productivity and cost of our town services. Board of Selectmen meetings are typically held the 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month at 7pm in the Memorial Room, televised by HWCAM, and the public is always welcome.

The Town of Hamilton has had quite a year. We remain a great community to live in with a strong regional school and by all accounts the Town of Hamilton continues to deliver excellent services in a fiscally responsible way. As the Chairman of the Board of Selectmen, I am pleased to provide the following overview for the FY'2018 Annual Report.

In April last year the current Town Manager, Michael Lombardo, and the Board of Selectmen reached an impasse in contract negotiations and worked out a separation agreement. The Board then named Chief Russ Stevens as the acting Town Manager while the board hired a consultant, Community Paradigm, to help find an interim town manager and a permanent replacement. The board hired Robin Crosbie as interim for several months while the board posted the position and held interviews. While Robin was at town hall she kept priority tasks moving along and helped with a records clean up that resulted in removing over 10,000 lbs. of files from town hall. Our many thanks to Chief Stevens and the Town Manager Steering Committee for helping the board get a qualified group of finalists for the position. We chose to hire Joe Domelowicz as our new Town Manager. He has jumped in with both feet and has been a pleasure to work with. I am encouraged by his approach to the issues Hamilton faces and the way he has conducted himself so far.

Fiscally we are in great shape and our reserves are strong. I am happy to say the Town of Hamilton has maintained a Standard & Poor's AAA bond rating (It's highest ranking) noting strong budgetary flexibility, strong liquidity and strong financial management. The Town also received a clean bill of health through the annual financial audit process conducted by Clifton Larson Allen LLP. We are proud of our bond rating and successful audits. Combined they demonstrate good working financial controls and management. We continue to maintain our three-year forecast and five-year capital plan. We have been fiscally responsible and have kept our operating budget increases to a minimum. The Board of Selectman takes pride in a collaborative and public annual budgeting process. This in part has held property taxes at \$16.48. In the next handful of months we will be re-organizing the staff in the Finance Department and are looking forward to new efficiencies as a result.

Our school enrollment is down 7% over the last five years and we need to work on finding a way to decrease school costs to reflect this decline by working with the School Committee during their budget process.

Our Finance Director, Marisa Batista, helped the town secure a Community Compact Grant from the state to review and work on our financial policies and we are working through them now. As part of this process the Board of Selectmen has so far developed, with help from the Finance Director and the FinCom, policies on Disbursements, Revenue Turnover, Travel Reimbursement, Capital Planning, and Financial Reserves.

## *BOARD OF SELECTMEN (CONTINUED)*

We have also just recently established a Capital Committee that will work hard to help prioritize the town's capital needs and timing of these asks. We are hopeful that the Town of Wenham and the Regional School Committee will work with us to help coordinate capital needs from all three entities. When we work together we all benefit.

We have also worked with Wenham to regionalize our inspection services, building, electrical, etc., and look forward to the efficiencies that will generate.

Town Meeting voted to approve a Municipal Aggregation Program at a previous Town Meeting to reduce the electrical supply rate for our citizens. The Town partnered with the Town of Gloucester to go out to bid for a reduced electrical rate. Our consultant, GoodEnergy, secured a bid from Nextera at 11.4 cents per kWh including 5% of the supply coming from renewable sources.

Trash costs have grown because of increased recycling tipping fees associated with a drop in the Chinese market. We have just recently renamed our recycling Committee the Waste Reduction Committee to reflect our goal of reducing our waste and not just focusing on recycling. Please take the time to educate yourself on our compost program as compost typically accounts for the most weight in our trash program and the more we compost, the more money we will save. Our recycling and compost numbers have gone down since the town has gone to every week trash pick-up and thus increasing our costs. However, Hamilton remains a Green Community since it became one in 2010. The town also partnered with WasteZero to add textile recycling to help reduce our carbon footprint and lower tipping fees.

Our partnership with Ameresco to place a three-acre solar array at the Town landfill is getting closer to coming to fruition. The project will generate 1 million kWh of electricity annually for purchase by the Town. The purchase price will be .02/cents a kWh below the National Grid retail price. Ameresco will also pay approximately \$10,000 annually through a lease payment or PILOT. Total anticipated benefit to the Town is \$30K annually.

We have recently begun the process of starting a Municipal Vulnerability Preparedness Program to assess our preparedness to climate change over the next 70 years. Participation in this program opens up opportunities to get state grants to improve our infrastructure to combat climate change and to help us be prepared for the future.

Fire Chief Phil Stevens retired in December after 37 years in the Hamilton Fire Department. We truly wish him the best in his retirement and thank him for his many years of dedicated service. Ray Burnett who is doing a great job as Fire Chief has replaced him. We purchased a new fire truck, Engine 1, which arrived in August replacing the previous Engine 1 that was in service for 23 yrs.

Our police department had its accreditation review and passed with flying colors, we are one of only 78 police departments fully accredited in the state. Our Police Chief, Russ Stevens, was named the President of the Massachusetts Police Chiefs Association. This is quite a high honor for the Town of Hamilton and a testament to Chief's leadership skills. Chief Stevens will be visiting the state house often to work with them on improving things for police departments in the state as well as in our community. Hamilton Police and Fire Officers assisted in the aftermath of the Merrimack Valley Gas Explosions by offering mutual aid to help those communities recover.

Our joint Recreation Department has had another great year with huge growth as a result of the pool and continues to offer great programming to our residents. The grassy area around the pool was expanded to accommodate more visitors. The two centerpieces of Patton Park have been improved. The gazebo has had the old railings removed and steps have been built that

## *BOARD OF SELECTMEN (CONTINUED)*

surround the structure. The Patton Park Tank has also had a much-needed facelift courtesy of a local scout, Hugh Gist, for his Eagle Scout project and was rededicated on Veteran's Day. The two Patton Park Canons are currently being refurbished with CPC funds and will be reinstalled this spring. Weaver Pond at Patton Park will have the invasive species removed through a CPC grant as well.

Our Vacant and Dilapidated Buildings Bylaw that was voted in favor of last Town Meeting, has been approved by the Attorney General and is being enforced. Town Meeting also approved a Demo Delay By Law, Accessory Apartments, and to delete the Conservancy District.

The Planning Board has started work on the Housing Section of the Master Plan and has had several public forums as well as a survey to gain insight on what the town would like to see for the future of housing in Hamilton. I expect that the Board of Selectmen will work on completing an update of the entire Master Plan over the next handful of years.

The Town and Habitat for Humanity partnered together to build two affordable units on Asbury Street that are now complete and occupied.

The Canterbrook development approved by the Planning Board over a process of several years has begun construction and will be adding 23 homes to Hamilton and will most likely become our largest source of real estate tax.

We are still awaiting a judgment in the case of Varsity Wireless Vs. The Town of Hamilton Planning Board. This case is over a denial of a special permit by the Planning Board to place a cell phone tower behind Town Hall. The site was approved by a previous town meeting. Three Planning Board members did not agree with its placement. This case has lingered on far longer than expected. We hope to find a resolution soon.

At last Annual Town Meeting an advisory vote was given to make the Historic Curatorship Program at Bradley Palmer Park, 550 Highland St., tax exempt. The Board of Selectmen has worked hard to work with the state to make this so. We have currently submitted a Home Rule Special Act releasing the property from taxation as long as it is in the Curatorship. We are hopeful that it will be approved.

Green Meadows Farm has been approved for an indoor medical marijuana farm on the property and will begin construction soon. You may recall that we voted no to marijuana retail in Hamilton at a past Town Meeting and that still will be the case. A host community agreement was signed with Green Meadow Farm and the Town will receive 1.5% of the revenue generated until a threshold of \$6 million by the farm is met and then the Town will receive 1.75% after that. We will also gain money to pay for a school resource officer as part of the agreement. I would like to thank Bob Patton for his commitment to give back to the Town of Hamilton during the negotiation process.

Our Town Hall Building Committee has hired an Owners Project Manager and has begun the process of looking into the rehabilitation of our Town Hall. Designs and cost estimates have been submitted to the committee just recently and a presentation will be given to the community to help guide the improvements to our town hall.

The Town Manager has started a Gordon Conwell Theological Seminary Task Force to look into working with the seminary to figure out how the seminary and the Town can work together to come to an agreement on their payment in lieu of taxes or some other form of compensation. They have had a handful of meetings with the seminary and will continue to negotiate.

## *BOARD OF SELECTMEN (CONTINUED)*

Our water treatment plant has had updates made to it so that we can treat the water more efficiently and operate as it was originally designed. At the current time we have a warrant article for more capital to improve the water treatment plant further by reducing the organic compounds in the water by pretreating it. The monies would go to building an addition onto the current facility. The water main replacement project that was voted through over several Town Meetings is going well and phase III is complete with over 22,000 feet of water pipe replaced so far.

We are working with our State representatives to address the amount of power outages in Hamilton and have had several meetings with National Grid to work on solutions. 60% of outages were from trees. National Grid has done extensive tree trimming in town to help mitigate the outages from tree damage. 20% of outages were from damaged or deteriorating equipment. National Grid is doing monthly patrols of the entire feeder and will do an annual infrared scan of the supply line. They will also install a sectionalizing switch on Woodbury St. and a recloser on Essex St. near the intersection of Woodbury St. to help with power supply to that section of town. The Board of Selectmen has also created a Pole Hearing Policy to help with the issue of double poles in town.

The Board of Selectmen has written and adopted several other policies this year. Among the new policies are a Whistleblower Policy that protects the rights of individuals reporting wrongs, a Social Media Policy, a Complete Streets Policy to help our accessibility to all our citizens and receive state grants to improve our infrastructure, a Minutes Policy to help our Boards and Committees stay on top of and file their minutes.

We are glad to welcome Kaleigh Pare to our staff as the Patton Homestead Director. She will be presenting a business plan for the Homestead shortly and we all look forward to the Homestead being used to its fullest potential for our citizens. Many improvements were made to the Homestead this summer and the building is sound. The Wenham Museum and the town hosted Military History Day over the summer complete with current military personnel and equipment, guest speakers, re-enactors and a working Sherman Tank as well as many other pieces of military ephemera.

This year we participated in the Wreaths Across America on Veteran's Day. Through private donations and monies from the cemetery fund we were able to place over 700 wreaths on Veteran's graves.

As always, the Board of Selectmen encourages residents to become involved and informed about the issues facing our Town. We are available to answer questions, provide background and context to any issue, and we welcome any input, questions, ideas and any engagement. The more that residents learn and participate, the stronger our community becomes.

Myself, and the Board wishes to acknowledge and thank the many citizens of Hamilton who volunteer countless hours of community service as members of appointed boards and commissions. The Board also thanks the excellent employees who keep our town running so well. And, of course, we thank the taxpayers of Hamilton who provide the funds to pay for the services that make our town such a wonderful place to live.

Thank you,

*Shawn Farrell*  
*Chairman*  
*Hamilton Board of Selectmen*

## ***Finance & Advisory Committee***

The Finance and Advisory Committee is responsible for considering “any or all municipal questions for the purpose of making reports or recommendations to the town.” The committee consists of five registered voters who serve without compensation for three-year terms. Members are appointed by the Town Moderator with approval by the Board of Selectmen.

We make recommendations on Warrant articles at town meetings. Our due diligence includes welcoming proponents and opponents to our meetings, so each side can educate us. All meetings are posted on the town website and citizens are encouraged to attend and participate. Notifications of openings are posted on the town website and by the Board of Selectmen.

FinCom is involved in the development and review of town budget including revenues, expenses, capital needs, financing and reserve funds. We begin the budget process in late November for the budget and capital plan that will be presented to voters at Town Meeting on the first Saturday in April. We would like to thank the Finance Director, Marisa Batista and the new Town Manager, Joe Domelowicz, for their assistance with data and access to the department heads throughout the budget process. Each department budget meeting included a FinCom member. We thank all the department heads for their efforts to maintain discipline over their expenses while maximizing as much value as possible from their resources.

FinCom met multiple times with the School Administration and the School Committee to understand as much as possible about their budgets and constraints. Over 60% of town expenses go to the School District. The District has proposed “level service” budgets for the past few years, and within that constraint and declining enrollment, operating expenses increased 6.9% in FY19 and the proposed increase for FY20 is 5.1%. Hamilton has benefited in recent years from a shift in enrollment from Hamilton to Wenham. This has led to Hamilton’s share of the District budget to increase 5.7% in FY19 and is projected at 4.1% in FY20.

Hamilton remains in good financial shape. The town’s bond rating is AAA. Town budgets have been well within the levy limit of Proposition 2 ½ for a few years and we expect this to continue. According to the Assessors’ office, property valuations for FY19 (July 1, 2018 to July 1, 2019) increased 5.79%. The tax rate went from \$16.22 to \$16.48, a 1.6% increase. The average family home is now assessed at \$600,400 up from \$566,413 yielding a tax increase on the average home of \$707.

The tax structure is linked to the nature of our town. We have limited commercial space, significant open space, and zoned agricultural land that is either not taxed or taxed at a lower rate than residential property. The FinCom recognizes the need to maintain a manageable tax rate to provide expected public services, and to maintain a highly-ranked school system to attract young families that help keep the town vibrant. We will continue to challenge increases as appropriate.

In previous years we generated excess Free Cash due to actual receipts being in excess of revenue estimates and unused departmental budget line items. In recent years estimates have been tighter, resulting in less Free Cash available for tax mitigation. The use of Free Cash for tax mitigation is an “artificial” tax reduction and is not sustainable. We ended FY18 with a certified Free Cash balance of \$2.2 million and for FY19 a Free Cash balance of \$2.7 million has been recently certified. We hope Town Meeting will approve allocating some of those funds to the Stabilization Fund and to begin funding a Capital Stabilization Fund. Many projects under consideration will require significant capital investment, subject to voter approval. It is prudent to start putting money away for these eventualities. Allocating money from either of these funds will require a 2/3 vote at Town Meeting.

## *FINANCE & ADVISORY COMMITTEE (CONTINUED)*

One focus this year was the development and adoption of financial policies. In conjunction with the Board of Selectmen, financial policies have been approved for: Disbursements, Revenue Turnover, Travel Reimbursements, Financial Reserves and Capital Planning. The next group of policies to be taken up after the budget is approved will include: Cost Allocation, Debt Management and Forecasting.

### Current and Future Issues:

A continuing trend in town is the aging of the population. The committee is interested in seeing progress on the Hamilton Council of Aging's initiative, under Mary Beth Lawton, to have the town designated as an Age Friendly Community. One third of our population is aged 60 or older. As school enrollment declines the number of seniors and the services they need and want for healthy living only increases.

The committee has challenged the Patton Homestead Inc. to develop a business plan showing a path to financial sustainability. The Homestead is a cultural and historical asset with the potential to become an historic military attraction and an outdoor recreational destination. The committee supports the appointment of a director to develop a plan showing revenue generation, fund raising and grant development to relieve the town from funding operations.

Hamilton's Energy Manager, Vicky Masone, along with an assist from the Finance Committee, successfully obtained a grant for a \$12,500 MA Solar Feasibility Study to enable evaluation for solar retrofit of municipal buildings. Completion of the study could lead to additional grants to add solar capability for generating electricity that will save money and reduce our carbon footprint.

2018 Special Town Meeting voted against a proposal to invest \$1 million to influence development at Longmeadow. As a result, Harborlight Community Partners has withdrawn its proposal to develop housing at the Willow Street site. Hamilton remains in need of affordable housing for seniors, young families, town employees and school district employees. The town is well below the 10% affordable housing threshold and remains vulnerable to a large unfriendly 40B housing development.

A new committee and a new effort is being driven by the Board of Selectmen to encourage large tax exempt property owners in town to contribute in a meaningful way toward offsetting expenses the town incurs on their behalf. Remuneration would be in the form of Pilot (Payment in lieu of taxes) payments that bear some relevance to the costs. The Finance Committee supports these efforts and hopes they yield tangible results.

Hamilton relies on its citizens to donate time and energy to its many committees and boards. The Finance Committee would like to thank all citizens currently serving on a board or committee and encourage everyone in town to get involved in the town at some level.

Respectfully,

*Phil Stearns (Chair)*

*John Pruellage (Vice Chair)*

*Darcy Dale (Secretary)*

*Nick Tensen*

*David Wanger*

## ***Patton Homestead & Patton Homestead Inc.***

The historic Patton Homestead is a community asset where families, the community and Veterans will enrich their lives through cultural events, seasonal festivals, military focused programming, Veterans' gatherings, social events and retreats.

Patton Homestead Inc is an independent 501(c)3 non-profit which signed an agreement in August 2018 to help advise the Town relative to the Homestead and to fundraise for the property's capital and programming needs. PHI expanded its board to six members in Spring 2019. An additional six people have committed to assisting the upcoming capital fundraising campaign. New PHI board members include a public relations professional, a retired Army Major, and a nonprofit association management professional.

A website <https://pattonhomestead.org/> has been established for the property and the non-profit.

PHI in March 2017 recommended to the BOS that a Director be hired for the Homestead. Special Town Meeting voted to support hiring a Patton Homestead Director in the Fall 2018. PHI helped Town Manager with the job description, screen and rank resumes, and sat on the hiring committee. Kaleigh Pare was hired as of mid Feb 2019 as the Patton Homestead Director to oversee the property, initiate programming for the public, and identify revenue opportunities to make the Homestead self-sustaining.

The pergola which was destroyed by a wind storm in early 2018 was completely restored with capital from the Patton Homestead Special Fund by September 2018. Insurance proceeds will cover most of the costs and will likely be reimbursed directly into the Town's General Fund.

The exterior renovations which were partially funded by Patton Ridge land sale proceeds and CPA funds were substantially completed by December 2018. The exterior renovations included new roofing, repaired siding, new paint, new gutters and many other smaller improvements. Construction punch list items will be completed Spring 2019.

In September 2018 Benjamin Patton was married at the Patton Homestead with a wedding and tented reception on the great lawn and a reception dinner in the stables. The property proved to be an outstanding venue for weddings and the two caterers expressed strong interest in working with the town to hold more events at the Homestead.

In October 2018 the North Shore Chamber of Commerce Board held their fall meeting at the Homestead and expressed interest in sending referral events to the Town.

PHI has worked closely with DPW Director Tim Olson and his staff this year and wants to publicly thank him and his staff for all the great work they have done.

PHI, Town Manager and the BOS hired and participated with the nonprofit, Empower Success Corp, to develop a revenue strategy for the property. They confirmed that the property can support public and private programming and rental opportunities with military and veteran organizations. Using data from the ESC the PHI recommended a fee structure for property use and rental. The Director has taken that fee structure and folded it into the early drafts of a business plan which was requested by the Town's Finance Committee.

PHI helped Town Manager write a \$400,000 MA Cultural Council grant request. PHI secured a small \$500 grant from Local Cultural Council for D-Day 75th anniversary event; preliminary planning for this June 2019 event is underway.

PHI is working with fundraising volunteers including the Wenham Museum Director to refine the fundraising message. PHI expects to hire a professional fundraiser by May 2019.

The town is seeking ~\$83,000 in funding from ATM 2019 for the FY20 Operating budget, of which approximately \$42,000 will be returned to the town to fund overhead and other town resources.

The Patton Ridge senior homes bring in ~\$150,000 in annual real estate tax revenue. The project is the Town's second largest taxpayer.

*Respectfully submitted,*

*Patton Homestead Inc.*



## *Hamilton Historical Society*

What a busy year the Hamilton Historical Society has had! We received a growing number of visitors looking for all kinds of historical information; from family genealogy to new home research, to identification of artifacts and school projects. We sent out several information-packed newsletters, sponsored many programs and collaborated with other societies and institutions. With the town-wide membership mailing under the direction of Anne-Marie Cullen and Emily Cook, we have nearly doubled our membership. A variety of historical articles have been published in the Hamilton-Wenham Chronicle with interesting subject titles such as six-man football, the Overseers of the Poor, Gail Hamilton, Victorian writer, etc.

Our annual meeting in October was held at the Wenham Tea House. Our featured speaker was Richard Flynn from Wenham and his subject was the history of the First Congregational Church located in the Wenham town center. Another program co-sponsored with Asbury Grove Historical Society featured our Fire Chief Phil Stevens and Asbury Grove Historian Jennifer Banks describing spectacular fires that have occurred in the town and at the Grove. The in-depth presentation at the Hamilton Public Library on the Sagamore, Masconomet was also well-attended and received.

The Hamilton-Wenham Rotary Club included in their yearly calendar, a picture of the "First Flight " marker by Chebacco Lake for which the Hamilton Historical Society provided, both information and part of the funds. A major acquisition this year was the Grant Crowell postcard collection donated by Cindy Crowell Stelling.

The multiple year grant we received from the **Community Preservation Committee** in 2014 was completed, resulting in the digitization of the majority of the Hamilton Historical Society's picture and paper files thus making research so much easier. We cannot emphasize enough how important this grant was for our Society and for the townspeople.

Under the able leadership of our President Raymond Whipple, FY 20 holds even more promise for the Hamilton

Historical Society. We have moved to new quarters at the Patton Homestead on Asbury Street. The new location offers bright new space with the opportunity to work together with the Wenham Historical Society. We look forward to implementing new outreach programs that will expand the Hamilton Historical Society's offering to the community.

Respectfully submitted,

*Annette V Janes & Members of HHS*

## ***Town Clerk***

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

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

I would like to thank my new Administrative Assistant [Leticia Correia-Barreira](#) for her dedication and effort in performing the many and varied duties which make it possible for this office to run smoothly. Leticia has been a great addition to the Town Clerk's office. A very special thank you to our dedicated senior volunteers who assist us with our special projects: Charlotte Teshko, and Ruth Flumerflet, for all their hard work. We sincerely appreciate all their efforts.

<b>Town Population as of 12-31-2018</b>	7,854
<b>Registered Voters as of 12-31-2018</b>	5,829
<b>Marriage Intentions Filed</b>	12
<b>Marriage Licenses Issued</b>	10
<b>Births Recorded</b>	78
<b>Burial Permits</b>	15
<b>Deaths Recorded</b>	36
<b>Dog Licenses Issued</b>	1081
<b>Kennel Licenses Issued</b>	2
<b>Business Certificates Issued</b>	63
<b>Raffle/Bazaar Permits Issued</b>	10

## TOWN CLERK (CONTINUED)

### Elections and Registrations

Board of Registrars - Constance Cobb, Walter Leszczynski, Maureen Hickey and Andrea J. Carlson,

Clerk Officio.

*This year we had two Town Meetings, and three Elections'. The minutes are on file in the Town Clerk's Office. They are also on the Town Clerks web page.*

The Annual and Special Town Meeting was held at the H-W Regional High School Auditorium under the direction of Christopher Shailor, Bill Melville and his staff that keeps our meetings running smoothly. We sincerely appreciate all their help.

The Annual Town Election, State Primary and State Election were held at the H-W Recreation Gymnasium.

I sincerely thank the dedication and hard work of, Mark Shaw, Peter Cobb, Gary Kureta, and Scott Mcculloch Jr in setting up the elections, the Board of Registrars, the Election Officials, and the Hamilton Police for their support and professionalism.

### Summary of Elections & Town Meeting for 2018

April 7, 2018                    **Annual Town Meeting** had 402 registered voters in attendance which was 6% of the 6,023 registered voters in Hamilton.

April 12, 2018                    **Annual Town Election** had 1058 ballots cast, which was 17% of the 6,023 registered voters in Hamilton

September 4, 2018                **State Primary** had 1281 ballots cast, which was 21% of the 5943 registered voters in Hamilton

October 13, 2018                **Special Town Meeting** had 384 registered voters in attendance which was 6% of the 5,979 registered voters in Hamilton.

