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HAMILTON BOARD OF SELECTMEN

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HAMILTON FINANCE AND ADVISORY COMMITTEE

MINUTES OF JOINT MEETING

Teleconference

May 11, 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 and Finance
Director Marisa Batista

** 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

At 6 p.m., Town Manager Joe Domelowicz asked for a roll call. Finance and Advisory Committee (FinCom) members present at the start of the meeting were Chair David Wanger, Valerie McCormack, and John Pruellage. *Christina Schenk Hargrove and Nicholas Tensen joined later. All members of the Board of Selectmen (BOS) were present. Chair Jeff Hubbard acknowledged Town Moderator Bill Bowler was also online. The Pledge of Allegiance was recited.

AGENDA

Introduction of Developer David Traggorth—Willow Street Project

Hamilton Development Corporation (HDC) President Rick Mitchell introduced Mr. Traggorth of Traggorth Companies LLC. Mr. Mitchell noted the developer was seeking a letter of support to go to the Department of Housing and Community Development (DHCD) for the 18-unit project at 59/63 Willow Street, which includes nine affordable housing units. The project was approved by Hamilton's Planning Board in December. A request for proposal (RFP) was issued in January and Traggorth was the sole respondent. With more than 50 percent of the units deemed affordable, all will count toward the Town's Subsidized Housing Inventory (SHI)

Mr. Traggorth said their company's sweet spot are projects benefitting from both private and public investment. While a for-profit, Traggorth utilizes private and public resources, including social equity capital that looks for projects serving communities and public policy goals. He said the company has the skillset of big developers but works on smaller-scale projects. They have done about 30. They are long-term owners who work with neighbors and are not "flippers," he stressed.

Mr. Traggorth's business partner Dan Hubbard said Traggorth will build what was designed and approved—14 one-bedroom units and 4 two-bedroom units, which will be long-term rentals. The existing 63 Willow St. tenants can stay. The only change to the proposed project was to add affordability—9 of the 18 units will be affordable at 80% of AMI [Area Medium Income]. The DHCD has been looking for projects of under 20 units in downtown areas near public transit, so this is a good fit. The application, due June 30, asks for support letters—their immediate request. Funding will be announced this fall with closing the beginning of next year and construction around February. Traggorth received a grant of \$500K from the Hamilton Affordable Housing Trust (HAHT). He said the State likes to see a commitment from those living in the community.

HAHT Chair Russ Tanzer noted the HAHT voted April 9 unanimously to fund \$500K toward the acquisition. The DHCD confirmed all 18 units will count toward the Town's SHI. \$500K divided by 18 units equals just under \$28K as the price per unit. The average in the Commonwealth is about \$165K-\$185K per unit, which is what the last two affordable units created in Hamilton cost (those located on Asbury Street developed by Habitat for Humanity). Mr. Tanzer said the Willow Street project was an extraordinary opportunity to get units onto the Town's SHI in perpetuity for an unbelievably affordable number. Mr. Tanzer asked the BOS to look favorably on the project and offer support, which is also being sought from State Representative Brad Hill and State Senator Bruce Tarr.

William Olson spoke highly in favor of the project. Ms. Dale asked whether the Mac's Shoe building would remain as is. The response was yes. Mr. Farrell asked whether the developer had a copy of the Town's Design Guidelines. Mr. Mitchell responded that was

part of the Planning Board's permitting process, making sure the building fits within the context of the downtown. Mr. Olson asked if the developer had met with the neighbors. Mr. Traggorth said they were eager to meet with them and would share contact info. Mr. Mitchell noted Anthony Passaretti, an abutter to the project, was made an HDC Associate Member to represent and address neighbors' concerns. Mr. Wanger, who was previously charged by the BOS to act as a facilitator of discussion with the neighbors, said although FinCom hadn't yet discussed the project as a group, his assumption was FinCom would be supportive and would also consider writing a support letter. Mr. Hubbard suggested as a next step that a template be given to Mr. Domelowicz and said a letter would be drafted for a reading and vote at the next BOS meeting. Congratulations were expressed all around.

Discussion of a New Town Meeting Date

Mr. Domelowicz said if the BOS had intention of holding Town Meeting before July 1, they needed to make the decision this evening or will run out of time. Town bylaw ties the Town Meeting to the Town Election, with the election taking place within five days after the meeting. If they don't hold the meeting before July 1, the Town would need to go to a 1/12 budget, which has a number of complicating factors, including increased workload for the Finance staff. Mr. Farrell spoke in favor of holding Town Meeting as planned and outside in a tent while practicing social distancing. Town Counsel Tom McEnaney of KP Law said the order limiting group gatherings to 10 people doesn't apply to a legislative bodies. Mr. Domelowicz suggested holding Town Meeting on a football field with everybody wearing masks and drilling down the warrant to just the major articles.

Mr. [Jeff] Hubbard asked Finance Director Marissa Batista for input. She said her biggest concern was timing, that if they were going to a 1/12 budget, they would need to submit it to the Division of Local Services at the Department of Revenue (DOR) for approval as soon as possible. Without approval, they won't be able to do any spending after July 1. Until the budget is in place, she cannot make the recalculations for the 1/12 budget. Mr. Hubbard asked for clarification on whether she was saying that the 1/12 budget wasn't a realistic option. She said it was realistic, but noted it also had restrictions on what expenditures would be allowed, for example, she said the Town most likely wouldn't be able to spend anything that would normally require a vote at Town Meeting. She gave examples of COLAs [Cost of Living Adjustments] not previously approved and transfers of free cash.

