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HAMILTON BOARD OF SELECTMEN
&
HAMILTON FINANCE AND ADVISORY COMMITTEE

MINUTES OF JOINT MEETING

Teleconference

June 8, 2020

Selectmen Present:

Chair Jeffrey Hubbard, Shawn Farrell,
William Olson, Darcy Dale, and Rosemary
Kennedy

Finance and Advisory Committee Members
Present:

Chair David Wanger, John Pruellage,
Valerie McCormack, Christina Schenk
Hargrove, and Nicholas Tensen

Town Manager:

Joe Domelowicz

Other Town Staff Present:

Town Counsel Tom McEnaney of KP Law,
Finance Director Marisa Batista, and
Department of Public Works Director Tim
Olson

** All of the above participated remotely. This meeting was conducted via Zoom teleconference with all board members remaining at home.*

Call to Order/ Pledge of Allegiance

Board of Selectmen (BOS) Vice Chair Rosemary Kennedy opened the meeting at 6:09 and took a roll call. All Selectmen were present. Chair Jeff Hubbard then welcomed everyone and the Pledge of Allegiance was recited.

ANNOUNCEMENTS & BOARD OPENINGS

- The Board of Appeals and Hamilton Historic District Commission (HHDC) each have one opening.

Mr. Hubbard acknowledged HHDC Chair Edwin Howard is stepping down from the committee and thanked him for his service.

PUBLIC COMMENT

Russ Tanzer announced he is resigning as Chair of the Hamilton Affordable Housing Trust (HAHT), effective at the Wed. 6 p.m. Zoom meeting, and will be moving to New Mexico at the end of the month to further his retirement. He thanked past and present Trust members, including Bill Wilson and Ms. Kennedy, as well as Town Manager Joe Domelowicz for their guidance and kind approach. William Olson wished Mr. Tanzer well and thanked him for his leadership. Mr. Hubbard said it was probably one of the most difficult positions in Town and that Mr. Tanzer had led well.

Selectmen/Town Manager Reports

Darcy Dale and Shawn Farrell gave no report.

Mr. Olson said the advisory group that is organizing the Annual Town Meeting (ATM) had completed their tasks and all looked good for June 20, weather-permitting. He thanked Chief Russ Stevens for putting together the event (peaceful rally) held last Tuesday and said it was a good start to better things to come.

Ms. Kennedy gave a shout out to the Department of Public Works (DPW) for planting the trees donated to the Town by the Institution for Savings. She also discussed her involvement in helping the DPW put the Hamilton Cemetery that represents 300 years of history back into pristine form.

Mr. Hubbard recognized Chief Stevens and resident Kim Strovink, 27 Walnut Road, who organized the peaceful and emotional rally held on Tues. that attracted about 500 participants of all ages. He also thanked the school staff who put together the parade held in lieu of a graduation ceremony for all the graduates. Mr. Olson thought the parade should continue as a tradition. Mr. Hubbard said the Town Hall Building Committee will meet again virtually on Wed. at 10 a.m. The design work and development are continuing to move along and are coming in under budget.

Town Manager Joe Domelowicz reported the Town Hall was officially open with regular business hour and the Board of Health (BOH) will hold a virtual forum regarding COVID-19 tomorrow at 6 p.m.

CONSENT AGENDA

- **Approve Minutes of Previous Selectmen's meetings.**
- **Accept Retirement of HHDC [Hamilton Historic District Commission] and CPC [Community Preservation Committee] Member Ed Howard.**
- **Accept Retirement of Board of Appeals Member John Rodenheizer.**
- **Approve EdFund Banner to be Hung at Patton Park.**
- **Accept Letter from Cape Ann Veterans Services.**

Mr. Hubbard requested the Town recognize Mr. Howard with a citation. Mr. Domelowicz will prepare one. Minutes Secretary Mary Alice Cookson supplied the meeting dates: April 13 Joint Meeting with the Wenham BOS, April 27 BOS Meeting, and May 4 BOS Meeting.

Decision:

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

Open Space and Recreation Plan Presentation—Richard Boroff

Mr. Boroff reviewed the plan/document, which was shared on the screen. He thanked Joe Sacchi of the Metro Area Planning Council (MAPC) for writing the plan based on the goals supplied by the Open Space Committee. He reviewed the goals for the Town in the seven-year action plan and gathered their comments. Ms. Dale asked if additional comments may be added later. Mr. Boroff said yes and to send him comments and questions. Mr. Farrell commended Mr. Boroff for his work. Mr. Domelowicz said the plan is a “living document” that may be modified. It is published on the website. It included many public hearings and sets parameters that may help the Town in seeking future grants.