November 6, 2018                **State Election** had 4119 ballots cast, which was 68 % of the 6019 registered voters in Hamilton

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

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

Respectfully submitted,



Andrea J. Carlson

Town Clerk

## ***Hamilton Police Department***

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

I am pleased to offer you this annual report highlighting the activities and accomplishments of your Police Department during the calendar year of 2018. The Hamilton Police Department is a full-service, full-time police agency that serves our residents twenty-four hours a day, seven days a week. The philosophy of the Hamilton Police Department is that of preventing crime and being proactive while maintaining a high quality of life for the people for which we serve. We continue to utilize a Community Orientated Policing approach in dealing with the many problems we face each day. One of the keys to the success of the Department has been the support of other Town Departments, working together with citizens, businesses, schools and civic organizations. This successful model further enhances our ability to build partnerships for a safer community.

As in years past, I have had the pleasure of meeting and speaking with many of you regarding concerns you would like to see addressed. As a result of these discussions, I continue to gain a better insight into the town and am able to examine and address many of the issues you have presented.

Statistics indicate that property crimes in Hamilton and crimes against persons are slightly lower in 2018 versus 2017, however, we are still asking citizens to remain vigilant and call us immediately if they detect anything suspicious in nature or out of the ordinary. Although I consider Hamilton a very safe town to live in and raise a family, I continue to encourage residents to lock their homes and vehicles.

Members of the Hamilton Police Department are committed to training. Above and beyond the mandated yearly in-service training, officers are continuously being sent for specialty training updating them in new laws and trends resulting in better service to the citizens of Hamilton. We continue to work diligently with other Federal, State and Local law enforcement agencies as well as the District Attorney's Office in an effort to thwart criminal activity and provide a safe community for our citizens.

The Hamilton Police Department is and has been a fully accredited Police Department since 2012. To retain its accreditation, the Department is subjected to a three-day assessment every three years by a team of assessors from the Massachusetts Police Accreditation Commission. I am pleased to announce that on October 24, 2018, the department was approved for and received our third accreditation award.

As Police Chief, I am indebted to the dedicated men and women of the Police Department for their continued cooperation, commitment and professionalism. I also wish to commend all the officers and staff for their service, professionalism and their efforts to make the Town of Hamilton a safe and desirable community in which to live.

On behalf of all the Hamilton Public Safety employees, I would like to thank the citizens for the opportunity to serve.

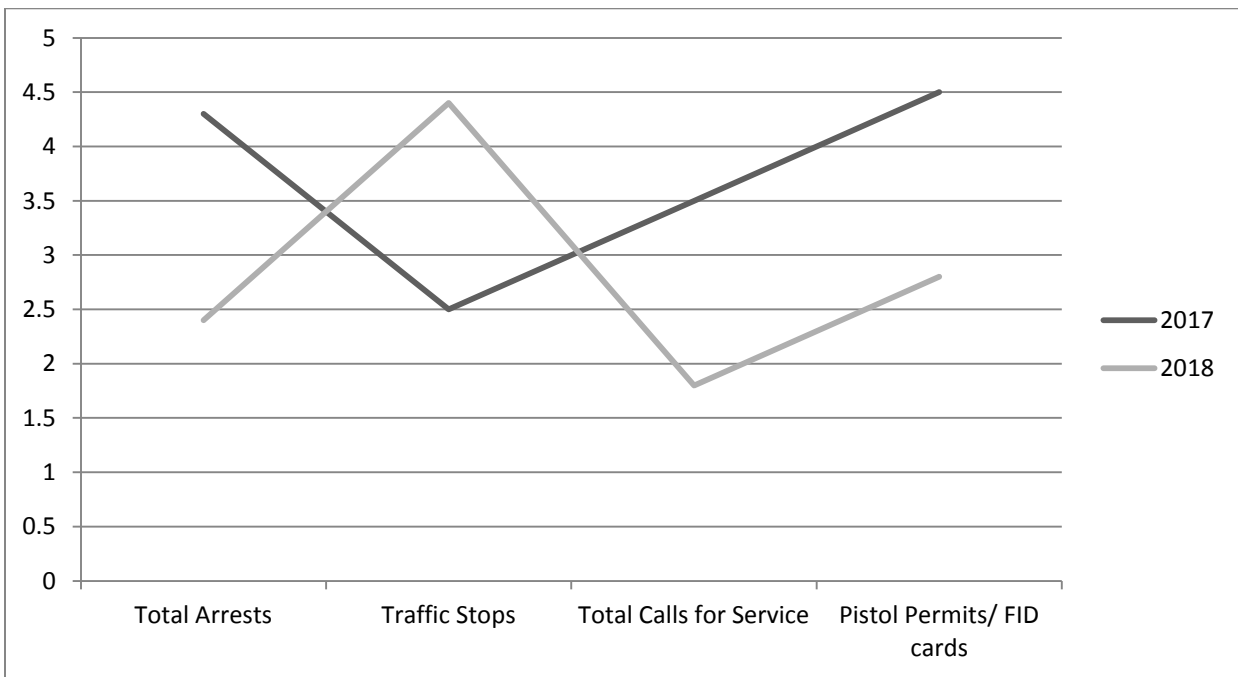
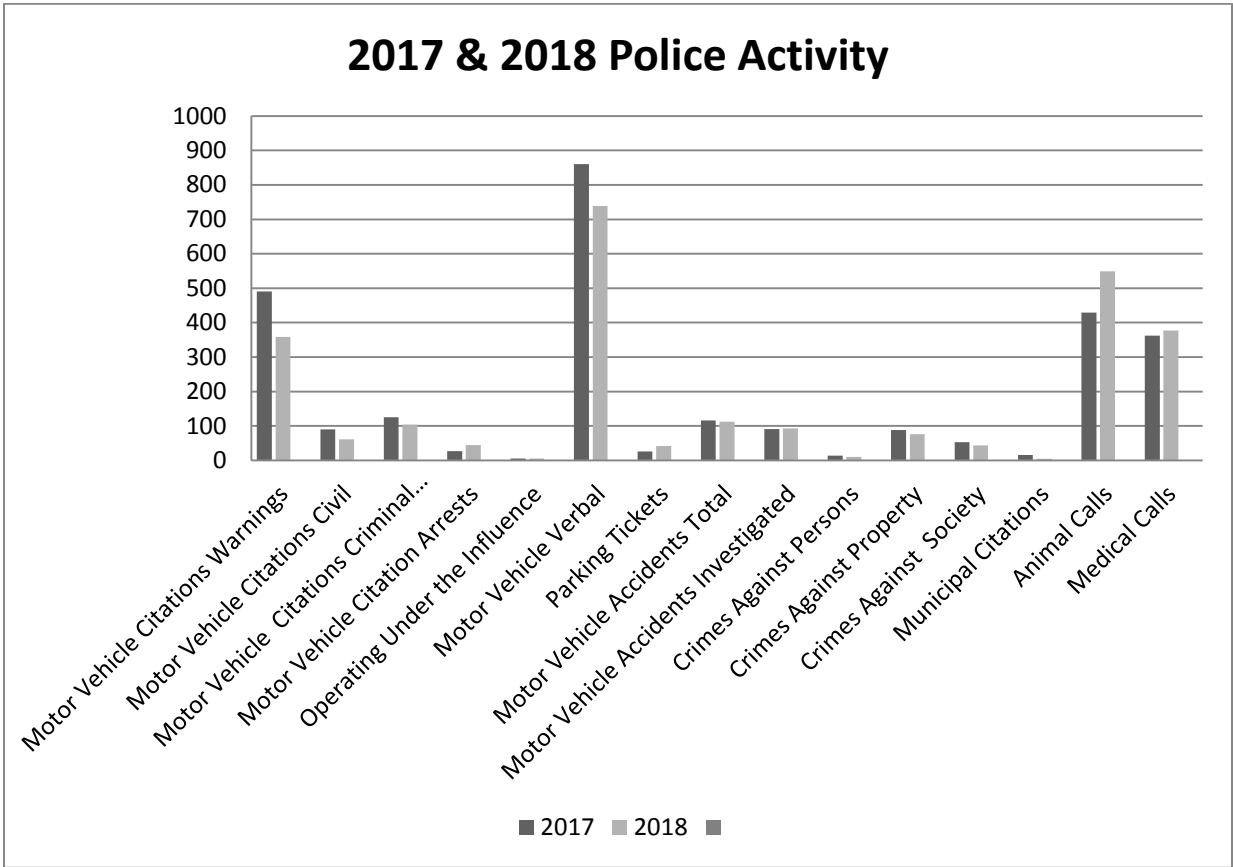
Respectfully Submitted,

*Russell M. Stevens*

*Russell M. Stevens*

*Chief of Police*

**HAMILTON POLICE DEPARTMENT (CONTINUED)**



**(Statistical tabulation based on calendar year)**

**HAMILTON POLICE DEPARTMENT (CONTINUED)**



## ***Hamilton Fire Department***

I am retiring as Fire Chief as of December 31, Captain Raymond Brunet will be taking over. He has been working with me side by side, for the last 6 months and will do a wonderful job.

I would like to extend my sincere appreciation and gratitude to the members of the Fire Department. I commend them for their continued support and dedication to the people of the Town of Hamilton. They are on call 24/7; they leave their jobs and homes in all kinds of weather, any time of night or day at a moment's notice to assist the citizens with any kind of emergency.

I also would like to thank the people of the Town of Hamilton for letting me serve you as a firefighter and as Fire Chief. It has been a pleasure to serve the Town for the past 37 years.

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



### **STAFFING:**

The Fire Department serves the Town of Hamilton with (4) fulltime firefighters and (20) call firefighters.

The Fire Chief also serves as the Forest Fire Warden and the Emergency Management Director.

### **TRAINING:**

Firefighters Timothy Everitt, Christopher Raymond, and Richard Villa graduated from the Massachusetts Firefighting Academy Call/Vol Class in February and became certified as Firefighter I/II.

FF/EMT Robert Wallace, FF/EMT Jared Dolan and Captain/EMT Raymond Brunet became certified instructors for A.L.I.C.E. (active shooter response training program). They have worked with the Schools and the Police Department to implement this new program.

FF/EMT Robert Wallace also became a Certified Rapid Intervention Team (RIT) Instructor. RIT is used to save firefighters in distress while in the performance of his duties.

### **EQUIPMENT:**

Thanks to the generosity of the residents, we purchased a 2017 Pierce Impel 1500 gallon per minute pumper, with related equipment, which replaced a 1996 Pierce pumper. We also purchased new Self-Contained Breathing Apparatus (SCBA), vehicle extrication tools (Jaws of Life), and a washer extractor and dryer to clean turnout gear to remove contaminants that can hurt firefighters. The washer extractor and dryer were purchased through a federal grant and supporting funds from the fall town meeting. All of this equipment will benefit the town, firefighters and their families.

# HAMILTON FIRE DEPARTMENT (CONTINUED)

## INCIDENTS:

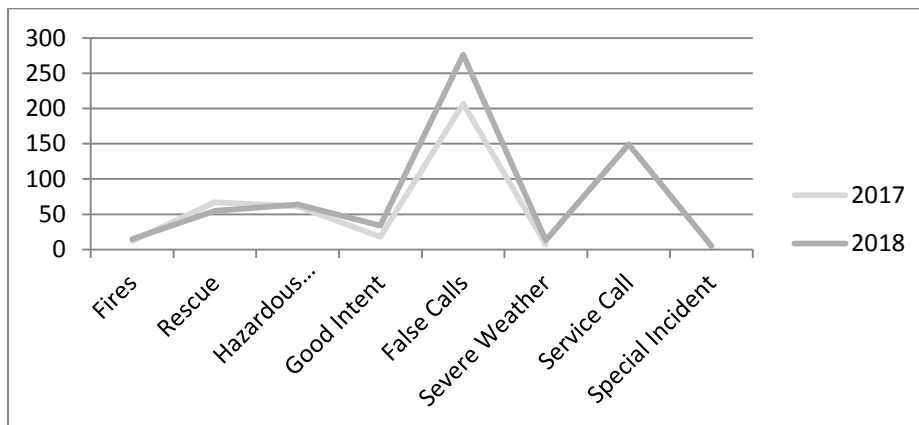
The Fire Department responded to a total of 1063 calls in 2018. Breakdown of incident calls by type is listed below.

In the beginning of January we had a number of calls due to extreme weather related conditions. There were a number of emergency calls due to broken pipes and downed power lines. There was also a structure fire on Walnut Road.

There were three major storms in March which kept our fire crews out straight rendering emergency services. We responded to 163 calls in this time frame which included a structure fire on Gregory Island Road. In addition, we provided mutual aid to our neighboring town of Wenham for a natural gas explosion with a subsequent fire on Cherry Street.

Throughout the year we responded, in addition, but not limited to, mutual aid to other communities, hundreds of medical aids, vehicle fires, motor vehicle accidents, cooking fires, chimney fires, house fires, and general public assistance.

Mutual aid is a vital resource throughout this region which allows cities and towns extra man power and equipment as needed. In the course of our duties, we received mutual aid from area departments seventeen times. We delivered mutual aid to our neighbors sixteen times.



**Total Fires Calls                      611**

**Emergency Medical Calls            452**

## FIRE PREVENTION:

The Department continues to educate the community, including seniors and school children.

We conducted our annual week of training in the elementary schools. The training was in the classroom as well as the Essex County Fire SAFE Trailer where they got practical fire safety training. The children based education program “S.A.F.E.”(Student Awareness of Fire Education) is provided by demonstrating safety throughout the home using a specially designed trailer. This valuable trailer/training prop has mock hazards built into it and can easily show children how to stay safe in all situations in their household environment. This provides valuable skills for our youngsters that they will use for the rest of their lives, as well as the



## ***HAMILTON FIRE DEPARTMENT (CONTINUED)***

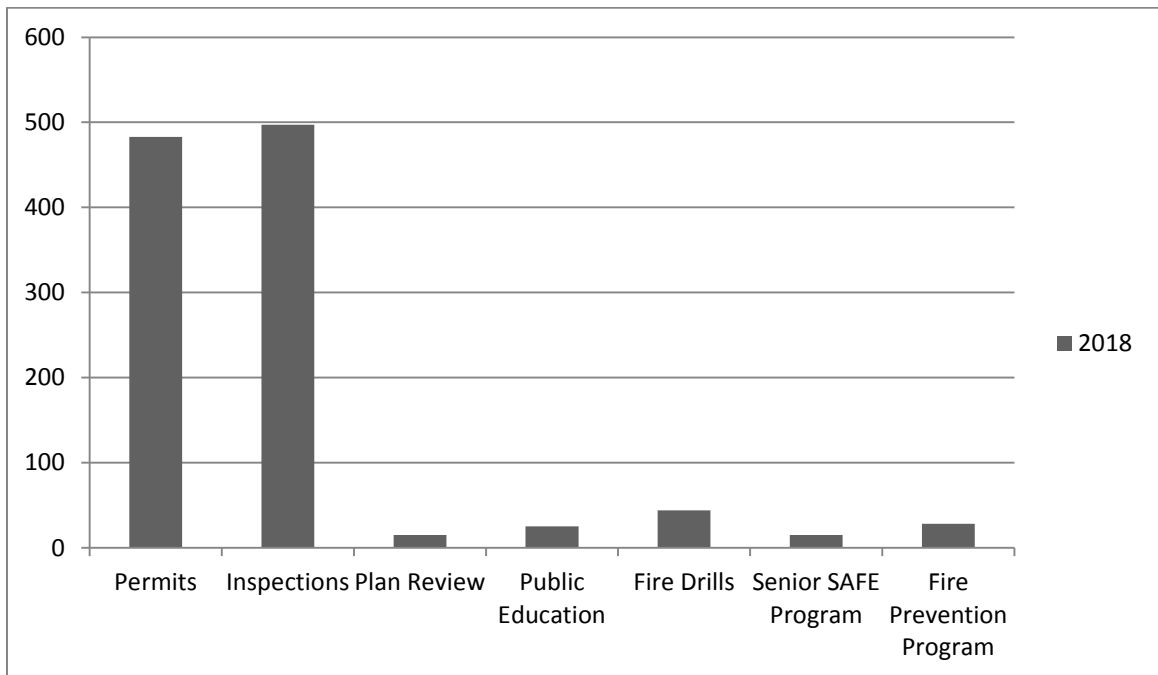
opportunity to interact with members of the Fire Department who conduct the classes. The trailer is owned by Essex County Training Division of which we are proud to be a member.

Fire and lock down drills were practiced at all the public schools, Pingree School, Gordon Conwell Theological Seminary, as well as Town Hall. The public school system is mandated by state code to conduct four fire drills per year, of which two of them can be substituted for lock down drills. As firefighters and parents, we are happy to see the adoption of the A.L.I.C.E. program in our school system.

The SAFE Trailer was at the Public Safety Day in September where many members of the public took advantage of the training.

The Hamilton Fire Department initiated a smoke detector/CO alarm and lock box program for seniors. In cooperation with the Council on Aging, we replaced old detectors and installed lock boxes for seniors. Over 70 seniors have taken advantage of the program since it started. We will continue this program as long as we can get detectors. We have also been educating seniors on what the Fire Department does and what to do in case of an emergency. This would not have been possible without the partnership of the State S.A.F.E. grant program, Hamilton-Wenham Rotary, and Kidde Corporation.

The recent growth in the economy has brought an increase in renovations and house sales. This has kept the fire prevention end of our job busy. We have seen an increase in smoke and carbon monoxide detector inspections, propane tank installations, and dumpster permits. In addition, oil tank removals and installs were disproportionately higher than in the past. This made for a banner year!



## ***HAMILTON FIRE DEPARTMENT (CONTINUED)***

### **OPEN BURNING:**

Open burning season was January 15 to May 1. We charge \$20/season for these permits, \$10 for seniors. In addition, Agricultural Burning Permits are issued to qualified farms and they are allowed to burn all year long. We charge \$50/year for Agricultural Burning Permits.

- Open Burning Permits-403
- Agricultural Burning Permits – 2

### **Insurance Service Organization:**

The Insurance Service Organization did their 10 year audit. We are proud to announce we remained at a Class 4 for fire insurance rates. The ISO are obligated to audit fire response, training, manning, equipment, maintenance, communications, and water supply. As you know, it is easy to get a high rating, but it is much harder to maintain it.

### **PERSONNEL:**

Our biggest problem is adequate manpower, both during the day and at night. During the day we have but one or two call firefighters to draw from at any given time and late nights are often a struggle as well. We are a combination fire department relying heavily on our call staffing, while augmenting with a few fulltime firefighters on duty during the day.

The medium house price in town is driving younger residents elsewhere for their residences, making it virtually impossible to find call firefighters that live in town! It is a problem that all the Departments in the area are having. Different avenues in the way of recruitment and retention must be explored to keep our firefighters and community safe.

Lives have gotten progressively busier and people's schedules have made it almost impossible to commit to rigorous training, let alone respond to calls. We are losing our most experienced EMT's and firefighters due to age. The few younger, dedicated firefighters we have typically end up being hired by fulltime departments in larger cities and towns.

Our door is always open and we are always recruiting people to become call firefighters. However, there is a huge time commitment with training and responding to calls. For all these reasons, we are going to need more fulltime firefighters in the near future. We need, at least, one or two more during the day and should have some night coverage.

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

*Raymond A. Brunet, Fire Chief*

**HAMILTON FIRE DEPARTMENT (CONTINUED)**

**HAMILTON FIRE DEPARTMENT**

**2018**

<b>NAME</b>	<b>RANK</b>
Philip Stevens	Fire Chief (FT) (Retired 12/31/2018)
Raymond Brunet	Captain/EMT/Fire Inspector (FT)
Jared Dolan	FF/EMT (FT)
Robert Wallace	FF/EMT (FT)
Kenneth R. Brand	Deputy Chief
Joseph Allen	Lieutenant (Retired Jan. 1, 2018)
Andrew Ellison	Lieutenant/EMT
David Dolan	Lieutenant
Robert J. Brown	FF (Resigned Mar. 1)
Frank Cirinna	FF
Stephen Collins	(Rehired 4/1/2018)
Alexander Dale	FF/EMT
Zack Dolan	FF
Kristine Ellis	FF/EMT
Timothy Everitt	FF
Ryan Goodwin	FF/EMT-P
Christian Hassel	FF/EMT
Zachary Ingraham	FF/EMT-P (Resigned May 21)
Justin Mullen	FF
Andre Painchaud	FF/EMT-P
Lukas Painchaud	FF
Kent Parsons	FF/EMT-P (Military Leave)
Christopher Raymond	FF
David Raymond	FF/EMT EMS Coordinator
Thomas Raymond	FF/EMT
Alexander Shaw	FF (Retired May 15)
Benjamin Tuneburg	FF
Richard Villa	FF
Jerome Frontiero	Mechanic (Part Time)
Sandra Painchaud	Photographer
Kevin Baird	Chaplain
Glenn Preston	Instructor
Kenneth Shedden	Instructor

**HAMILTON FIRE DEPARTMENT (CONTINUED)**



## Emergency Management

Emergency Management is based on preparedness. Three steps to safety; Be Informed, Make a Plan, Make a Kit, Get Involved.

For more information, check the Massachusetts Emergency Management website at [www.mass.gov/eopss/agencies/mema](http://www.mass.gov/eopss/agencies/mema).

The Shelter Team has been meeting twice a year at the Senior Center. We have a good group of volunteers but are seeking more volunteers to help with our sheltering program. We are prepared to open a day shelter at the Senior Center when needed for heat, cooling, and power. Residents will be able to charge cell phones and get information. Health Nurse Christine Lee and Nancy Stevens of the health Department have been invaluable.

The Shelter Team was activated twice during the March Storms due to long term power outages in some areas.

We were eligible for reimbursement for some of the costs of the March 2 & 3 Storm and the March 13 & 14 Storm. The paperwork was submitted in December.

One of the biggest problems during a storm is keeping the residents informed. We send out Code Red Messages but many people do not have home phones any more. In order to get these messages on your cell phone you must register at dispatch in the Public Safety Building.

The DPW recently purchased a sign board trailer to help make messages available downtown. Hopefully we get another one in the near future to put up the east side of town.

We have worked with National Grid and State Rep. Brad Hill to see what can be done to rectify the problems that are causing the outages. The biggest problem is trees. Branches need to be cut back around power lines. National Grid has been working in town to take care of some of these problems.

Emergency Management has (4) generators, cots, blankets, first aid kits, and other equipment that may be



needed in an emergency. We have updated some of our equipment with various grants.

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

Respectfully submitted,

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

## ***Hamilton-Wenham School District***

The Mission of the Hamilton-Wenham Regional School District is to educate our children to become young adults who are of good character and demonstrate mastery of the knowledge and skills needed to be successful members of our global economy and engaged citizens of the 21st Century.

### **Goals achieved/large projects accomplished:**

- Strengthened the Response to Intervention (RTI) Process at the Elementary Level and develop inventory of Tier 1-3 Interventions.
- Improved curriculum, instruction and assessment practices in grades 6-12 through training teachers in methods for analyzing student learning data.
- Train Curriculum Leaders in Effective Coaching Practices
- Developed a shared understanding of best practices in conducting walkthroughs among members of the Leadership Team.
- Completed a review of best practices in Social-Emotional Learning (SEL) with Leadership Team.
- Presented plans for the re-imagining of the HWRSD School Library Spaces.

