

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Town Hall Memorial Room, 577 Bay Road

March 16, 2020

Selectmen Present: Chair Jeff Hubbard, Rosemary Kennedy, Shawn Farrell, Darcy Dale, and William Olson (\*Last four listed participated remotely via conference call.)

Town Manager: Joe Domelowicz

Also Present: Town Moderator Bill Bowler, Town Counsel Tom McEnaney of KP Law, P.C., and Michellelee Carroll, Assistant to the Town Manager

Jeff Hubbard called the Board of Selectmen (BOS) meeting to order at approximately 6:32 p.m. The Pledge of Allegiance was recited. He noted four Selectmen, all Selectmen except for himself, were participating remotely via conference call.

**ANNOUNCEMENTS & BOARD OPENINGS**

- The Council on Aging, Hamilton Historic District Commission (alternate), Open Space Committee, and Essex North Shore Agricultural & Technical School Committee (appointed by the Moderator) each have one opening.

**PUBLIC COMMENT**

None. Town Manager Joe Domelowicz noted the meeting was being streamed via YouTube, and invited members of the public wanting to participate in the meeting to utilize the comment box on the screen.

**Selectmen/Town Manager Reports**

William Olson said the Screening Committee for the Hamilton Wenham Regional School District's superintendent unanimously recommended three finalists last Wednesday, and

the School Committee plans to interview them in the next couple of weeks. The other Selectmen did not make reports.

### **CONSENT AGENDA**

- Approve appointment of Hamilton Development Corporation (HDC) board members.
- Approve minutes of the Jan. 27 BOS meeting.
- Approve minutes of the Feb. 3 joint BOS/FinCom meeting.
- Approve use of grounds for Hamilton-Wenham annual plant sale May 16.
- Approve Little League request for Opening Day parade route May 2.

### **Decision:**

Rosemary Kennedy made a motion to approve the Consent Agenda. Shawn Farrell seconded the motion. A roll call vote was taken with “ayes” from Mr. Olson, Mr. Farrell, Darcy Dale, Ms. Kennedy, and Mr. Hubbard (5-0, unanimously approved).

### **AGENDA**

#### **Update from BOH Chair on Community COVID-19 Response**

Board of Health Chair David Smith gave a brief status report on what he called a complicated and rapidly changing situation. He cited facts from the Massachusetts Department of Public Health (DPH), including stats on how many individuals were tested (about 1,200) and how many tested positive (180, which is 15%). He said the number would be rising rapidly. In the State, 1,100 individuals are in quarantine; 650 were cleared (passed the 14-day period without symptoms) and 450 are still in quarantine. He said they were having weekly conference calls with Mass. DPH. The next call will happen tomorrow. Current guidance from the Centers for Disease Control and Prevention (CDC) and DPH is that gatherings are now limited to 10 people. Mr. Smith said Hamilton is working cooperatively with Wenham so they cover the geography of the Regional School District with one voice. He said meetings with school officials have gone well. Residents are being informed via the schools’ and the towns’ websites. Last Thursday the HW Regional School District was closed. He said he was meeting with Gordon-Conwell Theological Seminary officials, as well. He also shared the State has a database in which is entered any instance for positive testing of COVID-19. In Essex County, so far 8 individuals have tested positive. If a resident in Town tests positive, it goes into a confidential database and the Town’s public health nurse is immediately notified.

Mr. Domelowicz said a patient’s identity is protected by privacy laws. The Town will inform the public if/when there are positive tests. Mr. Smith went over practices that should be observed, such as social distancing. He said he believes the school closings may be for a number of months.

Ms. Kennedy asked Mr. Smith if he were hearing from the State every day. He said yes, he receives daily 5 p.m. updates and that the State has been having live one-hour conference calls for all of the Boards of Health in the Commonwealth, which they have found helpful in interpreting guidance and answering questions they collectively have.