Decision

Mr. Farrell made a motion to endorse the Open Space and Recreation Plan as put forth. Mr. Olson seconded the motion. A roll call vote was taken with “ayes” from Ms. Dale, Mr. Olson, Mr. Farrell, Ms. Kennedy, and Mr. Hubbard, (5-0) unanimous.

Update on Hamilton Water System—Tim Olson

DPW Director Mr. Olson noted a consultant from Dewberry Engineers Inc., Peter Calderazzo, was online also. The BOS had received a handout entitled “Summary of Pre-Treatment Alternative Evaluation” with a “TOC Removal Pre-Treatment System Summary Table.” The handouts explain that the short-term measures the Town has been using to remove raw water TOCs [Total Organic Carbons] cannot continue. The Idlewood No. 2 well was taken completely offline and Idlewood No. 1’s use has been limited, and these wells are going to be needed to supplement the loss of supply when the Town’s other smaller wells need to be serviced/repared. Also Massachusetts Department of Environmental Protection expects the Town to have a more permanent solution to mitigate TTHM formation and prevent a future exceedance. Mr. Olson said they had visited sites using the systems and explored cost estimates. In addition they drilled test wells for potential new satellite wells, but that did not pan out. Mr. Calderazzo summarized the two pre-treatment systems proposed: MIEX Ion Exchange Resin System and GAC Absorption System and reviewed the handout detailing the advantages/disadvantages of each system that was shared on-screen. Both systems are effective. No chemical additions are required. Both require a new building to be constructed. Construction costs are fairly close. The MIEX system’s operating cost is a bit less expensive than the GAC, but the GAC is a more proven technology.

Mr. [William] Olson said he was leaning toward the MIEX system, which he said has been used overseas successfully and he thought it was more of a sustainable method for water treatment. Ms. Dale liked the redundancy factor with the GAC that the MIEX doesn't have, saying it provided more for their money and more safety for the citizens. Mr. Farrell agreed the GAC will cover more ground in the future. Ms. Dale asked if the new system will stop the water loss the Town is experiencing now. The answer was yes, Mr. [Tim] Olson said it would terminate the temporary flushing of hydrants they've been having to do.

Mr. [William] Olson asked Mr. [Tim] Olson which system he liked. He wasn't committal saying the costs are similar, but said the plan was to get a recommendation from the BOS, develop a proposal for the design work and bid out the project, then depending on costs, to go to a future Town Meeting for approval. Ideally, they want to do the work over the winter when it will least impact the Town.

Decision:

Ms. Dale made a motion that the BOS recommend the GAC Absorption System as described. Mr. Olson seconded the motion.

Further Discussion:

Ms. Kennedy asked if other systems had been considered aside from these two. Mr. Calderazzo said yes, but they looked at a whole list of options, but these were the most favorable. Mr. Domelowicz noted a draft of the report was shared in February and he can get the BOS another copy.

Decision (Continued):

A roll call vote was taken with "ayes" from Ms. Dale, Mr. Olson, Mr. Farrell, Ms. Kennedy, and Mr. Hubbard, (5-0) unanimous.

Mr. Farrell asked what the estimated timeline was for finishing up. Mr. [Tim] Olson said he would talk with Finance Director Marisa Batista about funding strategies. He said he wanted to get it designed and bid out by late winter or early spring.

Update on Hamilton Cemetery—Tim Olson/ Peter Cobb

Mr. [Tim] Olson said the cemetery lawn has sustained damage with direct sunlight, lack of water and irrigation, and lack of precipitation. The lawn also has some grubs. Mr. Cobb explained they are looking to do a chemical treatment to the affected areas probably in the beginning of July. Then they will start planting in late summer and then early next spring. The product they are using now, which is a good organic product, isn't doing the job, he said. Mr. [Tim] Olson said the treatment they are proposing is relatively inexpensive—about \$1,300. Ms. Dale asked if that would just cover the front part of the cemetery people see when they drive by or the whole cemetery. Mr. Cobb said the affected areas of the whole cemetery. He stressed they try to use chemicals that are less harsh and will only treat the affected areas.