### **Priorities for 2019:**

- Develop new Strategic Blueprint Document to guide the HWRSD's Improvement Efforts for the next five years.
- Build the Capacity of HWRSD Administrators to Faithfully Implement the DESE's Educator Evaluation System.
- Implement ALICE Crisis Response Protocols to ensure student and staff are using the most current practices regarding school safety.

The HWRSD Currently serves 1715 students in grades K-12, 1091 of these students are Hamilton Residents. Three elementary schools, Bessie Buker in Wenham and Cutler and Winthrop Elementary in Hamilton, serve students in grades K-5. Students in grades 6-8 attend Miles River Middle School and grade 9-12 students attend Hamilton-Wenham Regional High School.

To serve these students, the HWRSD is currently staffed with approximately 308 Full-Time Equivalent (FTE) Positions. Professional Teaching Staff, 175 total, makes up 57% of these FTEs. Teaching assistants (53 FTE) make up the next largest group, with the remaining 80 positions distributed among administrators, nurses, administrative assistants, cafeteria workers and custodial/maintenance functions.

The FY19 Total Expenditures Budget was approved by both Hamilton and Wenham Town Meeting for the amount of \$34,009,333. The FY20 Budget request will be presented in detail on the HWRSD Website: [www.hwschools.net](http://www.hwschools.net).

## ***HAMILTON-WENHAM SCHOOL DISTRICT (CONTINUED)***

**The HWRSD would like to recognize the retirements of the following teachers:**

- Vincent Bucci 34 Years History/Social Studies Regional High School
- Suzanne Clerkin 15 Years Teacher Cutler
- Ann Marie Haskell 15 Years Spanish Teacher Regional High School
- Kathleen Hughes 23 Years Adjustment Counselor Buker
- Bonnie McGarrell 17 Years Teacher Miles River Middle School
- Eleanor Todd 23 Years Math Teacher Miles River Middle School

**We thank them for their many years of service to the HWRSD!**

*David Polito, Chairperson*

*Gene Lee, Vice-Chairperson*

*Stacey Metternick, Secretary*

*Peter Wolczik, Assistant Secretary*

*Jeanise Bertrand*

*Michelle Bailey*

*Kerry Gertz*

## ***Board of Health***

The Board of Health consists of three members serving a three-year term. David Smith serves as Chair and Dr. Giselle Perez and Walter Row as members. Leslie Whelan is the Health Agent and Nancy Stevens the Administrative Assistant. Chris Lee is our Public Health Nurse. Roberta Cody is our Food, Camp and Pool Inspector. Hayes Demeule was appointed as our Animal Inspector and Anne Jackman as Assistant Animal Inspector.

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

This year the Board of Health continued vaccinating residents during flu season. The Hamilton and Wenham Boards of Health collectively joined together and held four Flu Vaccine Clinics (three for residents and one for middle/high school students). There were approximately 490 residents and students vaccinated with the help of nursing students and Medical Reserve Corp. volunteers. The Health Department's flu clinics are run efficiently and smoothly in a cost-effective manner.

The Public Health Nurse has been assisting new mothers relative to the first year of a postpartum program. The Northshore Mother Home Visiting Partnership is designed to connect new mothers and their babies with their community, while assessing for postpartum depression and making referrals to medical professionals when needed.

The Public Health Nurse in conjunction with the Hamilton Police and Café Shishco promoted bike helmet safety. Approximately 200 school aged children were commended for their use of bicycle helmets and rewarded with frozen yogurt coupons.

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

The Board of Health's septic system regulations were amended to have more oversight and influence on the quality of septic system inspections and the professionalism and responsiveness of those offering such services.

The Board of Health sponsored and held a Public Hearing on a proposed new Town bylaw, "BYLAW FOR THE IMPROVEMENT OF UNSAFE STRUCTURES OR PROPERTY AND THE MAINTENANCE OF VACANT BUILDINGS" which was overwhelmingly approved at April Town Meeting and subsequently approved by the Attorney General and is now Chapter XXXVIII of the Town Bylaws.



## ***BOARD OF HEALTH (CONTINUED)***

The Board of Health participates in the FDA Voluntary National Retail Food Program Standards, and applied again for an FDA grant to improve our food protection program. The Board also adopted a policy to address the need for additional food inspections at food establishments that fail to correct health code violations.

The Northeast Massachusetts Mosquito Control and Wetlands Management District monitors for mosquito-borne diseases in the region. This year virus levels were low with no Eastern Equine Encephalitis in the region. The Board prefers not to “routinely” spray. Taking personal protective measures and draining standing water in your yard is the best protection against mosquito bites and mosquito-borne diseases.

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

	2018
Septic Disposal System Construction (New) Plan Review	6
Septic Disposal System Construction (Repair) Plan Review	54
Septic Title 5 Inspection Report Review	114
Septic Construction Inspections	66
Soil Evaluation Inspections	40
Septic Disposal System Installer License	34
Septic Disposal System Hauler License	9
Septic Title 5 Inspector License	15
Septic Operation & Maintenance Provider License	6
Food/Retail Service Permits	36
Temporary Food/Retail Service Permits	21
Seasonal Food Service Permits	6
Keeping of Animal Permits	63
Stable Permits	63
Wells Permits	1
Public Swimming Pools Permits	4
Recreational Camps Permits	7
Tobacco Sales Permits	5
Complaints – Housing/Nuisance	4

Total fees collected in calendar year 2018 were \$57,476.

### HAMILTON BOARD OF HEALTH

*David B. Smith, Chair*

*Dr. Giselle K. Perez*

*Walter A. Row*

## ***Eastern Essex District of Veteran Services***

Veterans Services is charged under Massachusetts General Laws Chapter 115 with providing services to Veterans, dependents, and widows. The Town funds this program for their resident Veterans, dependents, and widows, and is subsequently reimbursed 75% by the Commonwealth. It is the responsibility the department to follow the process dictated by the Department of Veteran Services so that the Town receives the fully allowed reimbursement. The department is also tasked with the responsibility of assisting Veterans and their families with VA benefits; ensuring that each Veteran and/or family member receives all benefits that are available to them.

### **Goals achieved/large projects accomplished:**

- Assisted Veterans and their families with Local and VA Benefits
- Wreaths Across America
- Director/VSO and Assistant to Director passed the Certification Test which means that Hamilton is Eligible for the full 75% reimbursement from the State
- Obtained POW/MIA Medal and 2 Medal of Liberty for Veteran Families within the District
- The State CH115 Report is behind in providing the information, the change from 2016 to 2017 was increased by \$15,086

### **Priorities for 2019:**

- Increase Outreach
- Quarterly Newsletter
- New Website
- Wreaths Across America 2019
- New Part-Time Administrative Assistant

### **Significant statistics:**

#### **VA Awarded Benefits:**

- Veteran Compensation: 51 Veterans total \$965,376
- Dependency & Indemnity Compensation: 6 widows/widowers total \$96,972
- Pension: 1 Veteran \$2,364
- Death Pension: 3 widows/widowers total \$27,708
- Total Awards Veterans/Widows/Widowers: 61 recipients \$1,105,588
- Ch115 Benefits \$18,560

### **Personnel Changes and Acknowledgements:**

There has been no change in personnel, which is a positive for the Veterans we serve. We are getting increasing our knowledgeable about what is available to our Veterans and Surviving Spouses. The Veteran and Surviving feel more comfortable with consistence of staff. The District Director was presented a challenge coin from the Secretary of Veteran Services for Excellence. She was also recognized by Care Dimensions for outstanding support of Veterans.

### **Department staff and Board of Directors**

*Karen Tyler, District Director/Veteran Service Officer*  
*Kathleen Collins, Assistant to the Director*

*John Clemenzi, Chairman of the Board of Directors, Wenham*

*Jeffrey Hubbard, Board Member, Hamilton*

*Michael Flynn, Board Member, Essex*

*Doug Dawes, Board Member, Georgetown*

*Linda Alexson, Ipswich*

*Chuck Bear, Board Member, Newbury*

*Robert Snow, Board Member, Rowley*

*Robert Janes, Board Member, West Newbury*

*Karen Summit, Treasurer, Rowley*

## ***Council-on-Aging***

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

Some of the highlights and changes which occurred during this time include:

Increase from the Social Services Coordinator with numbers showing a 4% increase in new seniors being seen for the first time (unduplicated) and 17% increase in seniors who have used our services in a previous year (duplicated). SHINE (Serving the Health Information Needs of the Elderly) appointments decreased by 23% due to employee being out on Family Leave during Open Enrollment.

Total transports for year show a 25% decrease over FY'17 (1,917 total transports).

There were a total of 570 medical transports. Non-medical transports (shopping/leisure/work) numbered 860. Decreases can be attributed to several seniors who had used transportation for multiple weekly medical and non-medical appointments who no longer use senior transportation.

Meals on Wheels delivered 6,672 meals in 2018 with 1,531 people served a daily congregate lunch at the Senior Center.

Soup and Sandwich meal program initiated to accompany daily congregate service

A new program was initiated called Generals for Generations which sends one or two HWRSD Honor Society students into seniors' homes to provide weekly

help for chores such as fall clean-up, moving furniture, changing light bulbs, etc.

Counselor and students from the Myles River Middle School have started a monthly tech seminar for seniors to work with them to better understand how to use their tech devices

The Council on Aging is looking forward to working with Boy Scout Trent Blatz to help him create a patio area at the senior center for his upcoming Eagle Scout project

The Council on Aging in conjunction with the Hamilton Police Department created a check-in program for seniors in the event of an extreme weather event to ensure their safety

The Council on Aging is working to ensure that seniors have access to a cell phone in order to receive emergency updates via Code Red during the course of an extreme weather event

Selectman Jeff Hubbard arranged a Great Estate tour of three homes in Hamilton for our seniors this past summer. Ray Whipple, member of the Hamilton Historical Society, accompanied the tour as a step-on guide

Continuation of programs and activities include Cribbage, Reader's Club, weekly Farmer's Market sponsored and supplied by ACORD Food Pantry, weekly movies, weekly board games, Red Sox game day get-togethers, Patriot's Game Day, Low Vision and Lunch group, painters group, Seniors Helping Seniors, strength training for seniors, monthly legal aid attorney, monthly audiology check-ups, quarterly updates from town department heads to seniors, Bingo and Hot Dogs, Arthritis Foundation exercise class, Parkinson's Fitness Class, historical snapshots of Hamilton, fuel assistance, 2 yearly flu clinics, monthly meeting with constituent aide to Senator Bruce Tarr, fall yard sale at senior center, free book and DVD lending library, new Medicare Card seminar, MA Office of Consumer Affairs on senior scams, Senior Circuit Breaker Tax Credit seminar, Home Modification Program for Seniors seminar, ACORD Food Pantry food drive as well as an ACORD cooking

## ***Council-on-Aging (continued)***

demonstration, presentation of new electric aggregation program for Hamilton residents and much more

Representative Brad Hill sponsored a cook-out for our seniors this summer. Fifty seniors came out to enjoy entertainment ahead of time along with a BBQ cooked by Rep. Hill and other volunteers.

Seniors enjoyed trips to 6 different venues this year including Currier Museum, Wolfeboro, NH, Scituate Lighthouse, a tour of Cape Ann, Conway Scenic Railway and a step-on tour of Marblehead.

- Button Cell Battery rebate program collected 10 pounds of used batteries which raised \$1,000 for activities, programs and equipment.
- The Hamilton-Wenham Cultural Council sponsored a St. Patrick's Day presentation by Roger Ticknell accompanied by a free lunch of corned beef and cabbage.
- Brunch with Bruce Tarr in which seniors were updated by Senator Tarr as to legislation currently being proposed on Beacon Hill.
- ACORD Food Pantry donated over 60 "go boxes" for seniors who are food-challenged and need shelf ready items.
- The Hamilton Fire Department secured a grant which allowed the installation of lock boxes at residents' homes to be used to gain access inside in the event of an emergency.

Respectfully submitted,

Mary Beth Lawton  
Director, Hamilton Council on Aging



## Hamilton-Wenham Library

The Hamilton-Wenham Public Library is a publicly-funded institution dedicated to the common good by serving the informational, educational, cultural, and recreational needs of the community and encouraging its patrons in the lifelong pursuit of learning and personal growth. The library will be responsive to the needs of its diverse users, advocate and support the use of appropriate technology, build an excellent collection, commit itself to the highest ideals of library service and the principles of intellectual freedom, and provide a welcoming meeting place for the community.

In 2018, the library circulated 219,145 items. Our meeting rooms (including some programs that were offered offsite) were used by community groups and library programs a total of 1,636 times. The library offered 378 adult programs, 50 young adult programs, and 367 children's programs. Our reference department answered 16,485 reference questions and our study rooms were used a total of 2,491 times. 562 new cards were issued this year. Our Overdrive downloadable e-book and audio book circulation increased from 1,433 in 2011 to 11,717 in 2018.

### Our 2018 accomplishments included:

- Adding a subscription to *Hoopla* (movies, e-books, e-audio) and *Flipster* (e-magazines)
- Participating with Wenham and Hamilton Police for ALICE training
- Partnering with The Theater in the Open to perform *Much Ado About Nothing*
- Joining with the Recreation Department to show *Coco* at Patton Park
- Hosting *Grit and Grace*, a photographic essay featuring local women
- Offering a series of programs to promote library services

- Working with Ebsco and Archer Insurance to provide a charging station for patrons
- Expanding our Library of Things collection to circulate games, tools and equipment
- Improving access on the library's website to all our electronic resources
- Working with the Friends of the Library to maintain our pollinator gardens and successfully hatching 105 Monarch butterflies
- Sending YA Librarian, Kim Claire to give a presentation for the MLS Teen Summit
- Visiting HWRSD classrooms and hosting school field trips
- Leading a summer reading program with 946 children participating

### Our 2019 priorities are:

- To complete our Five-Year Strategic Plan
- To complete a successful leadership transition when I retire in 2019

In 2018, we said good-bye to many staff members who either moved away, left for school or to another position. We said a sad good-bye to Kerry Crockett, Lonelee Brogna, Lizzie Dixon, Josh Hunt, Dede McManus, Miranda Griffiths, and Ella McCrae. We welcomed Charlotte Minasian, Linda Platt, Lily Knudsen, Kathy Lindsay, Julie

## **HAMILTON-WENHAM LIBRARY (CONTINUED)**

Niemann and Elizabeth Bellucci. Current Library Staff are: Jan Dempsey, Library Director; Rob Pondelli, Assistant Director; Chris Burns, Library Assistant; Kim Claire, Young Adult Librarian; Kathy Lindsay, Children's Library Assistant; Jeannine Curtis, Library Assistant; Karen D'Ambrosio, General Services Librarian; Nancy Day, Head of Technical Services; Lorraine Der, Children's Librarian; Amy Dziejewit, Head of Circulation; Charlotte Minasian, Library Assistant; Julie Niemann, Children's Library Assistant; Anne Hanrahan, Library Assistant; Sarah Lauderdale, Head of Reference; Josh Lear, Library Assistant; Elizabeth Bellucci, Librarian; and Rebecca Shea, Adult Services Librarian. Our Library Pages are Lily Knudsen, Linda Platt, Kate Shelton and Christina Trudel.

We thank our dedicated volunteers who assist in all library departments. Current Library Trustees are; Julie Clay, Chair; Nichole Gray, Vice-Chair; Dolores Boghdan, Secretary; Dede Johnson, Liaison to the Friends; Judith Bubriski and Dorothy Goudie.

Most of our programs are funded by the generous support of the Friends of the Hamilton-Wenham Public Library who work tirelessly to support our library. The Friends, under the leadership of Ruth Collins and Dede McManus, provided for most of the library's programming. They also contributed toward our unforeseen elevator repairs. The Friends also provided the funds to maintain the pollinator garden. The Friends held three successful book sales in 2018 and they continue to provide the following museum passes for the public to enjoy: Boston by Foot, Children's Museum in Boston, Cape Ann Historical Museum, Concord Museum, DeCordova Museum in Lincoln, Department of Conservation and Recreation, Harvard Museum of Natural History, House of Seven Gables, Edward M. Kennedy Institute, Institute of Contemporary Art, Isabella Stewart Gardner, JFK Library and Museum, Museum of Fine Arts, Museum of Science, New England Aquarium, Orchard House, Peabody Essex Museum, Strawberry Banke, Wenham Museum, and Zoo New England. Patrons can call to reserve passes or access the remote sign-up on our website. In 2018, patrons reserved museum passes 1,564

times. To learn more, visit the Friends' website at [www.friendsofhwlibrary.org](http://www.friendsofhwlibrary.org).

In 2018 the library added an online subscription to Hoopla (for downloading movies and e-books and e-audio books and to Flipster which includes an online subscription to Consumer Reports. Patrons still enjoy the online subscription to the *The New York Times*. We continue to offer *Chilton Library* for car repair and the *Gale Testing and Education Reference Center*. These products enable patrons to access many library resources on a 24/7 basis. We continue to list our programs and events on our website at [www.hwlibrary.org](http://www.hwlibrary.org). Patrons can order library materials from home through the online catalog and access many electronic resources. The statewide databases, including the *Encyclopedia Britannica* support geo-location, so Massachusetts patrons can access them even without a library card. We also offer our Hamilton and Wenham citizens *Ancestry.com Library Edition*, *American Ancestors*, *Safari Books Online* (for technical books), one geography database, *Booklist Online*, *Morningstar Investment Research Center*, and *Cypress Resume*. We also use the consortium-wide collection of downloadable e-books and audio books via Overdrive. We continue to offer *Universal Class*, a program that allows Hamilton-Wenham citizens to enroll in or audit over 500 classes at no charge. Patrons can sign up for *Wowbrary* emails or our Constant Contact newsletter by going to our website or calling us at 978-468-5577.

After fourteen years of service, I am extremely grateful to our patrons and town leaders for their support of the library as a public good and for their kindness and generosity. This library is a treasure and it has been an honor to work for the communities of Hamilton and Wenham.

Respectfully submitted,

*Jan Dempsey, Library Director*

## Joint Board of Library Trustees of Hamilton and Wenham

The Joint Board is responsible for the custody and management of the library and its services and facilities located at 14 Union Street in Hamilton and members are active participants in promoting and supporting the mission statement of the library.

### Goals achieved in 2018:

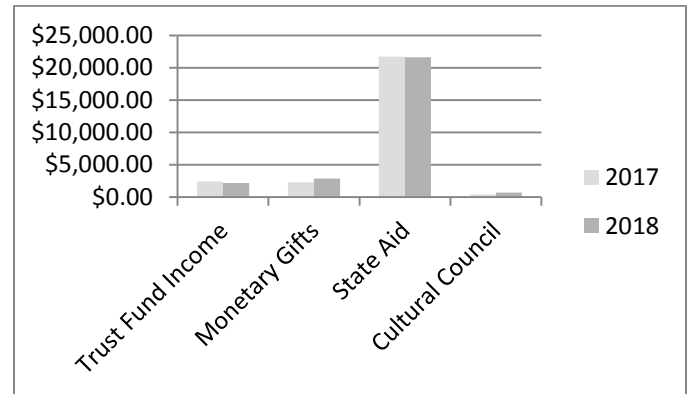
- Supported and participated in programs and events that promoted library services
- Participated with the Strategic Planning Committee to start our third strategic planning process

### Priorities for 2019:

- Submit the 2019 Five-Year Strategic Plan to the Massachusetts Board of Library Commissioners and begin work on the action plan
- Hire a new library director
- Build relationships among library staff and library trustees
- Promote citizens' awareness of the role of the public library trustee and the importance of public libraries

### Significant statistics:

In FY18, the Library received:



Trust Fund Income is used for library materials, staff development and upkeep of the Children's Room aquarium. State Aid funds were used in FY18 for software, information technology, repairs to the building and elevator, for cleaning the carpets in the entire library and for the subscription to *Universal Class*. Gift funds were used to purchase library collection materials.

In 2018 we welcomed Dede Johnson to the board. We also thanked Patricia Purdy, who completed two terms of service in 2018, for her dedicated work and commitment as a library trustee.

Respectfully submitted,

*Julie Clay, Chair*

*Nichole Gray, Vice-Chair*

*Dolores Boghdan, Secretary*

*Dede Johnson, Liaison to the Friends*

*Judith H. Bubriski*

*Dorothy Goudie*

## Hamilton-Wenham Recreation Department

The Hamilton Wenham Recreation Department provides a wide variety of programs designed to improve the quality of life for residents by meeting physical and recreational needs. We promote lifelong lessons through play, education and community wide events.

The Hamilton Wenham Recreation programs experienced an increase in overall participation and revenue across all of our seasonal programming.

- Introduced a successful “after school” program on Wednesday’s throughout the school year which is held at the Recreation Center.
- 
- The Veterans Memorial Pool at Patton Park saw a slight increase in usage during the summer of 2018 with over 6300 individual visits. The Hurricanes Swim Team experienced a 53% increase in participation from the previous summer, with an astonishing total of 87 swimmers, making the HW Hurricanes the largest team in the league!



- The Summer Park Program experienced an increase in participation from the previous summer. The program had over 1200 individual registrations, making the summer of 2018 the busiest summer down at the park in the last decade.

- The Recreation Center Gymnasium Floor was newly renovated, which includes the addition of new pickle ball lines.



- The Recreation Department partnered with local organizations and clubs to run a successful Pumpkin Fest Event.
- 
- The Recreation Department partnered with the Library to show an outdoor movie at Patton Park in the summer.

**Movie Night at Patton Park**

**Where: Patton Park**  
**When: Thurs., July 19**  
**Time: 6:30pm to 10:15pm**

Join us for our first outdoor movie screening at Patton Park!

In partnership with the H-W Recreation Department we will be showing **Coco**, rated PG. Bring the family, your beach chairs, cushions, and blankets for a community viewing of the movie that won Oscars this year for best animated movie and best original song.

Free and open to the public. Funded by the Friends of the Hamilton-Wenham Library & the H-W Recreation Dept. Concessions will be available for purchase. (Rain date is: Tuesday, July 24)



## **HAMILTON-WENHAM RECREATION DEPARTMENT (CONTINUED)**

### **Priorities for 2019:**

- Offer more community wide events
- Continue to make improvement to recreational facilities in the town
- Continue to increase participation in programming by offering a wider array of activities and classes.
- Continue to evaluate the pool and summer park program and make necessary improvements where needed.

### **Significant statistics:**

#### **Pool Statistics**

##### **Memberships Sold**

Family : 168  
Youth Individual: 29  
Adult Individual: 17  
Senior Individual: 7  
Caretaker: 28

##### **Swim Lesson/Swim Team Registration**

Swim Team: 87 Participants  
Swim Lessons: 91 Participants

#### **Pool Attendance**

Total Number of Membership Scans:	4,967
Total Number of Drop-Ins:	1,366
Total Days of Operation:	74
Average Daily Attendance:	85

#### **Summer Park Program Attendance**

Total Registrations for Program in Summer of 2018:	1,262 (7 weeks)
Total Registrations for Program in Summer of 2017:	1,219 (8 weeks)

*Respectfully submitted,*

#### **Recreation Department:**

*Sean Timmons – Recreation Director  
Danielle Kiely – Administrative Assistant*

#### **Recreation Committee:**

*Steve Ozahowski, Hamilton : Chair  
Brad Tilley, Hamilton  
Reggie Maidment, Hamilton  
Denis Curran, Wenham  
John Cusolito, Wenham  
Len Dolan, Wenham*

## ***Hamilton Affordable Housing Trust***

The mission of the Hamilton Affordable Housing Trust is to increase the availability of affordable housing in Hamilton. Approximately three years ago, the Trust embarked on a program to determine alternative sites that could be appropriate for affordable housing. The Trust established a clearly defined vetting process which allowed for a straight forward approach to selecting potential locations for the development of affordable housing in our community. Many locations were vetted over this three year period, including privately owned and town owned sites.