Assistant to the Town Manager Michellelee Carroll reported no comments from the viewing audience; she said seven people were currently viewing.

**Approve Shared Human Resources IMA [Inter-Municipal Agreement]—Discuss and Vote**

Mr. Domelowicz said changes to the IMA given by the BOS at the last meeting had been made. Ms. Carroll, who has a background in HR, has accepted the position. She was chosen from among five candidates selected and vetted by a screening committee. Her start date will be as soon as they can find a replacement for her.

Ms. Kennedy and other Selectmen congratulated Ms. Carroll on her well-deserved promotion.

**Decision:**

Mr. Farrell made a motion to approve the shared Human Resources IMA on March 16. Ms. Kennedy seconded the motion. A roll call vote was taken with “ayes” from Mr. Olson, Mr. Farrell, Ms. Dale, Ms. Kennedy and Mr. Hubbard (5-0, unanimous).

**Approved Shared Fueling IMA—Discuss and Vote**

Mr. Domelowicz gave some information about the agreement drafted in January to pilot a shared Hamilton-Wenham fueling station. He said some minor changes had been made to it based on staff feedback and the plan is to have it ready for the new fiscal year.

Ms. Kennedy asked how long the pilot would last. Mr. Domelowicz said he thought the agreement was for a year, but then they would decide whether to have it permanently. Ms. Dale asked when the fuel from the tanks would be removed from the ground in the back of Town Hall. He said the fuel was currently being used to fuel the Town’s vehicles and the tank would be removed from the ground after it’s gone.

**Decision:**

Mr. Farrell made a motion to approve the Shared Fueling Inter-Municipal Agreement. Ms. Kennedy seconded the motion. A roll call vote was taken with “ayes” from Mr. Olson, Mr. Farrell, Ms. Dale, Ms. Kennedy, and Mr. Hubbard (5-0, unanimous).

**Approved Regional Veterans Services IMA—Discuss and Vote**

Mr. Domelowicz reported the City of Gloucester has agreed to accept Hamilton into their regional district for veterans’ services, which includes Manchester and Rockport. Hamilton

will continue to have quality veterans' services, but the cost will go from \$39K (currently budgeted) down to \$15K.

**Decision:**

Ms. Dale made a motion to approve the Regional Veterans Services IMA. Ms. Kennedy seconded the motion. A roll call vote was taken with "ayes" from Mr. Olson, Mr. Farrell, Ms. Dale, Ms. Kennedy, and Mr. Hubbard (5-0, unanimous).

**Approve Water Abatements (Steck and Umenhofer Trust)—Discuss and Vote**

Mr. Domelowicz gave some details on the abatement request for 49 Chestnut St. for a leaky toilet. Mr. Olson noted it was actually a constant running of water, many gallons of water lost, not just a small leak. Mr. Domelowicz said the residence was in a trust so the family was unaware of the leak. The second abatement request was for 17 Postgate Road, also for a leaky toilet.

**Decision:**

Ms. Dale made a motion that the BOS approve the abatements for 49 Chestnut St. and 17 Postgate Road. Mr. Olson seconded the motion. A roll call vote was taken with "ayes" from Mr. Olson, Mr. Farrell, Ms. Dale, Ms. Kennedy, and Mr. Hubbard (5-0, unanimous).

Mr. Olson said the date on one of the abatements needed to be corrected from 11/1/19 to 11/1/18. The leak was in 2018. This made him ask how far back a resident can go to do an abatement. Mr. Domelowicz said there wasn't anything currently in the bylaw that limits how far back they can go. Mr. Olson felt like the BOS was approving more abatements than it had in the past and asked Mr. Domelowicz if he could have Department of Public Works Director Tim Olson take a quick overview of what the abatement totals have been over the last years to see if it were a trend. Mr. Domelowicz said he would do that excluding the recent Asbury Grove abatement as that was an outlier.