Updates on Recreation and Pool Programs—Sean Timmons

Mr. Timmons reviewed his PowerPoint presentation that was shared on-screen for discussing the financial impact of opening the pool this summer in light of the COVID-19 situation. He summarized what the discussion had been to date. Pools have been told they can operate at 40% of maximum capacity, but that includes staff. With a staff of five, that means only 35 pool members can visit the pool at a time. Theoretically they could create four daily 1 ½-hour blocks of time for people to sign up for, offering open swim only, no lap swims. It is hard to tell if people would be receptive to that or how much they'd be willing to pay for just a short block of time to swim. A staff member would need to monitor social distancing, both in and out of the water. All staff and patrons would need to wear masks when not in the water. Changing rooms and indoor showers would be closed. The pool would lose about \$3,500 a week in revenue, he said.

Mr. Domelowicz noted Finance and Advisory Committee (FinCom) members had recently come online for their portion of the meeting. Chair David Wanger called the FinCom to order at 7:42 p.m. and took a roll call. All FinCom members were present.

Mr. Farrell asked if the cost of opening and closing the pool, which they are required to do for maintenance reasons to be sure they are current with warranties, etc., was included in the costs. Mr. Timmons said yes.

Ms. Dale asked if the FinCom had comments. Mr. Wanger noted the deficit would be shared between the two towns as it is a joint venture. Mr. Farrell agreed, saying their decision is dependent on Wenham's. He was unsure of the details of the IMA [Inter-Municipal Agreement]. Mr. Timmons said if they finish the year in a deficit in a revolving fund, the two towns do need to subsidize that deficit, which is shared between the towns. He said from an operational standpoint, they could do it [run the pool], but it would be difficult to gauge what the deficit will be because of the tricky timing between the two fiscal years. If they choose not to open, he was sure the deficit at the end of FY'20 would only be about \$800 split between the towns. Mr. Domelowicz noted that with about 60% usage at the 40% capacity, the pool would be operating at a deficit. Even if you could operate the pool regularly, it would be a deficit. Mr. Wanger asked whose decision it was to make. Mr. Domelowicz said it was an operational decision (his decision), but he wanted everyone to understand the environment and come to some consensus. In Wenham it would be the Wenham BOS's decision.

The issue of revolving funds and whether they might be used the Recreation Revolving Fund to cover the deficit was discussed. Mr. Domelowicz noted they had been talking about combining the revolving funds for the pool and the recreation department programs into one fund or creating an enterprise fund (taking this decision to Town Meeting in the future), but for now the two revolving funds are separate. Mr. Domelowicz noted the parks programs had been utilizing the pool, but now they would be losing that income.

Ms. Dale asked what Wenham's thinking was about the situation, and Mr. Domelowicz said he had been talking about this behind-the-scenes with Wenham's Town Administrator Anthony Ansaldi and they are both thinking of recommending they not open for the summer as it doesn't make financial sense.

Mr. [William] Olson commented the pool isn't run to be a money-maker. Mr. Hubbard asked the question that if the Recreation's Revolving Fund had a balance in the black, if it could be used to make up the deficit. He said there's a desperate need for people to get out and exercise and also noted the importance of employing people. He felt strongly that they should open if the Recreation Department had the funds to do it. Mr. Olson agreed. Ms. Batista said no, it couldn't be done legally. There was a discussion about the price point people would be willing to pay for an hour and a half of swimming per day. Mr. [Olson] thought it would be in the range of about \$10. Since they need to open the pool anyway and run it for three weeks, he recommended they could open it in July. Ms. Dale asked Ms. Batista how the Department of Revenue [DOR] would feel about the use of revolving funds. She said she thought they would say the price needs to match the revenues. Mr. Farrell said there are too many "nos" and they should reluctantly say no. Mr. Wanger said he wasn't supportive of a deficit operation.

Mr. Domelowicz proposed the idea of asking the public what it might be willing to pay for six weeks of swimming, as a drop-in fee for just a short time block to swim, knowing all the restrictions. If they might be willing to pay about \$16 per time slot per person, they could possibly do it. But it was discussed that people probably wouldn't be willing to pay more than \$10.