The Trust was awarded Community Preservation Committee funds to create affordable housing in town with partner developers. The Trust approved a grant for Habitat for Humanity North Shore to purchase 270 Asbury Street for the purpose of creating two affordable family homes. Habitat for Humanity completed these homes in December 2018 and they are currently occupied.

The Trust also worked with Harborlight Community Partners to develop both senior and family affordable housing. Harborlight was planning to redevelop 59 Willow Street into twenty senior apartments. The Trust executed an agreement to provide \$300,000 for the purchase of the site. This project was tied to the creation of family housing on another site within the Town. The Trust worked with Harborlight to create the family affordable housing on a site off of Longmeadow Way. While the number of units and the land area changed a few times during the year, the final version of this project would have consisted of approximately fifty units on approximately nineteen acres of land. This version of the project required more funds than the Affordable Housing Trust had been previously appropriated. The Trust decided to request the additional funds at Fall Town Meeting. However, this funding was not approved at Town Meeting. At this time, neither project is anticipated to move forward.

In the fall of 2018, the Hamilton Planning Board negotiated with the developer of the proposed Canter Brook project. It was determined that Canter Brook would donate \$435,000 to the Hamilton Affordable Housing Trust to create affordable housing. Half of the funds will be submitted by December 2019. The second half will be submitted by December 2020.

The Trust has seen a change in its membership this year. The Board of Selectmen's representative, Bill Wilson, left the Trust when his term as a Selectman expired. Bill Olson has replaced him as the Board of Selectmen representative. Michael Lombardo, former Town Manager, also left the Trust when he left his position as the Town Manager. Joseph Domelowicz, the current Town Manager, has replaced him on the Trust. We thank both Bill Wilson and Michael Lombardo for their hard work and commitment to the Town and the Trust. Russ Tanzer was re-elected chairman of the Trust. The Trust is currently discussing changing the membership of the Trust to require that all members are residents of the Town.

The Trust is working with the Town's Gordon Conwell Task Force to explore creating affordable housing at the campus.

The Trust is evaluating a Ten Percent Down program leveraging existing Massachusetts Housing Finance and Massachusetts Housing Partnership programs. Conceptually, the amount contributed by the Town would be secured by a deferred payment junior mortgage at the Federal Funds Rate with a deed restriction for affordability.

We as a Trust pledge to continue to make affordable housing a reality in our town using smart growth principals as designed by the Commonwealth of Massachusetts.

Respectfully submitted,

*Russ Tanzer, Affordable Housing Trust Chair*

## ***FY 19 Community Preservation Act Approved Projects***

**Approved at the April 7, 2018 Annual Town Meeting  
And the October 13, 2018 Fall Town Meeting**

**Project:** Donovan Playing Fields Bond Payment  
**Cost:** \$42,400  
**CPA Purpose:** Open Space and Recreation  
**Project Description:** To fund the debt service for the Donovan Acquisition

**Project:** Sagamore Conservation Project Bond Payment  
**Applicant:** Essex County Greenbelt Association  
**Cost:** \$114,000  
**CPA Purpose:** Open Space and Recreation  
**Project Description:** To fund the debt service for the Sagamore Hill Conservation Project.

**Project:** Patton Homestead Restoration  
**Applicant:** Town Manager / DPW  
**Cost:** \$200,000  
**CPA Purpose:** Historic Preservation  
**Project Description:** To fund the restoration of the Patton Homestead

**Project:** Hamilton Affordable Housing Trust  
**Applicant:** Hamilton Affordable Housing Trust  
**Cost:** \$100,000  
**CPA Purpose:** Community Housing  
**Project Description:** To fund the creation of affordable housing through the Affordable Housing Trust.

**Project:** Update of the Housing Element of Hamilton Comprehensive Plan  
**Applicant:** Hamilton Planning Board  
**Cost:** \$30,000  
**CPA Purpose:** Community Housing  
**Project Description:** To fund the update of the housing element of Hamilton Comprehensive Plan

**Project:** CPA Administration  
**Cost:** \$23,500  
**CPA Purpose:** Administration  
**Project Description:** To fund administration costs up to 5% of CPA revenues.

**Project:** Removal of Invasive Species in Weaver Pond  
**Applicant:** Hamilton Conservation Commission  
**Cost:** \$17,000  
**CPA Purpose:** Open Space and Recreation  
**Project Description:** To fund the removal of invasive species in Weaver Pond in Patton Park.

**Project:** Basketball Court in Patton Park  
**Applicant:** Hamilton Recreation Board  
**Cost:** \$10,000  
**CPA Purpose:** Open Space and Recreation  
**Project Description:** To fund the rehabilitation/replacement of the two basketball courts.

**Project:** Restoration of the cannons in Patton Park  
**Applicant:** Town Manager / DPW  
**Cost:** \$5,500  
**CPA Purpose:** Historic Preservation  
**Project Description:** To fund the restoration of the cannons in Patton Park.

## ***Conservation Commission***

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

### **Conservation Commission jurisdiction and procedure:**

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

Asides from conducting public hearings and holding open public meetings to review and analyze the various

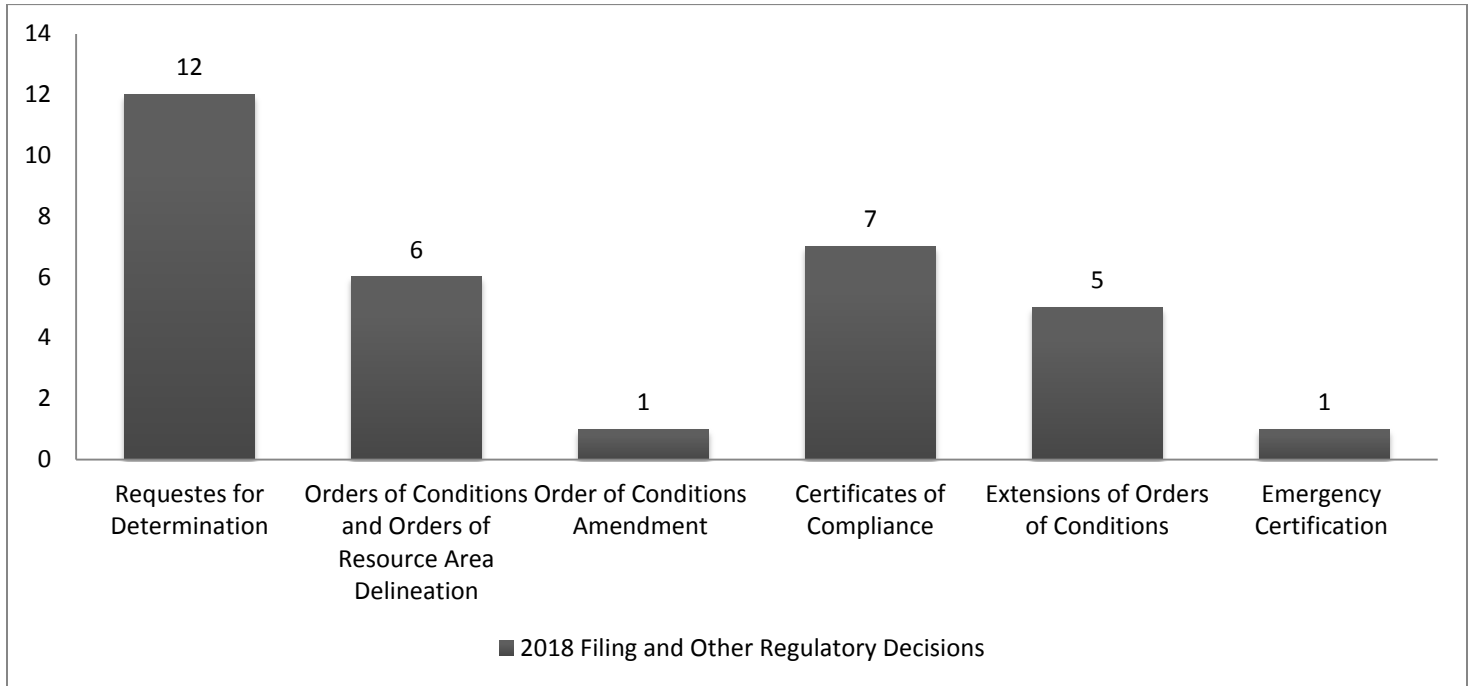
applications, the Commission, through their Coordinator, may on any given day do any or all of the following:

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

### **2018 Noteworthy Events:**

- Commission established a Land Management Working Group to prepare a land management report for the various parcels now under the Commission's authority.
- Commission reviewed and approved the wetlands permits for the solar array facility at the capped landfill off Chebacco Rd.
- The Commission issued wetlands permits for the construction of a senior housing condominium development at the former Canter Brook equestrian facility.
- The Commission supported the creation of a new Open Space Committee (OSC) to be appointed by the Board of Selectmen. The Commission's Open Space sub-committee was dissolved by unanimous vote.
- Commissioners attended the annual MACC Conference in Worcester in March 2018.

## CONSERVATION COMMISSION (CONTINUED)



### **Education Program**

The Commission continues to contribute to the funding of an Environmental Education program for students in the elementary grade levels in the Hamilton-Wenham Regional School District. The program is designed and run by the Massachusetts Audubon Society in conjunction with the curriculum department of the District. The Commission reviews the program and requested budget annually and they continue to enthusiastically support and promote this program

### **Members and Staff as of January 2019**

#### **(Term Expiration June 30 of year indicated)**

*Richard Luongo, Chair (2021)*  
*Virginia Cookson (2019)*  
*Robert Cronin (2019)*  
*Chris Currier (2021)*  
*Keith Glidden (2020)*  
*Tom Myers (2019)*  
*George Tarr (2020)*  
*John Rhoads (associate member)*  
*John Hendrickson (associate member)*

*James Hankin, Coordinator*

## ***Historic District/Historical Commission***

Members of the Historic District/Historical Commission in 2018 included Edwin Howard, Jack Hauck, Stefani Serafini, Elizabeth Wheaton, Kristen Weiss, Katherine Mittelbusher, Scott Clements, Margaret Meahl and Thomas Catalano. Mr. Catalano was the chair through July when he resigned from the Commission because he was moving out of town. Mr. Howard served as the chair for the remainder of the year.

The primary mission of the Historic District Commission is to review alterations to preserve the historic character of the Historic District that is centered on Bay Road. Owners of property within the District must apply to the Historic District Commission for Certificates of Appropriateness for changes to their property that are visible from Bay Road and town ways. The Commission also serves as the town-wide historical commission.

The Commission held eight meetings in 2018 and completed three regulatory reviews. The Commission reviewed and approved renovations to 604 Bay Road, the replacement of the roof at the Wigglesworth House at 624 Bay Road and the creation of a subdivision road at 601, 605, 609 and 613 Bay Road.

The Commission worked with Town Legal Counsel to create a demolition delay bylaw for structures throughout the Town. The bylaw requires the Commission to review proposed demolitions, consisting of fifty percent (50%) or more of a building constructed prior to 1940. This bylaw was approved at 2018 Annual Town Meeting. No substantial demolitions of historic structures have been proposed since the approval of the bylaw.

*Respectfully Submitted,*

*Ed Howard, Chair of the Historic District/Historical Commission*

## *Sealer of Weights and Measures*

The Sealer of Weights and Measures enforces laws regarding pricing and delivery which protects the citizens of Hamilton and those who visit the town. All commercially used measuring and weighing devices, such as gasoline meters, home heating oil trucks, scales, and scanners are annually tested and certified by the Sealer of Weights and Measures as mandated by Massachusetts Law. Once a device is approved an approval and security seal will be attached. If a device is not approved the business cannot use the device until it is fixed or replaced. The Sealer of Weights and Measures will respond to all complaints about pricing, weight and deliveries. He also will conduct random inspections.

In 2018 the Sealer of Weights and Measures inspected the following businesses, a total of 55 measuring units, and \$2,105.00 was collected for fees.

- Cumberland Farms, 121 Bay Road
- Hamilton Convenience, 178 Bay Road
- Connolly's Pharmacy Inc., 44 Bay Road
- Welch and Lampson Inc., 305 Willow Street
- CVS Pharmacy, 15 Walnut Road
- Crosby's Market, 15 Walnut Road
- Family Medicine Associates, 15 Railroad Avenue
- A & M Motors Inc., 203 Highland Street

Respectfully Submitted,

*Leonard Rose, Inspector of Weights and Measures*  
*Patrick Reffett, Director of Planning and Inspectional Services*

## ***Hamilton Inspectional Services***

374 Building Permits were issued in 2018 which was a 19% increase from the previous year. Of those Building Permits 29% were for interior renovations or additions and 32% for exterior renovations. There were 6 Building Permits issued for new garages, 6 issued for the installation of new pools, 5 for new sheds and 16 for roof-top residential solar arrays. There was one Building Permit issued for the construction of a commercial/office building. Annual Inspections of Food Establishments, Schools, Daycare Facilities, Lecture Halls, Churches, Residential Assisted Living Facilities, Private and Public Schools, were done by the Building Commissioner and the Fire Captain. 134 Building Permits were properly closed and Certificates of Completion were issued. 4 Occupancy Permits were issued; 2 residences, 1 business, 1 commercial building with business and residential space.

302 electrical permits were issued. 23% of the Electrical Permits issued were to install generators and 28% of the permits issued were for interior renovations or additions for residential homes. 340 Plumbing & Gas Permits were issued. 32 of the Plumbing & Gas Fitting Permits were to install/replace hot water heaters and 23% of the Permits were issued to install generators.

Hamilton property owners spent \$12,129,145 for construction, electrical, plumbing and gas fitting work done at their properties in 2018; a 65% increase since last year. The Inspectional Services Department collected \$170,417 for application fees in 2018 which was an increase from the \$103,686 collected in 2017.

Patrick Reffett is the Director of Planning and Inspectional Services, Brian Leathe is the Building Commissioner, Robert J. Brown is the Electrical Inspector and Kevin Dash is the Plumbing & Gas Fitting Inspector.

All applications may be found on the Town web site: [hamiltonma.gov](http://hamiltonma.gov), or by visiting Town Hall during the regular hours of business. There is a lot of pertinent and useful information on the Inspectional Services/Building Department web page.

To schedule inspections for the Building Commissioner and the Electrical Inspector please phone: 978-626-5250. For Plumbing & Gas Fitting inspections please call 978-423-2061. If you have a question for the Building Commissioner you may telephone him directly: 978-626-5246.

The Inspectional Services Department strives to protect the health, safety and general welfare of the public, fire fighters, and emergency responders, by ensuring the structural strength, means of egress, stability, sanitation, adequate lighting and ventilation, energy conservation, and safety, to life and property from fire and other hazards attributed to the built environment.

Respectfully for the Inspectional Services Department,

*Brian Leathe, Building Commissioner*

*Patrick Reffett, Director of Planning and Inspectional Services*



## ***Hamilton Planning Board***

Members of the Hamilton Planning Board in 2018 started with Brian Stein; Bill Olson; Peter Clark; Edwin Howard; Rick Mitchell; Claudia Woods; and Richard Boroff with Associate Members Janel Curry and Christopher Shepherd. Bill Olson resigned in April after winning election to the Board of Selectmen and was replaced with Janel Curry. Daniel Hamm replaced her as Associate. Claudia Woods resigned and was replaced by Associate Daniel Hamm.

The year ended with Brian Stein as chair and members Peter Clark, Edwin Howard, Rick Mitchell, Richard Boroff, Janel Curry and Daniel Hamm. Christopher Shepherd remained as Associate with Laura Walsh as the second associate member.

The mission of the Hamilton Planning Board is to engage in land use management and planning on behalf of the Town. This includes administering the Zoning By-Laws, Site plan review and Subdivision Control Laws. The Board is also responsible for updating the Town Master Plan and for reviewing proposed Zoning By-Laws intended to meet the demands of the Town and its growth patterns.

Throughout the year Planning & Inspections Director, Patrick Reffett assisted the Planning Board.

During 2018 the Hamilton Planning Board held twenty-two (22) regular meetings and two (2) executive sessions.

### **Regulatory Actions by the Hamilton Planning Board in 2018**

A range of regulatory applications and reviews came before the Planning Board which serves as the permit granting authority for Site Plan Review, Approval Not Required (ANR) applications, Subdivision applications, and Special Permit applications.

**Site Plan Reviews** - The Planning Board, on behalf of the Town, provided site plan review on two projects through the course of the year.

1. Patton Park Bleachers - Approved
2. 15 Walnut, Hamilton Crossings Shopping Center. Changing retail space to personal pilates trainer space - Approved

**Form A - Approval Not Required (ANR) Reviews** – The Planning Board reviewed seven (7) Form A – ANR reviews during 2018. Properties included:

1. 159 Asbury St., Property off of Maple St and 0 Maple St. This is for 30 acres of land remaining from a plan approved in June, 2018. Three lots are created and have adequate access and frontage. - Approved
2. 44 Chebacco Road/ 18 Bittersweet Lane. This was previously approved in 2014 but not filed and is identical to the original plan. - Approved
3. 652 and 654 Asbury Street, One new lot - Approved
4. 375 Bridge Street, Four new lots - Approved
5. 278 Cutler Road, Modification of lot lines - Approved
6. Hamilton Farm LLC. For 43 acres including, 159 Asbury St., Off Maple St, Cunningham Drive, 77 Woodland Mead, and 85 Woodland Mead. Reconfigure five lots into five new building parcels and one non-buildable parcel. - Approved

## ***HAMILTON PLANNING BOARD (CONTINUED)***

7. Gordon Conwell Theological Seminary. 130 Essex St. To separate out 19.75 acres from the main seminary property - Approved

**Pre-Application Conferences** – The Planning Board conducted three such conferences during 2018.

1. A preliminary Wireless Cellular Communication Equipment Application by Mobilitie, LLC, applicant.
2. There was an informal discussion with developer Tom Ford regarding a subdivision at 601, 605, 609, and 613 Bay Road.
3. Informal Board Discussion with abutters and a developer regarding the Cutler - Rich Property.

**Special Permit Applications** (and related actions) – Four Special Permit applications came to the Planning Board during 2018. These include:

1. Special Permit for 100 Maple and three new lots at 159 Asbury St. A revised plan was submitted with changes to driveway widths and increased size of water line with a hydrant at the end. The hearing was closed and the Common Driveway Special permit approved and referred to the updated plan of Sept. 25, 2018
2. Amendment to an existing Special Permit - 354 Highland St. Request by Magnolia Reach Capital, LLC to modify an existing special permit for a Senior Housing project and Stormwater Special Permit as issued on January 20, 2016. Five amendments were made and approved. They concerned the Affordable component, Inclusionary Housing, Density bonus, Water lines and Meter details, and an Upgrade to the siding materials to be used.
3. Public Hearing for a Communication Equipment Petition by Mobilitie. A micro cellular system is proposed within the Business District, Continued to 2019.
4. Public Hearing to amend the existing special permit for 227 Willow St concerning lighting and landscaping - Approved

### **Definitive Subdivision Plans**

1. 601, 605, 609, and 613 Bay Road. Tom Ford - Builder - Small subdivision partially within the Hamilton Historic District approved with 17 waivers.
2. 47 Winthrop Street – Modification of prior approved subdivision plan with new access and new lot configurations.

### **Miscellaneous Public Hearing(s)**

Scenic Road Tree Removal - of dead, diseased and dangerous trees at various locations by the Town Public Works Department - Approved

### **Planning Board Legislative Actions**

The Planning Board worked on two (2) modifications to the Zoning Bylaw which were voted on at the 2018 Town Meetings and one (1) that will likely be voted on at Town Meeting in 2019. They were regarding Accessory Apartments and a repeal of the Conservancy District zoning overlay. The Board also voted recommendations to the Roadway Acceptance Policy (a Town Bylaw) and forwarded their opinion to the Board of Selectmen. The Planning Board also

## ***HAMILTON PLANNING BOARD (CONTINUED)***

voted recommendations on other general town bylaws including Vacant, Unsafe, and Dilapidated Building By-law, and a demolition delay bylaw which was sponsored by the Hamilton Historic District Commission.

Public hearings were held for each amendment to the zoning bylaw in accordance with Massachusetts General Law. Planning Board meetings are generally televised to allow residents to view the meetings at their convenience. Specific actions and information is as follows:

1. Accessory Apartments - This was discussed and proposed for the Special Town Meeting. The purpose of this article is to simplify the existing bylaws, to facilitate the creation of moderately-priced rental housing for small households, and to provide homeowners with the means of generating rental income, companionship, security and assistance to remain in their homes. Approved.
2. The Conservancy District - This was first discussed, proposed and put on the Warrant for April Town Meeting. The purpose was to remove the By Law because it was deemed to be illegal as well as obsolete given the presence of existing federal and state wetlands protection law. The article failed at annual Town Meeting. The Planning Board subsequently recommended to the Board of Selectmen that it propose a similar article for the Fall Town Meeting, which occurred and the bylaw was eliminated by Town Meeting vote.
3. Roadway Acceptance Policy - The Board also discussed and voted to recommend to the Selectmen that the existing policy be ended and no new unaccepted roadways be allowed to be converted and accepted by the Town. This will protect the town from potentially large expenses of improving unaccepted roadways. The Board agreed that in any future developments all roadways will either be built to town standards by the developer or will remain unaccepted permanently. This is likely to be voted on at an upcoming Town Meeting.
4. Proposed and presented by David Smith, chair of the Board of Health. It was discussed and recommendations were made. Annual Town Meeting voted to approve a modified version of the article.
5. Joint Public Hearing with the Historic District Commission – Demolition Delay By-law. Discussed and suggestions made.
6. Board Discussion – Dark Sky By-law as suggested by the Open Space Subcommittee - Sent back with numerous suggestions.
7. Board discussion of a potential Special Permit Bylaw to Regulate Medical Marijuana Facilities - Suggested by an attorney representing abutters to a proposed facility.

### **Planning Initiatives and Discussions**

In response to voting at Fall Town Meeting, Planning Board members believe that more public outreach is necessary to appropriately plan for future growth in Hamilton. Members are cognizant that in order for new and different zoning articles to gain public approval such proposed new legislation must have early public support and understanding based on current data. Further, members believe that updating the residential component of the 2004 Master Plan is a good way to best determine what residents will support with respect to future residential growth. Generally the Board

## ***HAMILTON PLANNING BOARD (CONTINUED)***

believes the Master Plan to still be a highly applicable and relevant document with a strong reflection of community preferences and a means to preserve the quality of life in Hamilton.

Accordingly the Planning Board decided to review and revise the Residential Housing section of the 2004 Hamilton Master Plan. The following action steps have been taken.

- A. The board obtained CPA funds to hire a consultant to help with the effort.
  - B. Qualifications for Scope of Services to update the Town's Master Plan was developed
  - C. An RFP was sent out and 2 consultant responses were received. The firm of JM Goldson Community Planning (with Judi Barrett as a sub-consultant) was hired.
  - D. The consultant has submitted a plan of action steps for 2018 and 2019 and has met with the Board to give an overview of the process.
  - E. The consultants requested that the board find 40 people for 8 focus groups that were held in 2018. The purpose was to assist them in gaining insight into preferences of townspeople concerning future housing development.
  - F. The consultants worked on the town's demographic profile, reporting on housing characteristics, development constraints and analyzing the community.
  - G. Public forums were set up for 2019.
  - H. A survey was discussed that would be distributed to the public in 2019.
2. For 2019, the board discussed and suggested work on the following.
- A. A swimming pool by-law
  - B. For Inclusionary Housing, the amount of payment in lieu of building Affordable Units in a development along with other modifications.
  - C. Micro Cellular Telecommunication Equipment permitting requirements.