**Discussion about Postponing the Annual Town Meeting**

Town Counsel Tom McEnaney of KP Law, P.C., and Town Moderator Bill Bowler were present at the meeting to provide their input. Mr. Domelowicz cited two chapters of Mass General Law that cover postponements. He said the current Annual Town Meeting (ATM) warrant was still the BOS's since the warrant hasn't been posted yet. After it is posted, the decision rests with the Town Moderator. The meeting has to take place before June 30.

Ms. Dale asked what would happen if the meeting didn't take place before June 30 in light of the coronavirus. Mr. McEnaney answered the Town would probably go to a 1/12 budget, which means that until they had a budget, they would operate on a month-to-month basis equal to 1/12 of this current year's budget. Ms. Kennedy asked if they could look at the situation within 30 days. It was discussed that since the situation is changing and there are so many unanswered questions, it might be easier all-around to just make a plan to revisit the issue in 30 days.

Mr. Domelowicz said the Wenham BOS would be taking up the same matter tomorrow night at their meeting. Wenham is looking at May 2 for its new Town Meeting date.

Mr. Bowler said he didn't have to make the decision, but agreed with the decision. He asked whether, in addition to voting to postpone Town Meeting, they might need to take another vote to postpone the Town election. After discussing this, Mr. McEnaney and the others agreed that since the bylaw states that the election happens the Thursday following the Saturday Town Meeting, the election would just follow that. Mr. McEnaney said the State would be coming out with guidance on municipal elections, nomination papers, and other specifics. He said it would be appropriate for the BOS to make a motion to postpone the meeting scheduled for April 4 to a date and time to be determined by the BOS. The idea would be to choose a new date as soon as possible, but at least 30 days prior to the Town Meeting.

Ms. Kennedy suggested the Town Meeting date for an upcoming agenda item, and it was agreed to keep it as a repeating agenda item.

**Decision:**

Ms. Kennedy made a motion the BOS postpone the April 4, 2020 Annual Town Meeting and subsequent Town election (that takes place the Thursday following Town Meeting) until the BOS has some guidance from the State given the current public health emergency. Ms. Dale seconded the motion. A roll call vote was taken with "ayes" from Mr. Olson, Mr. Farrell, Ms. Dale, Ms. Kennedy, and Mr. Hubbard (5-0, unanimous).

Mr. Olson asked if Mr. Domelowicz would reach out to the vendor of the automated vote counters to let them know of the postponement. Mr. Domelowicz said he's been in touch with them and they've said they'll just need at least two weeks' notice prior to Town Meeting to set it up.

**NEW BUSINESS**

**Consideration of Topics for Discussion at Future BOS Meeting**

Mr. Domelowicz suggested the BOS follow the guidance given to the other boards and committees to postpone any items that don't require immediate attention.

Mr. Bowler gave an announcement that Meals on Wheels is operating and anyone over 62 is eligible. Mr. Domelowicz said the BOH will be involved in safe protocols for both the drivers and meal recipients. He thanked the volunteers. Mr. Farrell said Acord has asked that in lieu of donating food, people donate money online that will be used to buy products people need.

**Adjournment**

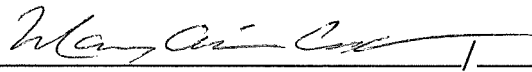
Ms. Dale made a motion to adjourn the meeting at approximately 7:25 p.m. Ms. Kennedy seconded the motion. A roll call vote was taken with "ayes" from Mr. Olson, Mr. Hubbard, Ms. Dale, Mr. Farrell, and Ms. Kennedy (5-0, unanimous).

Mr. Domelowicz said the IMAs will be in his office for signing by the BOS this week.

**Cemetery Deeds #1187 and #1188**

Not discussed or signed because most of the BOS were participating remotely.

Prepared by:

 4-17-2020

Mary Alice Cookson  
Minutes Secretary

Date

Attest:

 4-17-2020

Darcy Dale  
Board of Selectmen Clerk

Date