Mr. Domelowicz said he would ask Ms. Batista to reach out quietly to the DOR, he would see what Mr. Ansaldi was thinking, and he and Mr. Farrell will develop a poll. Ms. Kennedy said she was concerned people might say they will come when replying to the poll, but the reality was that it was a lot of money for a family to pay to swim. Mr. Farrell brought up other potential issues that could happen with staff getting sick or bad weather. The discussion ended with the decision being left in the hands of Mr. Domelowicz and no decision made for now.

Review Request of 15 Walnut for Outdoor Seating—Tom McEnaney

Town Counsel Mr. McEnaney explained the Governor had issued an order and there is pending legislation dealing with this subject also. In response, Mr. McEnaney had drafted three different documents that he forwarded to Mr. Domelowicz today: an outdoor seating policy, an application for outdoor seating, and a licensing document if the restaurant intends to utilize any sidewalk or Town-owned property. Also, the BOS, as the licensing authority, is required to sign off on any application to expand the license for alcohol. Mr. McEnaney explained it is a temporary measure to give restaurants the opportunity to begin serving people on premises with outdoor seating. In response to a question from Mr. Farrell, he said the order sunsets on Nov. 1 unless it is revoked or modified. It shortens the

approval time and eliminates steps in the process, such as notifying the abutters. It does not apply to any entertainment license.

Attorney Jill Mann was online representing the restaurant owners. Mr. [William] Olson asked her for comment. She noted the outdoor seating area is only 800 square feet, it is on private (not Town-owned) property, and it was essential 15 Walnut be able to open as soon as possible. Mr. Domelowicz said he received their application and it included everything the Governor had asked for.

Mr. McEnaney recommended the BOS approve the policy for the use of outdoor space for food and alcohol service first and then vote whether to satisfy 15 Walnut's request.

Decision 1:

Ms. Dale made a motion that the BOS vote to approve the use of outdoor space for food and alcohol service [outdoor seating policy and licensing document]. It was seconded by Mr. Farrell. A roll call vote was taken with "ayes" from Ms. Dale, Mr. Olson, Mr. Farrell, Ms. Kennedy, and Mr. Hubbard, (5-0) unanimous.

Town Moderator Bill Bowler, who also Chair of the ZBA, said while he supports the move, they should add language that the end date of Nov. 1 be revisited in the event that the inside space is reopened because in the zoning bylaw, seating requirements plug into square footage. Mr. McEnaney responded that this allows the Town to override local zoning, allow the outdoor seating, and expand the license premises on a temporary basis through Nov. 1.

Decision 2:

Mr. Olson made a motion the BOS favorably support the application of 15 Walnut as reviewed by the Town Manager and Town Counsel. Ms. Dale seconded the motion. A roll call vote was taken with "ayes" from Ms. Dale, Mr. Olson, Mr. Farrell, Ms. Kennedy, and Mr. Hubbard, (5-0) unanimous.

Approve Backup 1/12 Budget for July 2020—Marisa Batista

Mr. Domelowicz recognized the hard work of Ms. Batista. He apologized for the short window for approving the budget, calling it just an emergency backup plan if something goes wrong with holding the Town Meeting on June 20. Mr. [William] Olson asked if the tax rate would remain the same. Mr. Domelowicz said the tax rate would stay as is until an approved budget is adopted. Ms. Batista said the tax rate is usually set and approved in December.

Mr. Farrell said he was willing to make a motion to approve it.

Mr. Domelowicz said they would need to meet next Monday to vote on the meeting minutes for this evening so they could then submit them to the DOR with a certified vote. Mr. Batista

said there are some gray areas in the guidance pertaining to specific expenditures so she might need to come back to them with revisions.

Mr. Wanger asked the question whether the 1/12 was for most items based on FY'20 figures. She said yes, and also based on discussions with the department heads on their plans for the month. Mr. Wanger noted that meant adjusting down by 5.2% to reflect the FY'21 budget. She said yes, the total budget for FY'21 could not be higher than what was approved and to keep in mind that certain months have much higher bills than other months due to certain payments being due at certain times. He asked about the school budget, and she replied she had taken the total assessment for FY'21 and divided it by 12. Mr. Wanger pointed out that the FY'21 budget for the schools hadn't been determined yet, and Ms. Batista said yes, and it would be adjusted if it doesn't pass. He asked if the school budget was inclusive of the 8 ¼% proposed increase. She said that was correct, and he said that seemed troublesome. He asked why it wasn't based on FY'20. She said if they based it on FY'20, they wouldn't be able to afford some of the services. However, if the school budget doesn't pass, it will need to be brought back to what the school budget would be. She said they would have to seek additional guidance from the State to find out what to do about the remaining months, as in a normal year they are allowed the 1/12 budget for three months. School Committee member Michelle Bailey sent a note through the meeting chat that if the schools were still in the 1/12 budget on Dec. 1, the State would take over the district.