### **Executive Sessions**

- 1. The Board met with Town Counsel Donna Brewer regarding Nazir Shamsuddin v. Planning Board
- 2. The Board met with Special Town Counsel Chris Heep regarding 227 Willow.

Respectfully submitted,

*Patrick Reffett, Planning Director*

## ***Zoning Board of Appeals***

If there is business to attend to the Zoning Board will typically meet on the first Wednesday of the month in the Memorial Room on the first floor of Town Hall. The public is welcome and encouraged to attend the meetings of the Town of Hamilton Zoning Board of Appeals.

On the Town of Hamilton Zoning Board of Appeals there are three appointed Board Members: Chairman William Bowler, John Rodenhizer, and Kimberly Dietel. The Chairman has the authority to designate Associate Board Members and there are two Associate Board Members: Bruce Gingrich and Winifred Whitman.

The Zoning Board hears and decides applications for Special Permits and petitions for Variances, hears and decides Appeals from decisions of a Zoning Administrator, hears and acts on Comprehensive Permits, reviews and make recommendations to other Special Permit Granting Authorities, and makes findings on nonconforming uses and structures.

In 2018, there were seven meetings of the Zoning Board of Appeals:

- There were three Public Hearings for applicants requesting to have Accessory Apartments in a single family dwelling which were approved by Board
- There was one Public Hearing to covert a single family dwelling to a two family dwelling and the Board approved the application
- The Board approved the Special Permit to install a solar photovoltaic (PV) array at the land owned by the Town of Hamilton located at 500 Chebacco Road
- The Board approved four Special Permits Applications which were submitted due to the fact the lot size was non-conforming for the Zoning District in which it was located, and/or where the proposed construction did not conform to the Bylaw and the required set-backs.
- The Board approved one application for relief from the required dimensional requirements for signs for a sign in the downtown area.
- The Board approved one application to tear down an existing dwelling and build a new dwelling on the same lot.
- The Board approved and adopted Rules regarding 40B Projects
- Three applications were withdrawn and the Board accepted the withdrawals without prejudice

Massachusetts General Laws and the Town Zoning Bylaws dictate how a Zoning Board may conduct business; from posting agendas and processing applications to how decisions are rendered, written and filed. If you would like to learn more about the Roles and Responsibilities of Zoning Board Members, State Zoning Law, the Town Zoning Bylaws, or to view Agendas and Meeting Minutes, you may want to visit the Town web site: [www.hamiltonma.gov](http://www.hamiltonma.gov)

Respectfully for the Zoning Board of Appeals,

*William Bowler, Chairman*

*Patrick Reffett, Director of Planning & Inspectional Services*

## Department of Public Works

Department of Public Works employees continue to perform their many and varied functions and continue to provide public services to the residents and other departments. FY18 included the following highlights:

- Promotions and New Hires: In February Ron Serozynski was promoted to the Highway Heavy Equipment Operator position, replacing Russell Stewart upon his departure. In October, Cole Desmond was hired as a Highway Truck Driver/Laborer following Ron's promotion.
- A Series of March Storms: Last March the Town experienced several large storm events. DPW crews were busy performing snow plowing activities as well as tree debris cleanup. Two storms, March 2<sup>nd</sup> and 3<sup>rd</sup> and March 13<sup>th</sup> and 14<sup>th</sup> qualified for federal funding assistance for associated snow plowing assistance and tree services. The Town anticipates federal funding assistance to cover approximately 75% of expenses. Please commend the DPW crews for their hard work and long hours to provide safe travel.

- Highway Projects: In November the Town contracted with Aggregate Industries to mill and overlay Echo Cove Road to eliminate the poor roadway conditions and icing potential. Funds were provided by MassDOT Chapter 90.
- Building Projects: This past Spring/Summer DPW contracted to have the Patton Park Gazebo rebuilt as well as the replacement of the Patton Homestead Pergola.



- The gazebo was funded by a Town Capital appropriation and needed cosmetic and structural attention.



- The Patton Homestead pergola collapsed during one of the March Storms and the Town utilized insurance proceeds to pay for the replacement the pergola.



- The Patton Homestead received an exterior rehabilitation to preserve the historic structure. Following hiring a design consultant the Town contracted for the construction in late 2018. Work included the replacement of roofing, carpentry and masonry repairs, gutter replacement, and exterior painting. Work was paid by the Hamilton Community Preservation Act and the Patton Homestead Capital Account.

## ***DEPARTMENT OF PUBLIC WORKS (CONTINUED)***

- A new plotted section in the Hamilton Cemetery has been constructed that will accommodate 500 additional graves.
  -
- The DPW Director has been a member of the Town Hall Building Committee charged with the preservation project for Town Hall. The THBC has hired an Owners Project Manager (OPM) and a design consultant to generate conceptual design alternatives for Town Hall to improve access to the building and accommodate the current needs of staff and community.
- Tree Services, back log and maintenance, performed routine tree maintenance and removed diseased and hazardous trees throughout Town
- Maintenance of public works and other Town owned vehicles continues at the DPW facility. As part of the Capital Improvements Plan and the vehicle replacement program, the Town purchased a new Dump Truck for the Highway Department.
- The Town continues to provide scheduled leaf pick-ups in the fall and spring and continues to provide monthly E-Waste drop off events to allow residents to leave: monitors, televisions, computers, white goods, etc. for a small fee at Town Hall.
- The annual Household Hazardous Waste Day was held on September 22<sup>nd</sup>, 2018 and nearly 100 vehicles brought material for disposal.
- The Department completed the construction of Phase 3 of the Water Distribution project which consisted of approximately 22,000 lf of new water main throughout the Town of Hamilton. Phase III was an on-going effort to replace aged water mains funded by bond authorization at 2012 and 2015 Annual Town Meeting. DPW has begun to plan a Phase IV to continue replacement activities.
- The Idlewood 2 well was cleaned and redeveloped to provide optimum withdrawal to satisfy the water demand of the Town.
- A new software and equipment upgrade was administered by Hamilton's water department to replace old software and technology to better communicate with the current water meters. The Water Department continues to replace faulty remote reading units as part of the upgrade project. This upgrade and replacement is intended to increase the actual meter reads and improve efficiency within the department.
- The water treatment plant received several necessary upgrades to its treatment process. Filters received new media, backwash and recycling tanks received all new piping, interior process piping received new paint, the plant software was fully upgraded, and there were miscellaneous electrical, HVAC, and plumbing upgrades throughout. Following the work the plant is now operating as designed and continues to meet public demand. Iron and manganese levels have been an issue in the past and the new filters have increased removal and water quality. The Town enacted a water ban back in the summer of 2017 and removed the ban as recent as Fall of 2018. DPW appreciates the community support and efforts to conserve water and decrease the demand on the plant prior to the rehabilitation project.

Respectfully submitted,

*Timothy Olson, Director of Public Works*

The Town of Hamilton (Town) hired an Energy Manager in September, 2014. The position was originally shared between the Towns of Hamilton and Wenham for a total of 15 hours per week. In July 2016, the position was reconfigured as a shared position between Towns of Hamilton and Wenham and the Hamilton Wenham Regional School District. The Energy Manager position is currently funded for up to 17 hours per week total. The Energy Manager is responsible for a number of ongoing tasks in addition to specific project work. Primarily, the Energy Manager is responsible to continually measure and monitor the comprehensive energy use at all municipal facilities in the Town of Hamilton. This task allows the Town to acknowledge successes of completed energy projects and identify opportunities for future projects. The Energy Manager also serves as a liaison between municipal Departments to facilitate energy projects, and routinely works with the Town Manager, the Finance Director, the Public Works Department, the Facilities Department of the Hamilton Wenham Regional School District (HWRSD) and various other branches of municipal government. Finally, the Energy Manager serves as a primary contact point for state agencies on energy grant programs and other energy initiatives.

The Energy Manager oversaw a number of projects in 2018. A brief summary of each project is presented under each project heading below.

**Manage Measurement & Verification Phase of ESCo Project:** In 2018, the Energy Manager continued to work with Johnson Controls (JCI) to assess, document and mitigate the lackluster results Hamilton has experienced with the energy efficiency improvements completed in 2011 and guaranteed under an Energy Services (performance) contract (ESCo). The \$400,000 ESCo was guaranteed to result in a 16% energy reduction from the baseline. The project has under-performed, showing a less than 5% energy reduction from the baseline. After thoroughly reviewing the annual Measurement & Verification (M&V) Report, the Energy Manager worked to collect the Year 7 shortfall payment from JCI in 2018, and

continues to protect the Town's best interest as the project moves forward through the 12-year contract period.

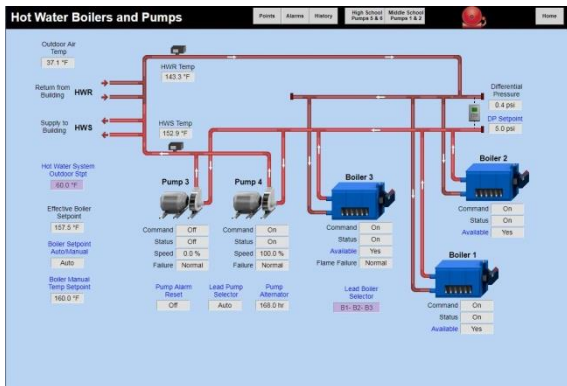
**Land-Based Solar on Capped Landfill:** The Energy Manager continues to oversee development of land-based solar PV on the Town's municipal landfill on Chebacco Road. The Town selected Ameresco as a project partner in 2016 after a competitive solicitation process. By the end of 2017, Ameresco had received the interconnection agreement from National Grid. In 2018, the Town finalized the contract forms for the land lease, the Power Purchase Agreement (PPA) and the PILOT for the project. Ameresco moved through the applicable state and local permitting processes for the project, and the Energy Manager updated the Board of Selectmen at public meetings on May 21 and July 16. In October, the Town received the required approval from MA DOER on the form of the contract documents and the Towns signed the Agreement in November. Ameresco submitted the project to the Solar Massachusetts Renewable Target (SMART) Program on November 26, the day the program opened. At the end of 2018, the Town was waiting to hear which Block the project would be placed into within the SMART program. That will determine incentive amounts and overall project economics. The project is scheduled to go to construction in 2019.

**High School / Middle School EMS Upgrade (Schools):** The Town was awarded a \$250,000 Green Communities (GC) Competitive Grant in June, 2016 for an upgrade to the Energy Management System (EMS) at the High School / Middle School complex. The Town of Hamilton's grant was combined with a \$250,000 GC grant in Wenham to complete the \$0.5M project, which reached final completion on November 30, 2018. The objective of the project was to upgrade the existing HVAC controls system and bring additional pieces of equipment under digital control including classroom thermostats, the central heating plant and the auditorium. The project also implemented a number of energy-efficiency control sequences into existing HVAC equipment.



## ENERGY MANAGER (CONTINUED)

At the end of 2018, the Energy Manager was working on preparing the Final Report to MA DOER on the project and closing out the grant. The project is expected to save HWRSD over \$73,000 in utility costs annually.



New Control Screen for the Central Heating Plant



New "Smart" Thermostat in Each HS Classroom

**Competitive Energy Supply:** For the fourth year in a row, the Energy Manager has overseen Competitive Energy Supply Agreements for electricity for both the Town of Hamilton and HWRSD. Both the Town of Hamilton and HWRSD use EnerNOC, an energy broker, to conduct a competitive bid process and determine the most advantageous contract term and price of electricity for each entity. Both entities are currently under contract with Constellation for competitive energy supply. 2018 was Year 2 of a 48-month contract between Hamilton and Constellation.

### Green Community Designation:

The Town of Hamilton was designated as a Green Community by MA DOER in 2010. The Energy Manager maintains the designation by preparing and submitting an Annual Report in December that includes energy tracking for the previous fiscal year for all municipal energy accounts, and presents a strategy for continuing to work towards reducing municipal energy use by 20% from the baseline year. During active grant projects, such as the HWRSD BAS project, the Energy Manager prepares and submits quarterly reports to the granting agency, reimbursement requests, and a Final Report to close out the grant.

**Community Energy Aggregation:** The Town entered into an agreement with Good Energy in 2016 for energy management services associated with Community Energy Aggregation. Good Energy went out to bid on the Town's behalf on October 2 when favorable rates were expected. NextEra Energy Services submitted the most competitive bid and the Town contracted with NextEra for Hamilton residents and businesses starting in December, 2018 and continuing through December, 2020. NextEra's rate for residential service is locked in at \$0.11302/kWh as compared to the National Grid rate through April 30, 2019 of \$0.13718/kWh.

### Aggregation Program Summary

- Total Eligible Accounts at Program Launch: 2,569
- Total Accounts enrolled as of end of January: 2,318
- Participation Percentage: 90%
- Program details available at: [www.hamiltoncca.com](http://www.hamiltoncca.com)
- How do I join or leave program?
  - Opt-in or Opt-out by calling supplier, Nextera Energy Services, at (855) 639-8093 or online at [www.hamiltoncca.com](http://www.hamiltoncca.com)
- Exciting renewable energy options

**ENERGY MANAGER (CONTINUED)**

**Aggregation Rates**

Rate Class	"Hamilton Local Green" Five (5) Percent More Local Renewable Energy Than Required (Standard Product – No Action Required)	"Hamilton Premium Local Green" One Hundred (100) Percent Local Renewable Energy	"Hamilton Basic" Minimum Required Renewable Energy	Current National Grid Basic Service
<b>Residential</b>	\$0.11407/kWh	\$0.13402/kWh	\$0.11302/kWh	\$0.13718/kWh
<b>Small Business &amp; Lighting</b>	\$0.11407/kWh	\$0.13402/kWh	\$0.11302/kWh	\$0.13166/kWh
<b>Large Business</b>	\$0.11407/kWh	\$0.13402/kWh	\$0.11302/kWh	\$0.13921/kWh NEMA*
<b>Duration</b>	<b>December 2018 – December 2020</b> (Rates apply to service beginning and ending on the days of the month that your meter is read in your service area.)			<b>November 1, 2018 – April 30, 2018</b> (Residential and Small Business & Lighting rates change every six months. *Large Business rates change every three months.)

**Disclaimer:** A goal of the CCA program is to produce savings for customers, but savings cannot be guaranteed compared to the utility’s basic service rate which changes every three months for industrial customers and every six months for residential and small commercial customers. The Aggregation program seeks to provide price stability and average savings over the full term of the program, but because future basic service rates are not known, there is no guarantee of savings.

Respectfully Submitted,

Victoria Masone, Energy Manager

## 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.

## ***ANNUAL TOWN MEETING (CONTINUED)***

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.

## ***ANNUAL TOWN MEETING (CONTINUED)***

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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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.”

## ***ANNUAL TOWN MEETING (CONTINUED)***

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.



## ***ANNUAL TOWN MEETING (CONTINUED)***

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
- 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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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 10<sup>th</sup> 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

## ***ANNUAL TOWN MEETING (CONTINUED)***

\$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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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.

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*);

To transfer a sum of money from the Clark Property Fund to the Conservation Fund (*Expected request \$1,350.00*);

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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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).

Town 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

## ***Annual Town Meeting (continued)***

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



## ***ANNUAL TOWN MEETING (CONTINUED)***

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.

# ANNUAL TOWN MEETING (CONTINUED)

## 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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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 a 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.”

## ***ANNUAL TOWN MEETING (CONTINUED)***

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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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 Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Richard Boroff in their capacities\_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.

## ***ANNUAL TOWN MEETING (CONTINUED)***

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

## ***ANNUAL TOWN MEETING (CONTINUED)***

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.

# ANNUAL TOWN MEETING (CONTINUED)

## 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



# Annual Town Election- April 12, 2018

## Town of Hamilton

## Annual Town Election

April 12, 2018

Precinct 1	424
Precinct 2	307
Precinct 3	327
<b>Total</b>	<b>1058</b>

**OFFICIAL**

Registered Voters - 6023 17%

Candidate Name	Prec. 1	Prec. 2	Prec. 3	TOTALS	Candidate Name	Prec. 1	Prec. 2	Prec. 3	TOTALS
<b>Selectman</b>					<b>H-W Library Trustee at Large</b>				
<b>Vote for TWO 3 years</b>					<b>Vote for ONE 3 years</b>				
Blanks	123	99	149	371	Blanks	235	174	210	619
<b>Shawn M. Farrell **</b>	<b>276</b>	<b>195</b>	<b>168</b>	<b>639</b>	<b>Julie M. Clay **</b>	<b>325</b>	<b>237</b>	<b>236</b>	<b>798</b>
Rosemary I. Kennedy	198	125	189	512	<b>Dianne L. Johnson</b>	<b>288</b>	<b>203</b>	<b>207</b>	<b>698</b>
<b>William A. Olson</b>	<b>248</b>	<b>191</b>	<b>144</b>	<b>583</b>	Write-ins	0	0	1	1
Write-ins	3	4	4	11					2116
				2116	<b>H-W Regional School Committee</b>				
<b>Moderator</b>					<b>Vote for TWO 3 years</b>				
<b>Vote for ONE 1 year</b>					Blanks				
Blanks	20	5	31	56	Blanks	284	179	240	703
<b>Jeffrey C. Melick **</b>	<b>253</b>	<b>201</b>	<b>191</b>	<b>645</b>	<b>Stacey L. Metternick **</b>	<b>277</b>	<b>218</b>	<b>206</b>	<b>701</b>
Forrester A. Tim Clark JR	149	101	105	355	<b>Peter Alan Wolczik JR</b>	<b>283</b>	<b>214</b>	<b>205</b>	<b>702</b>
Write-ins	2	0	0	2	Write-ins	4	3	3	10
				1058					2116
<b>Board of Assessors</b>					<b>H-W Regional School Committee</b>				
<b>Vote for ONE 3 years</b>					<b>Vote for TWO 3 years</b>				
Blanks	115	68	102	285	Blanks	703	236		939
<b>Steven G. Ozahowski **</b>	<b>306</b>	<b>238</b>	<b>225</b>	<b>769</b>	<b>Stacey L. Metternick **</b>	<b>701</b>	<b>311</b>		<b>1012</b>
Write-ins	3	1	0	4	<b>Peter Alan Wolczik JR</b>	<b>702</b>	<b>287</b>		<b>989</b>
				1058	Write-ins	10	8		18
<b>Planning Board</b>					<b>H-W Library Trustee at Large</b>				
<b>Vote for Two 3 years</b>					<b>Vote for ONE 3 years</b>				
Blanks	150	106	142	398	Blanks	619	186		805
<b>Frederick G. Mitchell **</b>	<b>246</b>	<b>175</b>	<b>152</b>	<b>573</b>	<b>Julie M. Clay **</b>	<b>798</b>	<b>361</b>		<b>1159</b>
<b>Brian D. Stein **</b>	<b>269</b>	<b>193</b>	<b>158</b>	<b>620</b>	<b>Dianne L. Johnson</b>	<b>698</b>	<b>295</b>		<b>993</b>
William C. Wheaton	181	136	195	512	Write-ins	1	0		1
Write-ins	2	4	7	13					2958
				2116					

\*\* Candidates for Re-election

## State Primary Election- September 4, 2018 DEMOCRATIC PARTY

Precinct 1	283
Precinct 2	224
Precinct 3	191
<b>TOTAL</b>	<b>698</b>

Candidate Name	Precinct 1	Precinct 2	Email Ballot	Precinct 3	Email Ballot	Total
<b>SENATOR IN CONGRESS</b>						
Blanks	20	21	0	16	0	57
Elizabeth A. Warren	257	199	1	173	2	632
Write-ins	6	3	0	0	0	9
						698
<b>GOVERNOR</b>						
Blanks	44	41	0	30	1	116
Jay M. Gonzalez	151	128	0	105	0	384
Bob Massie	83	51	1	51	1	187
Charles D. Baker**	5	2	0	2	0	9
Write-ins	0	1	0	1	0	2
						698
<b>LIEUTENANT GOVERNOR</b>						
Blanks	60	45	0	44	1	150
Quentin Palfrey	133	111	1	98	1	344
Jimmy Tingle	87	67	0	47	0	201
Write-ins	3	0	0	0	0	3
						698
<b>ATTORNEY GENERAL</b>						
Blanks	24	17	0	14	0	55
Maura Healey	256	203	1	175	2	637
Write-ins	3	3	0	0	0	6
						698
<b>SECRETARY OF STATE</b>						
Blanks	17	11	0	12	0	40
William Francis Galvin	178	135	0	118	1	432
Josh Zakim	87	77	1	59	1	225
Write-ins	1	0	0	0	0	1
						698
<b>TREASURER</b>						
Blanks	50	43	0	38	0	131
Deborah B. Goldberg	232	180	1	150	2	565
Write-ins	1	0	0	1	0	2
						698
<b>AUDITOR</b>						
Blanks	55	46	0	45	0	146
Suzanne M. Bump	226	177	1	144	2	550
Write-ins	2	0	0	0	0	2
						698

Candidate Name	Precinct 1	Precinct 2	Email Ballot	Precinct 3	Email Ballot	Total
<b>SENATOR IN CONGRESS</b>						
Blanks	17	12	0	15	0	44
Seth Moulton	263	209	1	173	2	648
Bradford R. Hill**	0	0	0	1	0	1
Write-ins	3	2	0	0	0	5
						698
<b>COUNCILLOR</b>						
Blanks	46	34	0	38	1	119
Eileen R. Duff	224	175	1	141	1	542
Nicholas S. Torresi	11	13	0	10	0	34
Write-ins	2	1	0	0	0	3
						698
<b>SENATOR IN GENERAL COURT</b>						
Blanks	257	215	1	177	1	651
Write-ins	26	8	0	12	1	47
						698
<b>REPRESENTATIVE IN GENERAL COURT</b>						
Blanks	33	33	1	26	0	93
Allison M. Gustavson	247	189	0	163	2	601
Write-ins	3	1	0	0	0	4
						698
<b>DISTRICT ATTORNEY</b>						
Blanks	52	37	0	45	0	134
Jonathan W. Blodgett	229	186	1	144	2	562
Write-ins	2	0	0	0	0	2
						698
<b>CLERKS OF COURT</b>						
Blanks	52	44	0	49	0	145
Thomas H. Driscoll, JR.	230	178	1	140	2	551
Write-ins	1	1	0	0	0	2
						698
<b>REGISTER OF DEEDS</b>						
Blanks	40	33	1	31	1	106
John L. O'Brien, JR.	114	80	0	81	0	275
Alice Rose Merkl	127	110	0	77	1	315
Write-ins	2	0	0	0	0	2
						698

# State Primary Election- September 4, 2018 LIBERTARIAN PARTY

Precinct 1      2  
 Precinct 2      1  
 Precinct 3      0  
**TOTAL            3**

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Total
<b>SENATOR IN CONGRESS</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>GOVERNOR</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>LIEUTENANT GOVERNOR</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>ATTORNEY GENERAL</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>SECRETARY OF STATE</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>TREASURER</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>AUDITOR</b>				
Blanks	1	0	0	<b>1</b>
Daniel Fishman	1	1	0	<b>2</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>REPRESENTATIVE IN CONGRESS</b>				
Blanks	2	1	0	<b>3</b>

Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>COUNCILLOR</b>				
Blanks	1	0	0	<b>1</b>
Marc C. Mercier	1	1	0	<b>2</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>SENATOR IN GENERAL COURT</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>REPRESENTATIVE IN GENERAL COURT</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>DISTRICT ATTORNEY</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>CLERKS OF COURT</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
<b>REGISTER OF DEEDS</b>				
Blanks	2	1	0	<b>3</b>
Write-ins	0	0	0	<b>0</b>
				<b>3</b>
2018 Precinct Totals 1-2-3    Libertarian 9/4/2018				

## State Primary Election- September 4, 2018 REPUBLICAN PARTY

Precinct 1      274  
 Precinct 2      182  
 Precinct 3      124  
**TOTAL            580**

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Total
<b>SENATOR IN CONGRESS</b>				
Blanks	41	15	17	<b>73</b>
Geoff Diehl	113	92	57	<b>262</b>
John Kingston	69	41	25	<b>135</b>
Beth Joyce Lindstrom	51	34	25	<b>110</b>
Write-ins	0	0	0	<b>0</b>
				<b>580</b>
<b>GOVERNOR</b>				
Blanks	10	6	1	<b>17</b>
Charles D. Baker	201	135	86	<b>422</b>
Scott D. Lively	63	41	37	<b>141</b>
Write-ins	0	0	0	<b>0</b>
				<b>580</b>
<b>LIEUTENANT GOVERNOR</b>				
Blanks	65	35	31	<b>131</b>
Karyn E. Polito	206	147	92	<b>445</b>
Write-ins	3	0	1	<b>4</b>
				<b>580</b>
<b>ATTORNEY GENERAL</b>				
Blanks	86	47	36	<b>169</b>
James R. McMahon, III	116	66	54	<b>236</b>
Daniel L. Shores	72	67	34	<b>173</b>
Write-ins	0	2	0	<b>2</b>
				<b>580</b>
<b>SECRETARY OF STATE</b>				
Blanks	97	54	40	<b>191</b>
Anthony M. Amore	175	127	84	<b>386</b>
William Francis Galvin	1	1	0	<b>2</b>
Write-ins	1	0	0	<b>1</b>
				<b>580</b>
<b>TREASURER</b>				
Blanks	99	57	42	<b>198</b>
Keiko M. Orrall	173	125	82	<b>380</b>
Write-ins	2	0	0	<b>2</b>
				<b>580</b>
<b>AUDITOR</b>				
Blanks	99	55	44	<b>198</b>

Candidate Name	Precinct 1	Precinct 2	Precinct 3	Total
Helen Brady	174	127	80	<b>381</b>
Write-ins	1	0	0	<b>1</b>
				<b>580</b>
<b>REPRESENTATIVE IN CONGRESS</b>				
Blanks	101	58	40	<b>199</b>
Joseph S. Schneider	171	124	82	<b>377</b>
Carlos Armando Hernandez **	1	0	2	<b>3</b>
Write-ins	1	0	0	<b>1</b>
				<b>580</b>
<b>COUNCILLOR</b>				
Blanks	105	60	45	<b>210</b>
Richard A. Baker	168	122	79	<b>369</b>
Write-ins	1	0	0	<b>1</b>
				<b>580</b>
<b>SENATOR IN GENERAL COURT</b>				
Blanks	33	18	13	<b>64</b>
Bruce E. Tarr	240	164	111	<b>515</b>
Write-ins	1	0	0	<b>1</b>
				<b>580</b>
<b>REPRESENTATIVE IN GENERAL COURT</b>				
Blanks	16	16	10	<b>42</b>
Braford R. Hill	255	166	114	<b>535</b>
Write-ins	3	0	0	<b>3</b>
				<b>580</b>
<b>DISTRICT ATTORNEY</b>				
Blanks	254	168	113	<b>535</b>
Write-ins	20	14	11	<b>45</b>
				<b>580</b>
<b>CLERKS OF COURT</b>				
Blanks	260	174	115	<b>549</b>
Write-ins	14	8	9	<b>31</b>
				<b>580</b>
<b>REGISTER OF DEEDS</b>				
Blanks	94	63	45	<b>202</b>
Jonathan E. Ring	178	119	79	<b>376</b>
Write-ins	2	0	0	<b>2</b>
				<b>580</b>
** = Write-In Candidate				
2018 Precinct Totals 1-2-3 Republican 9/4/2018				

## Special Town Meeting

At the close of registration on October 3, 2018 there were 5,979 registered voters.

Precinct 1 – 131  
Precinct 2 – 104  
Precinct 3 – 149

Assistant Town Moderator/Teller William Bowler  
328 Essex Street

### Appointed Tellers:

Susan Ackerman	16 Greenbrook Road
Anne Gero	180 Asbury Street
Denise Kelly	2 Beech Street
Laura Macphail	100 Ortins Road
Frederick Mills	15 Arthur Avenue
Robert Woodbury	484 Bridge Street

The Moderator declared a quorum present (75) and the Warrant returned showing it had been properly served, opened the Special Town Meeting at 9:00 A.M. with 384 voters checked and present.

The Moderator introduced himself as Jeff Melick and thanked residents for attending. Mr. Melick said: “There are a number of people who have volunteered and worked hard to put together the physical facilities and lighting, etc. to make this meeting possible today and I’d like to thank them publicly for their efforts. We couldn’t do this without their kind assistance.”

### Pledge of Allegiance

Town Moderator stated: “I would 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 in the back left so it will be easier to know who is able to vote and who is not. Voters should not stand against the wall and if they leave, they won’t be allowed back into the room until the vote is completed. Fourth, registered voters also sit in the overflow room in the cafeteria. I have appointed William Bowler to be the assistant moderator there and I would like to express my gratitude that he is willing to do that for

us today. There is a pro and con to having the overflow room. The pro is that it allows voters with children to sit in there, participate in the voting and ensure their children are okay. The con is that it takes longer to get votes counted. I have erred on the side of supporting parents coming to Town Meeting by continuing the tradition of having this room available. People in the cafeteria desiring to speak to any article must come to the microphones in the auditorium.

To assist me with vote counting, I have appointed six tellers, two for each of the sections in this room. The sections are the left, as you look forward, the center, and the right and front. Mr. Bowler will serve as the teller for the overflow room. The tellers for this room, who have been properly sworn, are as follows: Ann Gero, Denise Kelly, Bob Woodbury, Susan Ackerman, Fred Mills, and Laura MacPhail. I would like to thank them for doing this for us.”

Jeff Melick introduced Jeff Hubbard (Selectmen), Scott Maddern (Selectmen), Bill Olson (Selectmen) Shawn Farrell (Selectman Chair), Joe Domelowicz (Town Manager), Phil Stearns (FinCom Chair), David Wanger (FinCom), John Pruellage (FinCom), Darcy Dale (FinCom), Nick Tensen (FinCom), Marisa Batista (Finance Director), Donna Brewer (Town Counsel), Andrea Carlson (Town Clerk), and Allison Jenkins (Selectmen).

Town Moderator said: “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 first. Once they are done, I will ask the FinCom for their opinion, then 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 four corners of the motion. Please do not make comments about any person or group who is in favor of or against the motion, just comment on the merits of the motion itself. 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

## ***SPECIAL TOWN MEETING (CONTINUED)***

with some assistance. No more than one motion to amend may be pending at the same time. A vote is first taken on the motion to amend, and then any subsequent motions to amend, which would be considered, and then on the main motion whether it is amended or not. 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 or 2/3 or 4/5 majority vote. 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. In the event someone moves the previous question, what they are asking is that all discussion on the motion cease and that we take an immediate vote. A motion to move the previous question requires a 2/3 vote. However, if I as moderator do not believe there has been an appropriate amount of discussion on the motion because there are a lot of people in line waiting to speak or if the discussion just started, I have the right to postpone consideration of the motion to move the previous question.

Finally, let me say this. I am aware that some of the articles here have engendered a lot 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 motion have the town's best interests in their heart. You may not agree with them, but that's alright. Disagreement is a natural thing. It is part of our democratic process. But please keep your comments to the merits of the motions and not the people involved. I want to make sure that everybody that wants to stand up and speak about something, feels comfortable in doing so. That is the essence of Town Meeting government. It is okay to disagree. It is not ok to be disagreeable.

Finally an announcement as to Holds. Some of our motions will include a listing of items that will be voted on as a group unless a voter shouts Hold on the item. When there is a shouted Hold during the reading of a list for consideration by the meeting, the identity of the voter requesting the hold must be ascertained first. This information is for the minutes of the meeting and to save meeting time when a held item is considered later in the meeting. If I am unable to identify a voter requesting a Hold I may disregard the Hold.

We will begin with brief reports by Shawn Farrell, the Chairman of the Board of Selectmen."

Town Moderator recognized Shawn Farrell.

### **Board of Selectmen Report**

Shawn Farrell read: "Thank you Mr. Moderator. Good morning everyone and welcome to Special Town Meeting. First I would like to say thank you to all the people involved in front and behind the scenes who helped put this meeting together and thank you to all the boards and committees who volunteer their time and effort. All your hard work is truly appreciated. And thank you all for attending today.

Town meeting is one of the purest forms of democracy and your opportunity to guide the future of our town. I appreciate the time you are taking out of your days to be here for our town. Before we get to the issues I just want to take a quick moment to share with you some updates on town business.

I would like to take this opportunity to welcome our new Town Manager, Joe Domelowicz. He has gotten off to a running start and I am encouraged by his approach to the issues Hamilton faces and the way he has conducted himself so far. I would like to thank Chief Russ Stevens for all his help with the Town Manager search and filling in as acting Town Manager when it was needed. Our police department recently finished the accreditation process and passed with flying colors. We are one of 78 police departments accredited in the state.

Fiscally we are in great shape and our reserves are strong. We had a clean audit and have maintained our AAA bond rating. We continue to maintain our three-year forecast and five-year capital plan. Our Finance Director Marisa Batista helped the town secure a Community Compact Grant from the state to review and work on our financial policies and we are working through them now. As part of this process The Board of Selectmen is developing capital and reserve policies before this year's budgeting cycle begins. We have been fiscally responsible and kept our operating budget increases to a minimum. If you recall last year's increase was around 1%.

Our school enrollment is down 7% over the last five years and we need to work on finding a way to decrease school costs to reflect this decline by working with the School Committee during their budget process.

Trash costs have grown because of increased recycling tipping fees associated with a drop in the Chinese market. We have just recently renamed our recycling Committee the Waste Reduction Committee to reflect our goal of reducing our waste and not just focusing on recycling. Please take the time to educate yourself on our compost

## ***SPECIAL TOWN MEETING (CONTINUED)***

program as compost typically accounts for the most weight in our trash program and the more we compost, the more money we will save. If you did not receive a mailer about our composting and recycling program, I encourage you to go to the Town website to see what can and cannot go in your compost and recycling. There is also information in the lobby today.

Our Council on Aging is strong and serving almost 2,000 of our growing senior population and our senior transportation program is the envy of other towns with a wait time of around 15 minutes. The COA would like to add that they and we wish Lucy Frederiksen our Social Services Specialist a speedy recovery from a recent surgery.

Our joint Recreation Department has had another great year with huge growth as a result of the pool and continues to offer great programming to our residents. The two centerpieces of Patton Park have been improved. The gazebo has had the old railings removed and steps have been built that surround the structure. The Patton Park Tank has also had a much-needed facelift courtesy of a local scout, Hugh Gist, for his Eagle Scout project. We have worked with Wenham to regionalize our inspection services and look forward to the efficiencies it will generate.

Our Vacant and Dilapidated Buildings Bylaw that was voted in favor of last Town Meeting, has been approved by the Attorney General and is being enforced. Green Meadows Farm has been approved for an indoor medical marijuana farm on the property. You may recall that we voted no to marijuana retail in Hamilton at a past Town Meeting and that still will be the case. A host community agreement was signed with Green Meadow Farm and the Town will receive 1.5% of the revenue generated until a threshold of \$6 million in profit by the farm is met and then the Town will receive 1.75% after that. We will also gain money to pay for a school resource officer as part of the agreement. I would like to thank Bob Patton for his commitment to give back to the Town of Hamilton during the negotiation process.

Our Town Hall Building committee has hired an Owners Project Manager and has begun the process of looking into the rehabilitation of our Town Hall. The Town Manager has started a Gordon Conwell Theological Seminary Task Force to look into working with the seminary to figure out how the seminary and the Town can work together to

come to an agreement on their payment in lieu of taxes or some other form of compensation. They have had a handful of meetings with the seminary and will continue to negotiate over the next few months.

We purchased a new fire truck that arrived in August to replace our previous Engine #1. Chief Phil Stevens is retiring at the end of December after 37 years of hard work and dedication to the Town of Hamilton. Please join me in a round of applause to honor Chief Stevens and to congratulate Ray Burnett who will be filling his shoes starting in January as acting Fire Chief.

Town Meeting voted to approve a Municipal Aggregation Program at a previous Town Meeting to reduce the electrical supply rate for our citizens. The Town partnered with the Town of Gloucester to go out to bid for a reduced electrical rate. The bid from Nextera was locked in about a week ago at 11.4 cents per kWh including 5% of the supply coming from renewable sources. Residents can also opt for 0% renewable rate of 11.3 cents per kWh and 100% renewable rate of 13.4 cents per kWh. National Grid's announced supply rate per kWh will be 13.4 cents as of Nov 1<sup>st</sup> if we had stayed with the utility. Citizens will see the benefit of the program in an upcoming utility bill.

Our water treatment plant has been having updates made to it so that we can treat the water more efficiently and operate as it was designed. We expect the update to be finished in the next month. We expect to remove the water ban at the next Board of Selectmen's meeting. The water main replacement project that was voted through over several Town Meetings is going well. 22,000 feet have been replaced so far.

Our partnership with Ameresco to place a three-acre solar array at the Town landfill is getting closer to coming to fruition. The project will generate 1 million kWh of electricity annually for purchase by the Town. The purchase price will be .02/cents a kWh below the National Grid retail price. Ameresco will also pay approximately \$10,000 annually through a lease payment or PILOT. Total anticipated benefit to the Town is \$30K annually.

You may recall at last Town Meeting an advisory vote was taken to not tax the DCR Property on Highland Street. The Board of Selectmen is interested in reaching an accommodation with Mr. & Mrs. Kaminski, the residents of 550 Highland Street, and has asked the Town Manager and Town Counsel to begin meeting with the Kaminski's to accomplish that. At the same time the Board of Selectmen is working aggressively with the State administration and legislature to change the law to make 550 Highland Street

## ***SPECIAL TOWN MEETING (CONTINUED)***

not taxable as soon as possible. This week there will also be a scheduling conference with the judge pertaining to the lawsuit involving Varsity Wireless' proposed cell phone tower behind Town Hall.

The owner of 133 Essex Street has closed sections of the Chebacco Woods Trails that go through the property and the town is weighing its options to keep the trails open that have been used by the general public for hiking, horseback riding, and other passive recreational use continually for more than 20 years. We feel we have a strong case to keep the trails open for our citizens to enjoy.

We are working with our State representatives to address the amount of power outages in Hamilton and have an upcoming meeting with National Grid to work on solutions.

The Town and Habitat for Humanity partnered together to build two affordable units on Asbury Street that are near completion.

So as you can see, we have a lot going on. There are many important issues being brought before us to vote on today. We are all here because we care about the future of Hamilton, There is no us or them in this room, we are all neighbors. So while we may not all agree on these issues, let us not forget to treat each other as such. We are all in this together. Thank you."

Town Moderator recognized the Town Manager, Joe Domelowicz

Joe Domelowicz thanked residents for welcoming him to town.

Town Moderator read: "We will now begin going through the Articles in the Warrant."

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

#### ***ARTICLE 2018/10 1-1 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 2018."

Town Moderator recognized Shawn Farrell.  
Shawn Farrell said: "I move that the reports of Town Officers and Committees be received and placed on file.

Seconded.

Shawn Farrell said he would like to take action on the reports.

Bill Shields (721 Bay Rd.) requested information regarding the three pending Citizen's Petition's for paying bills, hiring counsel and having a report with regard to the cell tower litigation. Mr. Farrell responded that the report was not yet complete. The Selectmen were waiting for litigation to wrap up.

Vote: Motion carries.

#### ***ARTICLE 2018/10 Consent Motion***

Town Moderator read: "I will now entertain a motion to consolidate in one consent motion, the following articles to be taken up and voted on as one motion. Shout out Hold as the list is read. Any article for which there is an accepted Hold will be deleted from the Consent Motion and taken up and considered separately according to its place on the Warrant.

The Motions to be consolidated into one consent motion will pertain to the following:

2-1 FY'19 Budget Adjustments, 2-2 Appropriation for Fire Equipment, 2-3 Prior Year Bills, and 4-1 By-law Amendment Personnel By-law."

Town Moderator recognized Shawn Farrell.

Shawn Farrell said: "I move that the numbered motions for the articles read by the Moderator be approved by one vote, each motion to be deemed a separate action under the Warrant Article having the same corresponding number."

Seconded.

Shawn Farrell noted that due to the efficiency of Town Meeting, the articles were considered together.

Moderator read: "Since the motion for Article 2-3 requires a 9/10<sup>th</sup> vote, I will only call the consent motion as approved if it is unanimous."

Vote: Motion carries.

### ***SECTION 2: FINANCIAL ACTIONS***

#### ***ARTICLE 2018/10 2-4. Community Preservation Funds***

Town Moderator read: "To see if the Town will appropriate monies from Community Preservation Fund special revenues, specific reserves, or other available funds for the undertaking of community preservation projects as recommended by the Community Preservation Committee, or take any action thereon or relative thereto.



## ***SPECIAL TOWN MEETING (CONTINUED)***

will now read the recommendations of the Community Preservation Committee. Shout out a Hold for any item for which you would like separate discussion. The proposed financial actions area follows:

Item 1 – Open Space and Recreation – to appropriate \$17,000 from the Community Preservation Fund Balance to fund the removal of invasive species in Weaver Pond in Patton Park, with the condition that the effort commence prior to November 1, 2019.

Item 2 – Open Space and Recreation – to appropriate \$10,000 from the Community Preservation Fund Balance to fund the rehabilitation/replacement of the two basketball hoop systems at the basketball courts in Patton Park, with the condition that the effort commence prior to July 1, 2019.

Item 3 – Historic Preservation – to appropriate \$5,500 from the Community Preservation Fund Balance to fund the restoration of the cannons in Patton Park, with the condition that the effort commence prior to July 1, 2019.

Item 4 – Historic Preservation – to amend the vote on the motion for Article 2-7 of the November 4, 2017 Special Town Meeting to permit the appropriation from the Historic Preservation Reserves to fund both the Owners Project Manager (OPM) and design services for the restoration of Hamilton Town Hall, no further appropriations needed.”

Town Moderator noted that no “Holds” had been heard.

Town Moderator recognized Jay Butler.

Jay Butler (78 Old Cart Road/CPC Chairman) said: “I move that the Town act on the Community Preservation Committee recommended specified projects and appropriate \$17,000 from the Community Preservation Fund Balance to fund the removal of invasive species in Weaver Pond in Patton Park, with the condition that the effort commence prior to November 1, 2019, appropriate \$10,000 from the Community Preservation Fund Balance to fund the rehabilitation/replacement of the two basketball hoop systems at the basketball court in Patton Park, with the condition that the effort commence prior to July 1, 2019, appropriate \$5,500 from the Community Preservation Fund Balance to fund the restoration of the cannons in Patton Park, with the condition that the effort commence prior to July 1, 2019, and amend the vote on the motion for Article 2-7 of the November 4, 2017 Special Town meeting to permit the appropriation from the

Historic Preservation reserves to fund both the Owners Project Manager (OPM) and design services for the restoration of Hamilton Town Hall, no further appropriation needed.”

Seconded.

Jay Butler presented a slide regarding the grant requests and explained the needs. The Patton Park weed eradication had been done ten years prior. DeRosa Engineering would apply herbicide and use a hydro-rake to remove the invasive species. The Hamilton Recreation Department had requested the replacement of the basketball systems. A donation from Hamilton Wenham Youth Basketball would also be used to fund the project. The DPW requested to restore the cannons at Patton Park. A local firm would do the work to restore the cannon. A portion of the GoFundMe page overflow from a Boy Scout’s Patton tank project would be used to supplement the cost. The final item corrected an oversight for the \$75,000 grant awarded the previous year. The original grant application was clear that the money was for OPM and some design services. Design services wording was not used in the original article.

Vote: Motion carries.

### **ARTICLE 2018//10 2-5 Appropriate and Transfer Funds to the Patton Homestead Fund.**

Town Moderator read: “To see if the Town will raise and appropriate or transfer from available funds a sum of money to the Patton Homestead Fund to fund Fiscal Year 2019 operating costs, or take any action thereon or relative thereto.”

Town Moderator recognized Carin Kale.

Carin Kale said: “I move to see if the Town will raise and appropriate and transfer to the Patton Homestead Fund \$90,011 to fund Fiscal Year 2019 operating costs.”

Seconded.

Carin Kale (36 Rock Maple Ave/President of Patton Homestead Inc.) noted the support received in the past. The budget had two parts including \$30,000 for a six month Director salary who would report to the Town Manager, be responsible for day to day management, and bring in revenue. \$63,000 for ongoing maintenance and start-up costs was also being requested. \$20,000 of the request would go back to the General Fund to represent the overhead expenses incurred by DPW Director and Town Manager’s time. Revenue from the Wenham Museum was noted. Reasons to Support the Operating Budget were due to revenue potential, the use of the community asset, the need for transparency and clear reporting of operating costs versus revenue, the existence

## ***SPECIAL TOWN MEETING (CONTINUED)***

of momentum including the parking lot and renovations completed, and its affordability. A capital campaign was planned for further renovations and a business plan was being developed. Senator Tarr was successful at obtaining a \$750,000 grant earmarked (for next July) for renovations in a State Capital Bond Bill. Patton Ridge condominiums brought in over \$1M to the Town and generated \$150,000 in taxes annually. Ms. Kale indicated that the Homestead was not losing money. Mrs. Patton had sent a letter and agreed with the recommendation.

John Pruellage (FinCom) provided insight into the favorable recommendation to the article and thanked members of the Patton Homestead Board for their being an example of volunteers in the community. Mr. Pruellage said FinCom shared the view of the Patton Homestead being a cultural asset. The FinCom was unanimously in favor of the article with reservations such as if the Town should be operating an event venue and if the business was viable. The FinCom expressed objectivity in the process and asked for the Summary be more objective but their comments were not taken, according to Mr. Pruellage. The FinCom had challenged the Patton Homestead Board to take a number of actions, which they were in the process of doing. Actions included a more robust business plan, more granular revenue and expense projections, and an understanding of the potential for fund raising and grants. The FinCom wanted more viable milestones by next spring in order to track the progress of the project. Mr. Pruellage said the Town could not fund the project as the Town had many other competing priorities. Mr. Pruellage indicated that hiring a Director would be a way to see the process through. The FinCom was not yet convinced that the project was viable long term even though they shared the Committee's enthusiasm and wanted to see the project take the next step. Mr. Prueallage added that this article would allow that.

Lynnette Fallon (38 Goodhue St.) asked about current funds, how much it cost currently, the run rate and balance. Carin Kale responded that was why the previous Town Meeting approved the special fund to create transparency. Ms. Kale said \$6,000 went to the General Fund while costs were paid out of Homestead Fund. Jerry Fallon (38 Goodhue St.) asked if the grant from the State was absolute to which Ms. Kale responded that the Governor had signed it but they would not be received until July 2019. Mr. Fallon asked why two Selectmen had voted against it. Allison Jenkins (75 Plum St.) said she

voted against it because of a statement made but fully supported the Homestead and article currently. Jeff Hubbard (85 Miles River Road) said he voted against it because the Town had funded it for eight years and ancillary activity such as this were ones the government should not be involved in if they wanted to reduce or have level taxes.