Decision:

Mr. Farrell made a motion that the BOS [Board of Selectmen] approve the 1/12 budget as proposed. Ms. Dale seconded the motion. A roll call vote was taken with "ayes" from Ms. Dale, Mr. Olson, Mr. Farrell, Ms. Kennedy, and Mr. Hubbard, (5-0) unanimous.

Discussion of ATM [Annual Town Meeting] Script, Speaker, Presenters and Final Votes

Mr. McEnaney said he had started working on the script based on last year's script and needs to now know who will speak to which articles. It was decided Town Moderator Mr. Bowler would make a statement about Article 1-2 regarding the extenuating circumstances necessitating that they not give reports at Town Meeting and had them posted online instead. Mr. Bowler said he would cut down on his speech regarding the ground rules for the meeting. Mr. Farrell mentioned they would be using automated vote counters and will need to give out some instructions on that. Mr. Farrell suggested Mr. Hubbard introduce the Consent Agenda; he agreed to do it.

Regarding the budget, Mr. Bowler said typically the Moderator reads the categories. Mr. Wanger said he would be OK with that. However, he said there could be a complication on Article 2-2. Mr. Bowler said he would read the general categories and if people wanted to put holds on articles they can.

Mr. Wanger suggested that since different members of FinCom had been assigned specific articles, that they just carry those assignments over. Mr. Pruellage said that made sense and had no objections.

At 8:33 p.m., Ms. Schenk Hargrove noted on the chat page that she needed to sign off from the meeting.

Mr. Wanger said it was likely there would be a motion to try to consolidate Articles 2-2 and 2-3. That motion would likely be one to amend Article 2-2.

There was a discussion that some of the board members might want to offer minority opinions. Mr. Bowler said if someone wanted to speak as a minority opinion, they would have to speak as an individual not as a member of the board. The discussion turned to how much time citizens would have to air their views. Also, Ms. Bailey said the Superintendent had a right to make a presentation of her choosing. Mr. Bowler said he didn't intend to cut people off and would give each board the same amount of time to speak. People who might be on boards with minority positions will have a particular amount of time as citizens, but not as much as the Selectmen, FinCom, or School Committee members, he said.

Mr. Bowler said it has often been that a Hamilton member of the School Committee do the school motions. It was decided that someone from the FinCom would do Articles 2-3 and 2-4. Mr. Farrell agreed to do Article 2-11 regarding the Patton Homestead. Mr. Olson said he would do Article 2-12 regarding appropriating money to the Stabilization Fund. Ms. Kennedy would do Article 2-13. They thought the person to do the Citizens Petition should likely be its proponent. If not, then Mr. Hubbard would do it. Mr. Farrell reviewed that they had previously discussed having Mr. Bowler recognize the petitioner who would then ask for a motion to pass over it, indefinitely postpone it, or take no action. Mr. Wanger asked Mr. Domelowicz if he could explain that at Town Meeting. He said he would. It was noted Article 3-1 had a typo on the word "Marsh."

Adjournment

Ms. Dale made a motion to adjourn the meeting for the BOS at 9:49 p.m. Ms. Kennedy seconded the motion. A roll call vote was taken with "ayes" from Ms. Dale, Mr. Olson, Mr. Farrell, Ms. Kennedy, and Mr. Hubbard, (5-0) unanimous.

Mr. Wanger made a motion to adjourn the meeting for the FinCom at 9:51 p.m. Mr. Tensen seconded the motion. A roll call vote was taken with "ayes" from Valerie McCormack, Mr. Pruellage, Mr. Tensen, and Mr. Wanger, (4-0) unanimous among those present. *Ms. Schenk Hargrove had left earlier.

Mr. Wanger thanked the Moderator for his courtesy and patience.

Prepared by:

Mary Alice Cookson, 6/17/2020

Mary Alice Cookson
Minutes Secretary

Date

Attest:

Darcy Dale, 6/25/2020

Darcy Dale
Board of Selectmen Clerk

Date