Jackie Hodge (222 Cutler Road) questioned the full time Director. Carin Kale said it would be a full time position with benefits. The decision was based on input from the interim Town Manager.

Susan Lawrence (105 Rock Maple Ave) asked to whom the director would report, to which Ms. Kale responded it would be the Town Manager as the non-profit did not own the property.

Lynnette Fallon asked about the balance of the Homestead Fund to which Ms. Kale responded that it was about \$20,000 for day to day operations. Allison Jenkins clarified that the previous Town Finance Directors were not the issue with the accounting of the project, but the previous Town Manager had restricted the accounting. Bill Dery (356 Chebacco Road) wanted to have a complete accounting of what had been spent and how much more would be needed before approving the article. Mr. Dery said there was \$1.5M in repairs needed. Ms. Kale said the group was working with a consultant to determine needs. Ms. Kale noted the money given to the Town upon the condominium sale and the taxable income from the condominiums.

Vote: Motion carries.

### **ARTICLE 2018/10 2-6 Funds for Affordable Housing – Longmeadow Project.**

Town Moderator read: "To see if the Town will appropriate or transfer a sum of money from available sources to the Affordable Housing Trust for the purpose of reducing the number of housing units to be developed by Harborlight and/or its partners at the Longmeadow Way location, such award to be subject to such terms and conditions as are acceptable to the Affordable Housing Trust or take any action thereon or relative thereto."

Town Moderator recognized Marc Johnson.

Marc Johnson said: "I move that the Town transfer \$600,000 from Certified Free Cash to the Affordable Housing Trust for the purpose of creating housing units to be developed by Harborlight and/or its partners at the Longmeadow Way location, such award to be subject to developing no more than 50 affordable units and no less than 40 affordable units, and not to be used for legal fees,

## ***SPECIAL TOWN MEETING (CONTINUED)***

and upon such other terms and conditions as are acceptable to the Affordable Housing Trust.”

Seconded

Mr. Johnson explained the 40B requirements noting the town was at 3%, which would drop when some units dropped off. There was no State law enforcing the requirement except that a developer could supersede local zoning. Mr. Johnson showed slides of the potential development of 40 units between Longmeadow 3 and Longmeadow 5. The preliminary sketch, schematic site plan, and schematic elevations were shown. Detailed plans would be presented to the ZBA for approval. The Affordable House Trust (AHT) would be spending \$1.3M for Longmeadow Way, which would be \$32,000 per unit. Funding sources included \$300,000 from AHT, which were provided previously by the CPC. \$400,000 would be from the Canterbrook Senior Housing Project, which was already agreed to by the Planning Board. \$600,000 from free cash was the remaining need, which was what the article was asking.

According to Marc Johnson, Harborlight had an agreement with the Hamilton Development Corporation to purchase Willow St. to construct 20 senior affordable units. Harborlight had conditioned the agreement stating that they needed a companion project anywhere in town because the State liked family or workforce housing. The linkage was Harborlight getting permission from the State. \$300,000 was previously committed for that project for a total of \$1.6M for both developments. Longmeadow 3 and 5 would be sold by Harborlight as affordable or market rate units. They budgeted \$700,000 if an affordable restriction were placed on the houses but they would be valued at \$250,000 each. The Town would cover the shortfall for the property for a cost of about \$200,000 but the AHT didn't want to commit future Town Meetings for those dollars, so the AHT would allow additional density for up to ten units. If eight units were provided, the Town would not need to fund the project further.

Marc Johnson said the Affordable Housing Trust wanted 40 units not 100 or 200 units. The cost and social consequences would be wrong for the Town of Hamilton. Mr. Johnson showed a comparative analysis of the school costs, which compared the number of units and their costs considering Hamilton's share of the regional system. Mr. Johnson also compared the cost of a \$600,000 ask and the cost of educating hundreds of new students. Mr. Johnson also referred to the work of the AHT in trying to accomplish their goals.

Town Moderator recognized Phil Stearns.

Phil Stearns (FinCom) said: “Good Morning. I want to thank the Affordable Housing Trust. For many years, they have done a lot of work trying to resolve an issue that Hamilton has because it is clear that Hamilton needs Workforce Housing. Teachers, police, town employees, seniors and other current residents would all benefit from more affordable local housing and it stands to reason that 40 to 50 units will have less impact on the town than a higher number. However, the FinCom thought the Summary in the Warrant for Article 2-6 was somewhat biased and left out important information. FinCom wrote a second summary and submitted it to the Board of Selectmen for consideration. We received no response from the Board of Selectmen, other than the fact that the original summary was used without our suggested changes. We thought it was relevant to remind voters that the CPC declined to appropriate funds for this purpose on August 9th, 2018.

The Finance Committee's “No” recommendation was based on the original article that we voted on September 5th. At that time the article was significantly different from the current motion. The amount of funding and the source of the funding were not specified. At our meeting, we were verbally informed that the amount of the ask would be up to \$1M that would be used to limit the development to 48 units +/- . There was no guarantee that Harborlight Community Partners (HCP) would accept this money if offered. It was verbally explained that HCP would want additional funding of up to \$700,000 for the existing homes at Longmeadow. If this amount is not achieved through a sale, then the Town would be asked to make up the difference or additional units could be added. \$300,000 has already been earmarked for Longmeadow by the AHT. At that time the total appeared to be \$1M plus \$300,000 plus the difference for existing homes maybe \$250,000-500,000. This total is in the \$1.5 to \$1.8 million range. And another \$300,000 is already being held somehow to support 20 units on Willow St.

There is uncertainty about what the alternatives are: The ask to the CPC in early August stated that ‘Harborlight has recently discussed constructing up to 100 units of Affordable housing on the site. In this current ask the number is 200 units of market rate housing a percentage of which will be affordable. The origin of these numbers has not been made clear. There is uncertainty about what the site can support: To our knowledge, there have been no septic or other site engineering studies done. It is possible that the site cannot support 200 units or even 100

## ***SPECIAL TOWN MEETING (CONTINUED)***

units. Maybe we should find out what the site can hold before investing Town money. FinCom has not seen any agreement with Harborlight concerning costs, terms and conditions. So far all we've had is word of mouth. Our conclusion, when we voted, was that there was too much uncertainty to commit Town resources and that there was still time to get more information before a decision had to be made. We can wait until we see a formal proposal from a developer and then negotiate based on facts.

Unfortunately, FinCom cannot make a recommendation on the current Motion as just presented because there was no time for us to give 48 hours for notice to hold a meeting to discuss it. We saw it for the first time on Wednesday. One final point: The town is currently in the process of developing Financial Policies. The next policies on deck are Financial Reserves and Capital Planning. These will include targets for Free Cash and our Stabilization Fund. It is also recommended by MA Dept. of Revenue that we add a new fund called a Capital Stabilization Fund that can accrue money to help us with future capital expenditures such as buildings and equipment. Allocating \$600,000 from Free Cash before we finalize the fund targets in these policies could leave our reserves short of where we want to be. Personally, I can't speak for the committee, but I have not seen enough to change my opinion."

Dave Thompson (103 Essex St.) spoke against the proposal. Jack Lawrence (105 Rock Maple) spoke against the proposal. Bill Dery (356 Chebaco Road) spoke against the proposal. Jean Towne (20 Savoy Rd) spoke against the proposal. Bill Olson (419 Highland St./Board of Selectmen/AHT) spoke in favor of the proposal. Bob Curry (713 Bay Road) spoke against the proposal. Marc Johnson responded. Anna Siedzik (227 Highland St.) spoke in favor of the proposal. Rosemary Kennedy (61 Rust St.) spoke against the proposal. Dawn Thibeault (10 Annies Lane) spoke in favor of the proposal. Allie Moffet (2 Smithwood Terrace) spoke against the proposal. Ron Huth (34 Maple St.) spoke in favor of the proposal. Richard Boroff (40 Moynihan Rd) spoke in favor of the proposal. Lynnette Fallon (38 Goodhue St.) spoke against the proposal. Patrick Gray (151 Asbury St.) spoke in favor of the proposal. Bill Shields (721 Bay Road) spoke against the proposal.

Motion made by Tracy Lutz (39 Chestnut St.) to vote on the previous motion.  
Seconded.

Town Moderator explained that a Motion to move the previous Motion needed a 2/3rds majority.

Vote: Motion carries and Town Moderator declared a 2/3rds vote.

Vote: Main Motion does not carry.

Town Moderator explained that Marc Johnson had been told he would be able to respond to comments at the end of the discussion. Jeff Melick added that he had followed protocol for when the Motion to move the original motion was made. Mr. Melick said the vote was overwhelmingly against the article.

### **SECTION 3: PLANNING/ZONING ACTIONS**

#### **ARTICLE 2018/10 3-1 Zoning By-law Amendment – Accessory Apartments.**

Town Moderator read: "To see if the Town will amend the Zoning By-law deleting current Sections 3.6 and 3.7 and substituting therefor as Section 3.6 the language set forth in Appendix A, or take any action thereon or relative thereto.

Town Moderator recognized Rick Mitchell.

Rick Mitchell said: "I move that the Town amend the Zoning By-law deleting current Sections 3.6 and 3.7 and substituting therefor as Section 3.6 the language set forth in Appendix A of this Warrant.

Seconded.

Rick Mitchell presented slides and explained the key elements of the article. Mr. Mitchell said the proposal was a continuation of an update of Zoning By-law rewrites. Mr. Mitchell noted the three current By-laws that allowed accessory apartments in the Zoning by-law. The recommendation of the consultant was to consolidate this into one workable By-law. According to Mr. Mitchell, homeowners would be able to build an apartment as part of their house with no more than two bedrooms and one bath. Other requirements were noted such as parking, landscaping and access. Air BnB would not apply. The special permit would expire when the home was sold.

David Geikie (230 Highland St.) spoke against the expiration of the permit. Rick Mitchell responded that a potential buyer would see the special permit on the recorded deed. Dan Bakinowski (42 Woodbury St.) questioned the permit he received and its potential expiration. Mr. Bakinowski also questioned the "whichever is less" portion of the By-law. Mr. Mitchell thought it would expire upon sale but then said only going forward, special permits would expire. Mr. Bakinowski said the ZBA informed him the permit would not expire.

## ***SPECIAL TOWN MEETING (CONTINUED)***

Donna Brewer responded that he would be grandfathered with no sunset clause being in the current By-law. Rosemary Kennedy (61 Rust St.) requested clarification to the expiration dates, use, and downtown applicability due to small lots. Mr. Mitchell responded that accessory apartments were currently allowed under three By-laws. As the previous By-laws allowed for 25% of the home, the new By-law said 900 sf. Bill Dery (356 Chebacco Road) questioned section 5.3 noting it would not apply.

Motion made by Bill Dery who said: "I move to amend the motion to delete 5.2 from Appendix A of this Warrant."

Seconded.

Rick Mitchell said it was a friendly amendment.

Charles Chivakos (27 Village Lane) supported the amendment.

Vote: Motion to amend carries.

Rick Mitchell said: "I move to amend Appendix A of the Warrant by deleting "whichever is less" from Section 4.4."

Seconded

Darcy Dale (58 Woodbury St.) asked if a special permit would expire while a variance would not expire. Donna Brewer said a special permit would trail with the deed. Allison Jenkins (75 Plum St./Board of Selectmen) said the By-law was for an accessory apartment and not a two family.

After conferring with Bill Bowler (ZBA), Donna Brewer said two family housing would not change and this would only affect Section 3.6 and 3.7. The special permit would run with the land.

Town Moderator said: "The motion is to amend Appendix A of the Warrant by deleting "whichever is less" from Section 4.4."

Vote: Motion carries.

Town Moderator said: "The motion is that the Town amend the Zoning By-law by deleting the current sections 3.6 and 3.7 and substituting therefore from Section 3.6 the language set forth in Appendix A of the Warrant with the deletion of Section 5.2 in Appendix A and the words "whichever is less" from Section 4.4."

Second

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

Vote: Motion carries. Town Moderator noted the 2/3rds majority.

### **ARTICLE 2018 10 3-2. 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 as set forth in Appendix B or take any action thereon or relative thereto."

Town Moderator recognized Allison Jenkins.

Allison Jenkins said: "I move that the Town amend the Zoning By-law by deleting Section 9.3 CONSERVANCY DISTRICT."

Seconded.

Allison Jenkins recalled the previous Town Meeting had discussed the topic. The consultant had indicated that the By-law was unenforceable and was open to lawsuits. Residents amended the motion to give time to study the topic for Special Town Meeting. Since Annual Town Meeting, Ms. Jenkins had conducted research to find that in 1965, Annual Town Meeting passed the By-law to protect the wetlands but since then, other laws were enacted to protect the wetlands. Some would like to see the district remain and those residents could approach the Town with a new By-law that would increase protection for wetlands, species, or meadows to be voted upon, according to Ms. Jenkins.

Gretel Clark (823 Bay Road) spoke in favor.

Vote: Motion carries. Town Moderator declared a 2/3rds vote.

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

### **ARTICLE 2018/10 5-1 Approve Solar Power Purchase Agreement, Lease of Former Town Landfill and Structured Tax Agreement.**

Town Moderator read: "To see if the Town will authorize the Board of Selectmen to lease, for a maximum of thirty (30) years with the option to renew, upon such terms and conditions as acceptable to the Board of Selectmen, a portion of Town land formerly the Town landfill located at 500 Chebacco Road, Assessors' Map 75, Lot 1 and further to enter into a Solar Power Purchase Agreement and to negotiate and execute a structured tax agreement pursuant to Chapter 59, Section 38H of the General Laws with Ameresco for the purposes of constructing, maintaining, and operating a solar array facility or take any action thereon or relative thereto."

Town Moderator recognized Scott Maddern.

Scott Maddern read: "I move that the Town authorize the Board of Selectmen to lease, for a maximum of thirty (30) years with the option to renew, upon such terms and

## ***SPECIAL TOWN MEETING (CONTINUED)***

conditions as acceptable to the Board of Selectmen, a portion of Town land formerly the Town landfill located at 500 Chebacco Road, Assessors' Map 75, Lot 1 and further enter into a Solar Power Purchase Agreement and to negotiate and execute a structured tax agreement pursuant to Chapter 59, Section 38H of the General Laws with Ameresco for the purposes of constructing, maintaining, and operating a solar array facility."

Seconded.

Scott Maddern described the Article which allowed for the lease of the landfill.

Bill Dery (356 Chebacco Rd) asked about a right of way for the Rod and Gun Club and paving Chebacco Road from the entrance site to the Manchester line. Scott Maddern responded that the project would not interfere with the Rod and Gun Club. The paving of the road was contingent on State funds and a capital plan for paving. Neighbors were ready but the current layout of the road was not accurate and the Town was considering new water sources. Mr. Maddern said all the water came from the Ipswich Watershed and Chebacco Road was in the North Coastal Basin, which could be accessed at the same time as paving Chebacco Road.

Vote: Motion carries.

### **ARTICLE 2018/10 5-2 Grant Easement Former Town Landfill.**

Town Moderator read: "To see if the Town will grant an easement to National Grid to install, maintain, operate, repair, reinstall, or replace utility pole lines and a substation for three phase power for a solar array

installation at the former Town landfill, 500 Chebacco Road, Assessors' Map 75, Lot 1, or take any action thereon or relative thereto."

Town Moderator recognized Jeff Hubbard.

Jeff Hubbard read: "I move that the Town grant an easement to National Grid to install, maintain, operate, repair, reinstall, or replace utility pole lines and a substation for three phase power for a solar array installation at the former Town landfill, 500 Chebacco Road, Assessors' Map 75, Lot 1."

Second.

Bruce Ramsey (28 Goodhue St) asked about the size of the substation portion. Scott Maddern thought it might be 100 sf.

Vote: Motion carries.

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

### **ADJOURNMENT**

The Moderator announced that the Annual Town Meeting was dissolved at 12:10 pm.

A TRUE COPY: ATTEST:

\_\_\_\_\_  
Andrea J. Carlson  
Town Clerk

# **APPENDIX A**

## Accessory Apartments

### 1. Purpose and Intent

The intent of this section is to allow Apartments in owner-occupied single-family dwellings. Its purpose is to:

- 1.1. Add moderately-priced rental units to the housing stock to meet the needs of small households, both young and old;
- 1.2. Make housing units available to moderate-income households who might otherwise have difficulty finding housing in the town;
- 1.3. Provide older homeowners with a means of obtaining rental income, companionship, security and services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.

### 2. Special Permit Granting Authority

The Zoning Board of Appeals is the Special Permit Granting Authority (SPGA) under this bylaw section.

### 3. Procedure

Applications to the SPGA for a Special Permit must provide the following:

- 3.1. Be signed by 100% of the record title ownership interest of a single family detached dwelling and shall include a copy of the deed to the applicant. If ownership is held in other than by an individual, applicant shall submit a Schedule of Beneficiaries or other evidence of ownership satisfactory to the SPGA.
- 3.2. Include a floor plan of the Apartment, whether in the main dwelling or a detached structure such as a barn, garage, or other such building on the lot where it is to be located, and all elevations where exterior modifications are proposed. Additionally, a site plan is required to show access, parking, entry, and other essential site features. All plans shall be drawn to scale and identify the existing structure and proposed modifications to create the Apartment.
- 3.3. Include written verification by the Board of Health that the sewage disposal system shall have sufficient capacity to accommodate the Apartment within Title 5 of the State Environmental Code and the Rules and Regulations of the Board of Health.

### 4. Requirements

- 4.1. Modifications of the exterior of the dwelling shall be completed in a manner that maintains the appearance of the dwelling as a single-family dwelling.
- 4.2. Modifications of the exterior of the detached accessory building intended to house the Apartment shall maintain the appearance and essential character of the accessory structure.
- 4.3. The Apartment will be a complete, separate housekeeping unit that functions as a separate unit from the principal dwelling.
- 4.4. The Apartment shall contain no more than two (2) bedrooms and one (1) bathroom; and the apartment shall not exceed 900 S.F. of gross floor area of the building in which the Apartment is to be located.

- 4.5. Any new outside entrance to serve an Apartment shall be located on the side or in the rear of the building unless the SPGA deems otherwise appropriate given the layout and function of the building.
- 4.6. A landscape plan shall illustrate any new entrances, parking areas and any other added physical development which in the opinion of the SPGA deserves landscape treatment. This provision will not be used as a means to require the pre-existing property to be re-landscaped but will specially focus on the aesthetics of the new site features.
- 4.7. The Apartment shall not be held in, or transferred into separate ownership from, the principal dwelling under a condominium or cooperative form of ownership, or otherwise.
- 4.8. An Apartment shall not be used in any way for any commercial purpose or activity, regardless of other provisions of the zoning bylaw.
- 4.9. At least one (1) off street, on site, parking space must be available for exclusive use by occupants of the Apartment or their invitees.
- 4.10. In the R-1A, R-1B, and RA Districts, accessory apartments shall not be allowed in single-family dwellings located on lots that are non-confirming for lack of required lot area, unless said lot is at least 10,000 S.F. in size unless the SPGA determines that a lot smaller than 10,000 S.F. is capable of accommodating an Apartment which provides on-site, off-street parking and has confirmation from the Board of Health that the site can address its septic system demands.
- 4.11. Alterations to accommodate an Apartment shall be limited to one (1) structure on the lot. If the dwelling is located on a lot smaller than 10,000 square feet, then the alterations shall not expand the footprint or the envelope of the building, as it existed on the effective date of this bylaw section, by more than twenty-five (25) percent, or five hundred (500) S.F., whichever is less.
- 4.12. The Owner of the lot shall reside on the property in either the principal dwelling or the accessory apartment.
- 4.13. The sanitary disposal system for the Apartment and principal structure shall comply with the applicable Hamilton Board of Health and Title 5 regulations, provided that compliance of the sanitary disposal system shall not require the application of Subpart E of 310 CMR 15.00.
- 4.14. Utilities such as water, electric, oil, and gas necessary for the Apartment shall be extensions of the existing utilities serving the principal single-family dwelling. No new utility services or meters shall be installed for the use of the Apartment.
- 4.15. The Special Permit shall be issued to the Owner and shall specify which dwelling unit will be Owner-occupied.
- 4.16. The Special Permit shall be recorded at the Registry of Deeds or registered at the local Registry division of the Land Court. Prior to the issuance of a building permit, the applicant must submit proof of the recording or registration of the Special Permit to the Building Inspector and the Director of Planning and Inspections.
- 4.17. When a structure which has received a Permit for an Apartment is sold, the new Owner, if he or she wishes to continue to exercise the Permit, must within thirty (30) day of the sale, submit a sworn and notarized written statement to the Building Inspector stating that he or she will occupy either the principal dwelling or the Apartment on the premises as their primary year-round residence.
- 4.18. No more than one (1) Apartment shall be allowed on any lot.



4.19. The creation of an Apartment within a principal single-family residence must be done so that the Apartment either shares a common floor-ceiling assembly with the principal dwelling or a common wall connector as defined in Section 11.0 of this zoning bylaw.

4.20. Violation of any of the above provisions shall be subject to enforcement by the Building Inspector in accordance with the applicable provisions of Section 10.00 Administration and Enforcement of the zoning bylaw.

## 5. Termination

The Special Permit shall terminate immediately upon any of the following events:

5.1. Two Years from the date of the grant of the Special Permit, if a substantial use thereof and has not commenced, or in the case of a permit for construction. If construction has not commenced within one year from the date of the grant of the Special Permit.

5.2. Violation of any term or condition of the Special Permit that the Owner fails to cure within two weeks' written notice mailed by certified mail, return receipt requested.

## DEFINITIONS –

**Apartment:** An additional dwelling unit, subordinate in size and accessory to the principal dwelling unit on the lot, located in either the principal dwelling or an accessory structure on the lot. An Apartment is constructed so as to maintain the appearance and essential character of the single family dwelling or accessory structure to which it is added.

**Owner:** The individuals in whom record title ownership is held. If ownership is held in a trust or other non-individual ownership, the beneficiaries as shown on a Schedule of Beneficiaries or other evidence of ownership.

## APPENDIX B

### 9.3 CONSERVANCY DISTRICT.

**9.3.1 Purpose.** The Conservancy District is intended for the following purposes:

- \_\_\_\_\_ 1. The preservation and maintenance of groundwater quality and quantity;
- \_\_\_\_\_ 2. The protection of watershed resources upon which the inhabitants depend for water supply;
- \_\_\_\_\_ 3. For the enhancement of water quality by encouraging infiltration and percolation through natural soils;
- \_\_\_\_\_ 4. To protect the public health and safety, persons and property against hazards of flood water inundation;
- \_\_\_\_\_ 5. For the protection of the community against the costs which may be incurred when unsuitable development occurs in swamps, marshes, along watercourses, or in areas subject to floods;
- \_\_\_\_\_ 6. To preserve and increase the amenities of the Town; and
- \_\_\_\_\_ 7. To conserve natural conditions, wild life, and open spaces for the education, recreation and general welfare of the public.

**9.3.2 Permitted Uses.** Only the following uses are permitted in the Conservancy District (Note: Construction or alteration in Conservancy District will usually also require application to the Hamilton Conservation Commission under the Wetlands Protection Act and the Hamilton Wetlands By law):

- \_\_\_\_\_ 1. Conservation of water, plants, wildlife, and ponds;
- \_\_\_\_\_ 2. Passive recreation activities which do not require paving, filling, or construction of facilities that may degrade water quality, including but not limited to nature study, walking, pond skating, canoeing, fishing, orseback riding, and hunting where otherwise legally permitted;
- \_\_\_\_\_ 3. Agricultural uses, forestry, horticulture and floriculture including grazing of animals and harvesting of crops, provided that use of chemical fertilizers, pesticides or defoliant found by the Board of Health or the Conservation Commission to be inconsistent with the purposes of this Conservancy District may be regulated by said Boards. (Note: See also Board of Health Animal Regulations); and
- \_\_\_\_\_ 4. Religious and educational uses on land owned or leased by the Commonwealth of Massachusetts, or its agencies, subdivisions or bodies politic, or by a religious sect or denomination, or by a non-profit educational corporation. (Note: Site Plan Review may be required. See Section 10.6.).

(Note: Construction or alteration in Conservancy District will usually also require application to the Hamilton Conservation Commission under the Wetlands Protection Act and the Hamilton Wetlands By law.)

**9.3.3 Special Permit.** Subject to a special permit by the Zoning Board of Appeals under specified conditions as provided for in Section 10.5, and only when the Conservation Commission has reported to the Zoning Board of Appeals that such activities will not have adverse effects relating to water quality or recharge, upstream or downstream flooding and drainage, and water storage capacity in the Conservancy District, the following uses are permitted:

- \_\_\_\_\_ 1. Nonresidential Buildings and Structures, such as boathouses, duckwalks and landings;

~~2. Stands for sale of produce raised on the premises, provided that any such Building or Structure permitted by the Zoning Board of Appeals shall be designed, placed and constructed to offer minimum obstruction to the flow of water and shall be firmly anchored to prevent floating away and thus threatening other buildings or blocking of openings in restricted sections of the watercourse below (Note: Special permit and site plan review required per Sections 10.5 and 10.6.);~~

~~3. Dams, changes in watercourses, or drainage works, only as part of an over all drainage basin plan;~~

~~4. Uses, whether or not on the same parcel as activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production provided the Zoning Board of Appeals finds that the proposed use does not substantially derogate from the public good, and that the proposed use does not include impermeable ground cover in excess of 10% of the total lot area, or any storage of chemical substances which have the potential for degrading groundwater quality. (Site plan review under Section 10.6);~~

~~5. Wind Energy Facilities and Utility Scale Wind Energy Facilities, subject to the standards set forth in Section 7.3; and~~

~~6. When any land shown on the Zoning Map as being in the Conservancy District is proven to the satisfaction of the Zoning Board of Appeals, after reference of the proof to and report by the Conservation Commission, Planning Board and Board of Health, as being in fact not subject to flooding or not unsuitable because of drainage conditions for residential use, and that neither construction activities nor the use of such land for residence will interfere with the general purposes for which Conservancy Districts have been established, and will not be detrimental to the public health, safety or welfare, the Zoning Board of Appeals may, by grant of a special permit, permit the use of such land for Single Family Dwellings under all the provisions of this By law applying to the Residence District in which the land lies.~~

**9.3.4 Prohibited Uses.** Except as provided, above, the following are prohibited in the Conservancy District:

~~1. Land filling and dumping of any natural or other materials;~~

~~2. Construction of Buildings or Structures;~~

~~3. Paving and other impermeable surfaces;~~

~~4. Construction of roads and driveways;~~

~~5. Permanent storage of materials or equipment;~~

~~6. Storage of chemical substances which may degrade water quality;~~

~~7. Commercial borrow operations;~~

~~8. Construction of dams, drainage systems and changes in watercourses which may speed drainage through or around a natural watershed, thereby reducing opportunities for~~

~~water quality renovation by percolation or infiltration through soils; and~~

~~9. Alteration of terrain which may result in increased discharge of stormwater runoff into the District.~~

**9.3.5 Reversion.** If for any reason the restrictions or requirements contained in this Section shall be or become invalid as to any land shown on the Zoning Map as being in the Conservancy District, then such land shall thereafter be subject to the regulation for the district in which the land lies.

### **Overview**

The Town's financial position continued to improve during fiscal year 2018. Total assessed valuation increased by 5.4% in fiscal year 2018 to \$1,578,350,094, reflecting a strong Real Estate market for residential property. Income levels remained strong with a median household income (in 2017 dollars) for the Town of Hamilton of \$112,250, according to the U.S. Census Bureau. The unemployment rate for the Town (according to Homefacts.com as of October of 2018) was 2.2%, remaining below the statewide and national averages of 2.9% and 7.7%, respectively.

Standard and Poor's (S&P) reaffirmed the Town's bond rating at AAA (S&P's highest rating). Analysts noted that the rating reflects a strong budgetary flexibility, strong liquidity and strong financial management.

**General Fund:** The general fund is the chief operating fund of the Town. At the end of fiscal year 2018, the total fund balance was \$5,855,597. The Town recognized a budgetary surplus of \$748,809 and utilized approximately \$1,035,000 of reserves to fund appropriations during fiscal year 2018. The Town's certified free cash for fiscal 2018 was \$3,004,450. The Fall Town Meeting committed \$418,935 of free cash by voting to reduce the tax rate, purchase SCBA units for the Fire department and other miscellaneous projects. An additional \$375,360 of free cash was committed at Spring Town Meeting by voting to further reduce the tax rate and pay a prior year bill.

The Town's local receipts remain constant and the collection of committed taxes remains strong as evidenced by our +/-99.2% collection rate. However, spending in all major categories has increased over time. With costs continuing to be on the rise and the slow, steady growth in revenues will likely result in future budget pressures.

**Other Governmental Funds:** The Town's other funds – Gifts, Grants, Revolving, Capital Projects and Trusts – all closed the year with positive balances, with the exception of minor deficits in three grant funds and the Bridge Street Capital Project deficit of \$163,021. The Town continues to work with state agencies to obtain reimbursement in order to cover the deficit in the fund. Currently, the Town has two major ongoing Capital Projects: Water Distribution and Water Treatment Plant projects with anticipated completion dates in fiscal year 2019.

**Community Preservation Fund:** The State continues to match local CPA surcharges. The match received in FY2018 (\$69,734) was 17.2% of the FY17 surcharge receipts of \$405,388. The anticipated match is carefully monitored by the Community Preservation Committee and the State continues to request that Towns budget conservatively for this revenue. Collection of CPA surcharge revenue remains robust, with approximately 97% of committed receipts actually collected. Debt service for the Donovan Property and Sagamore Hill land acquisition is a substantial annual CPA Fund obligation (\$125,000 in FY18); the Donovan Property debt matures in FY20 which will free up financial resources for new projects however the Sagamore Hill debt does not mature until FY32.

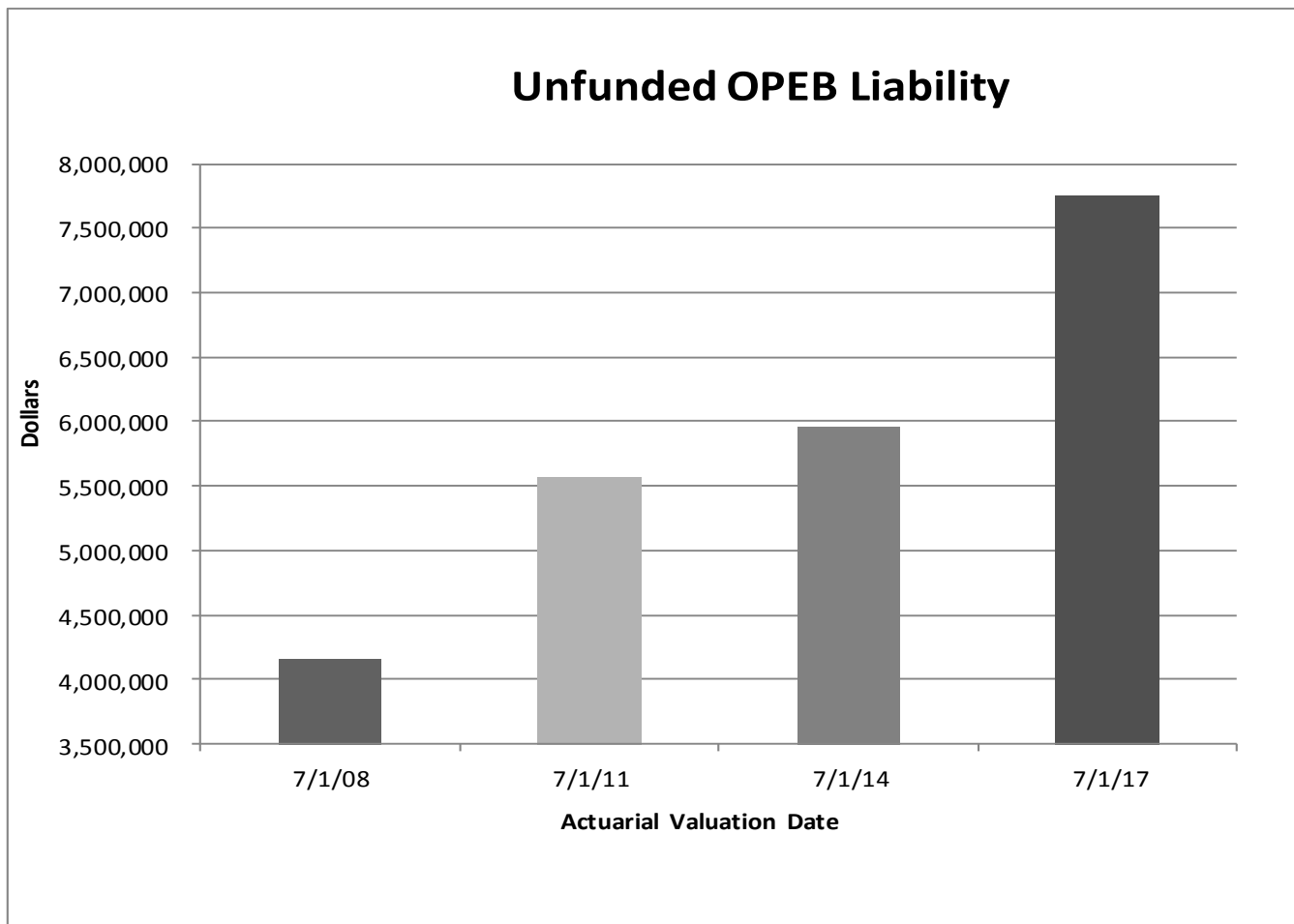
**Enterprise Funds:** During fiscal year 2018, the water enterprise fund operating revenues were \$1,680,449 to an operating expense of \$1,192,888 resulting in operating income of \$487,561. The year closed with an outstanding receivable of \$400,569.

## FINANCE DEPARTMENT (CONTINUED)

As voted at the fiscal year 2018 Annual Town Meeting, the waste enterprise fund was dissolved in fiscal year 2018 and remaining funds transferred to the general fund.

### Other Post-Employment Benefits (OPEB)

At the end of fiscal year 2018, the OPEB Trust total fund balance was \$373,825. An updated Actuarial Report for OPEB was performed during fiscal year 2018. The graph below shows the increase in the unfunded liability:



**FINANCE DEPARTMENT (CONTINUED)**

**Debt**

Outstanding debt as of June 30, 2018 is as follows:

**Governmental Funds**

Project	Maturity Date	Interest Rate %	Outstanding at June 30, 2017	Issued	Redeemed	Outstanding at June 30, 2018
Library Refunding	5/15/2020	2.00 - 3.00	\$ 335,000	\$ -	\$ (115,000)	\$ 220,000
Donovan Property	5/15/2020	2.00 - 3.00	120,000	-	(40,000)	80,000
Energy Services Contract (ESCO)	5/15/2020	2.00 - 3.00	85,000	-	(30,000)	55,000
Landfill Capping	5/15/2030	2.00 - 4.00	1,120,000	-	(90,000)	1,030,000
Fire Truck	5/15/2027	2.00 - 4.00	700,000	-	(70,000)	630,000
Public Safety Building - Refunding	9/15/2025	2.00 - 4.00	2,515,000	-	(290,000)	2,225,000
Landfill Closure	3/15/2022	2.00	194,000	-	(44,000)	150,000
Sagamore Hill Land Acquisition	3/15/2032	2.00 - 3.00	1,250,000	-	(85,000)	1,165,000
Total governmental funds			\$ 6,319,000	\$ -	\$ (764,000)	\$ 5,555,000

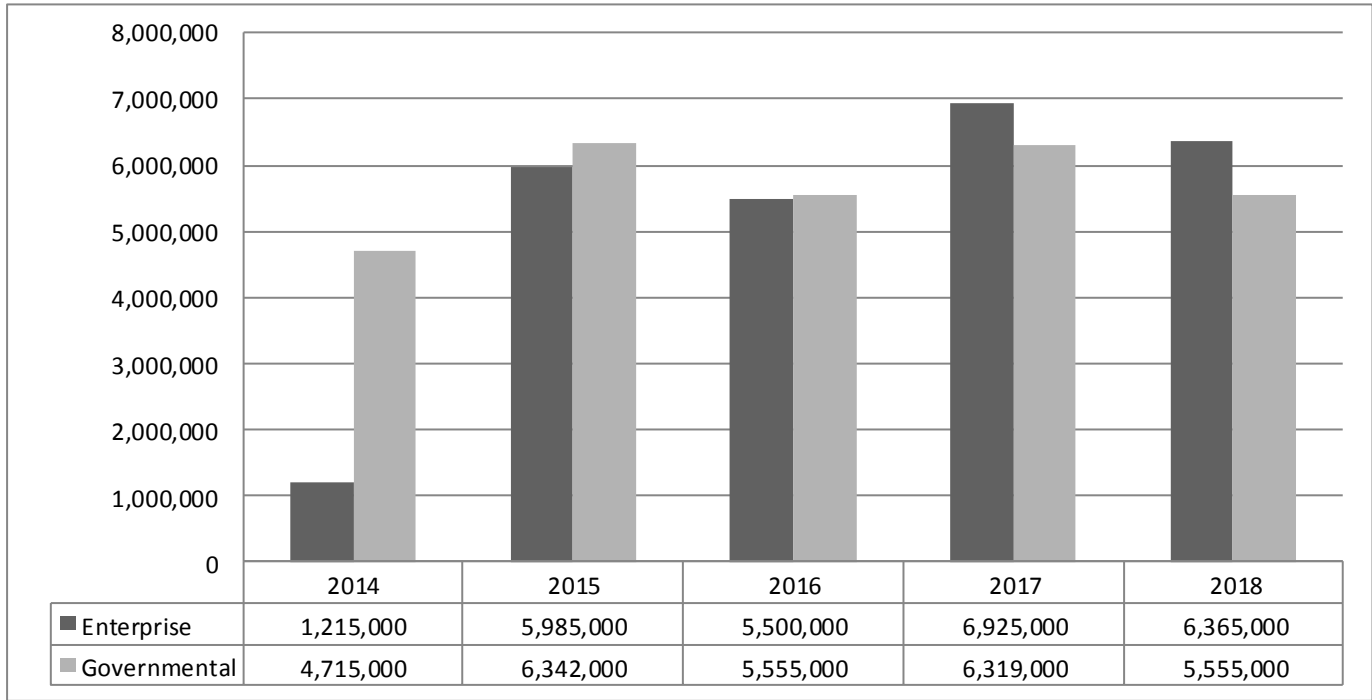
**Water Enterprise Fund**

Project	Maturity Date	Interest Rate %	Outstanding at June 30, 2017	Issued	Redeemed	Outstanding at June 30, 2018
Water Bonds Refunding	05/15/20	2.00 - 3.00	\$ 500,000	\$ -	\$ (170,000)	\$ 330,000
Water Plant	05/15/18	2.00 - 3.00	40,000	-	(40,000)	-
Water System Reconstruction	05/15/35	2.00 - 4.00	4,485,000	-	(255,000)	4,230,000
Water System Reconstruction	03/15/37	2.00 - 3.00	1,900,000	-	(95,000)	1,805,000
Total enterprise funds			\$ 6,925,000	\$ -	\$ (560,000)	\$ 6,365,000

In addition, the Town paid its share of the Hamilton-Wenham Regional School District (HWRSD) debt service payments totaling \$625,208.

**FINANCE DEPARTMENT (CONTINUED)**

The graph below shows the total outstanding debt for the current and past four years:



**Financial Audit**

The Town’s Financial Statements audit for fiscal year 2018 was performed by CliftonLarsonAllen LLP, and is available on the Town’s website. There were no instances of material non-compliance reported by the audit firm. For further information regarding the Town’s financial status, please refer to the Town’s Financial Statements.

Respectfully submitted,

*Marisa Batista*  
 Finance Director & Town Accountant

### **INDEPENDENT AUDITORS' REPORT**

Honorable Board of Selectmen Town of Hamilton, Massachusetts

#### **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Town of Hamilton, Massachusetts, as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise the Town of Hamilton, Massachusetts' basic financial statements as listed in the table of contents.

#### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

#### **Auditors' Responsibility**

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### **Opinions**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Town of Hamilton, Massachusetts, as of June 30, 2018, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

(1)



## ***INDEPENDENT AUDITOR'S REPORT (CONTINUED)***

Honorable Board of Selectmen Town of Hamilton, Massachusetts

### **Emphasis of Matter**

During the fiscal year ended June 30, 2018, the Town adopted the provisions of Governmental Accounting Standards Board (GASB) Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other than Pensions. As a result, the Town reported a restatement for the change in accounting principle (see Note 17). Our auditors' opinion was not modified with respect to the restatement.

### **Other Matters**

#### **Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis (located on pages 3 through 10), general fund and community preservation fund budgetary comparisons and certain pension and other postemployment benefits information (located on pages 59 through 65) be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

#### **Other Reporting Required by Government Auditing Standards**

In accordance with Government Auditing Standards, we have also issued our report dated January 30, 2019, on our consideration of the Town of Hamilton, Massachusetts' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Town's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Town of Hamilton, Massachusetts' internal control over financial reporting and compliance.

*CliftonLarsonAllen LLP*

*Boston, Massachusetts January 30, 2019*

(2)

## Board of Assessors

For Fiscal Year 2019, the total assessed taxable valuation of Hamilton is \$1,669,716,936.00 with a property tax levy of \$27,516,935.10. The fiscal year 2019 tax rate as certified by the Department of Revenue is \$16.48 up \$.26 from the previous year.

In FY2019, the Board of Assessors completed their mandated Interim Year Adjustments on all property in the town of Hamilton as required by the Department of Revenue. Under Massachusetts's law, this Board is required to value all of Hamilton's 2968 properties at 100 percent of their full and fair cash valuation, thereby insuring an equitable distribution of the property tax levy. The town's average single-family valuation is \$600,400. More importantly, we believe that we have met our statutory obligation to re-establish proper assessment level and uniformity throughout the town of Hamilton. Final Department of Revenue certification of assessed valuations was granted in December and property tax bills were subsequently mailed at the end of December. The current valuation and levy percentages based upon property class are as follows:

<u>CLASS</u>	<u>VALUATION</u>	<u>%</u>	<u>TAXES PAID</u>	<u>LEVY %</u>
<b>Residential</b>	1,591,353,800	95%	\$26,225,511	95%
<b>Commercial</b>	63,996,500	4%	\$1,054,662	4%
<b>Industrial</b>	730,400	1%	\$12,037	1%
<b>Personal</b>	<u>13,636,236</u>	<u>1%</u>	<u>\$215,622</u>	<u>1%</u>
<b>TOTALS</b>	1,669,716,936	100%	\$27,516,935	100%

Also in Fiscal Year 2019, the Assessor's office processed applications for excise abatements, Elderly and Veteran Exemptions, and CPA Exemptions.

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

Respectfully submitted,

*Gelean M. Campbell, Chairman*  
*Steven Ozahowski, Member*  
*Peter J. Kane, Member*

## ***Treasurer/ Collector***

I hereby submit my Annual Report as Treasurer/Collector for the Town of Hamilton for the fiscal year ended June 30, 2018.

<b>July 1, 2017</b>	<b>\$14,369,107</b>
<b>Receipts</b>	<b>\$34,080,430</b>
<b>Disbursements</b>	<b>(\$36,571,267)</b>
<b>June 30, 2018</b>	<b>\$11,878,270</b>

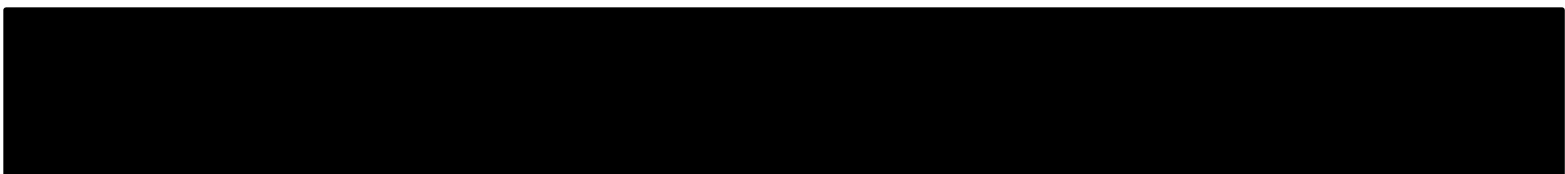
Respectfully Submitted,

*Cheryl J. Booth, CMMT, CMMC*

*Treasurer/Collector*

**TREASURER/ COLLECTOR (CONTINUED)**

		July - December		January - June		Total
<u>COLLECTIONS</u>	<u>YEAR</u>					
<b>REAL ESTATE</b>	<b>2018</b>	\$	14,158,968	\$	11,124,555	\$ 25,283,523
	<b>2017</b>	\$	164,837	<b>July - December</b>		\$ 170,843
		\$	14,323,805	\$	11,130,561	\$ 25,454,366
<b>PERSONAL PROPERTY</b>	<b>2018</b>	\$	115,311	\$	99,178	\$ 214,489
	<b>2017</b>	\$	198	\$	2	\$ 200
<b>Prior to</b>		\$	115,509	\$	99,180	\$ 214,689
<b>MOTOR VEHICLE EXCISE</b>	<b>2018</b>	\$	-	\$	-	\$ -
	<b>2017</b>	\$	130,690	\$	1,036,938	\$ 1,167,628
	<b>2016</b>	\$	5,705	\$	15,108	\$ 20,813
<b>Prior to</b>	<b>2015</b>	\$	1,020	\$	1,667	\$ 2,687
		\$	137,415	\$	1,053,713	\$ 1,191,128
<b>BOAT EXCISE</b>	<b>2018</b>	\$	1,535	\$	225	\$ 1,760
	<b>2017</b>	\$	-	\$	-	\$ -
		\$	1,535	\$	225	\$ 1,760
<b>WATER</b>						
<b>Rates</b>		\$	917,903	\$	701,599	\$ 1,619,502
<b>General Billing</b>		\$	5,370	\$	5,363	\$ 10,733
<b>Liens</b>		\$	5,060	\$	34,794	\$ 39,854
<b>Penalties &amp; Interest</b>		\$	6,639	\$	2,522	\$ 9,161
		\$	934,972	\$	744,278	\$ 1,679,250
<b>CPA</b>	<b>2018</b>	\$	235,124	\$	176,301	\$ 411,425
	<b>2017</b>	\$	2,231	\$	(25)	\$ 2,206
<b>Interest</b>		\$	268	\$	240	\$ 508
		\$	237,623	\$	176,516	\$ 414,139
<b>TAX TITLES</b>		\$	85,711	\$	4,868	\$ 90,579
<b>PENALTIES &amp; INTEREST</b>		\$	53,028	\$	38,489	\$ 91,517
<b>TOTAL</b>		\$	<b>15,889,598</b>	\$	<b>13,247,830</b>	\$ <b>29,137,428</b>





***Town of Hamilton  
Massachusetts  
2018***