Darcy Dale said if they vote to hold Town Meeting on June 20 and then something happens preventing it from being held, her fear is they wouldn't be able to cobble together a 1/12 budget in time. Mr. Domelowicz said they'd have to build into the background a basic spending pack for payroll, utilities, etc. He cited there would be limitations on other things, such as Recreation Department program expenses.

Board of Health (BOH) Chair David Smith, when asked by Mr. Wanger for an assessment of the current public health crisis, said there's been recent good news. There have been no new cases in almost a week. Total COVID-19 positives in Hamilton is 23. The current number of patients in isolation is about 3. There have been 6 deaths. He gave stats for Essex County and said today was the first day he saw a new number of COVID positives of only 100 since late March. He is hoping to see the curve flatten and believes it finally is. Rosemary Kennedy confirmed good news based on her experience working at Mass General. Mr. Smith said the worst-case situations are happening indoors in small enclosed spaces with poor circulation and packed with people who are vocal (singing, shouting, etc.). The lowest risk is outdoors maintaining six feet or more distance apart. He suggested keeping the sides of a tent open, having the event early when winds wouldn't be as significant, and having public safety officers present.

Mr. Bowler said in his Town Moderator groups many towns are discussing moving in the direction of holding their meetings outdoors. Health is paramount, he said, but so is democracy and legitimacy. He said he is in favor of holding Town Meeting on June 20 and making it as safe as possible, and also of having the citizens weigh in with their concerns and questions. Mr. Olson recommended they form a steering committee. He, Mr. Bowler, and Mr. Smith volunteered to serve. Mr. Domelowicz said he believed Wenham will be taking up the issue tomorrow. If the legislature allows holding Town Meeting outside of a town's borders, Wenham could potentially share the tent cost with Hamilton.

Mr. Wanger expressed a differing view; he was opposed to holding Town Meeting on June 20. He said it is a question of health and one of integrity. He was concerned about disenfranchisement, people opting not to participate because of the virus. It was mentioned parents might not be able to attend due to not feeling comfortable with childcare during this time of the virus. Also, it was discussed that Council on Aging Director Mary Beth Lawton had said seniors might opt not to go due not only to the health risk but also to the discomfort of sitting outside in the heat on folding chairs. FinCom member Christina Schenk Hargrove said she didn't feel as strongly as Mr. Wanger about the idea of not holding it.

Ms. Batista reiterated her concerns and said they were more about the turn-around for the State to approve the 1/12 budget because if they didn't have the approval in time, expenditures could not happen starting July 1, but she said her staff was ready to handle the task. Mr. Farrell asked if they could find out the deadline for submitting the 1/12 budget in case they move in the direction of going forward with ATM and then something happens to prevent that. Mr. Domelowicz said he can put that question to the DOR.

Mr. Pruellage said if they did decide to move forward, he thought they needed to reach out to those who might feel disenfranchised. Ms. Dale spoke about messaging, explaining to the public that due to the extenuating circumstances, they were looking for voters who felt

comfortable coming forward so those who didn't could stay home, framing it as the Town helping itself in a patriotic spirit. Mr. Olson agreed. He said the most they can do is set up a safe environment and do it in the right way with the right communication. Mr. Domelowicz said many people in Town are wanting to resume some level of activity again, and the message is that the Town will only do it in a safe way and that helps them set up how to operate going forward.

Nicholas Tensen initiated a discussion of the risk of the 1/12 budget and whether it made sense to go through with Town Meeting if there were that alternative. Ms. Batista talked about limitations of the 1/12 budget. He asked for examples, and she cited Recreation Department services, articles that fall under free cash, and transfers that are typically voted on at Town Meeting, such as the one to the Patton Homestead from the Town's General Fund. She and Attorney McEnaney said there were a number of outstanding questions for the DOR and things still needing clarification. Mr. Farrell said the new union contracts could also be affected. Mr. McEnaney said one limitation is that while on a 1/12 budget, the Town can't set its tax rate. Not having a balanced budget in place and voted on by the fall would impact the Town's ability to send out actual tax bills in January. Mr. Mitchell commented the virus situation will persist for probably the next 12 or 18 months until there is some medical intervention and said they have to have as much new normality as they can. Mr. Smith agreed, saying he suspected they would be facing similar circumstances when considering Special Town Meeting (STM) also.

Decision:

Ms. Dale made a motion the BOS tentatively approve the June 20 Annual Town Meeting (ATM) followed by the June 25 Town Elections with the caveat that the BOS hear from the BOH after its next meeting, and then the BOS can reiterate its vote at the next meeting if all goes well. Mr. Farrell seconded the motion.

Further Discussion:

Mr. Hubbard confirmed with Mr. Domelowicz that he and Ms. Batista have enough direction. The next step is to fill out the steering committee and get everything in place for Town Meeting. Mr. Domelowicz invited HWCAM's involvement. Mr. McEnaney suggested it be an ad hoc committee reporting to the Town Manager so as not to be subject to Open Meeting Law (OML). Mr. Tanzer volunteered to help with the committee also.

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.

Review of Proposed Warrant for Potential Changes

Mr. Domelowicz did a “share screen” showing the latest version of the warrant with edits. Mr. Farrell confirmed Mr. Domelowicz was looking for articles that could fall off this warrant and wait until STM or could go into the Consent Agenda. Mr. Domelowicz discussed that one article was a vote to accept the written reports on file rather than have people present them at Town Meeting. Another allows for the consent motion. Mr. McEnaney spoke about a bill pending that proposes to reduce the quorum requirement to no less than 10% of the normal quorum if the BOS wants to do that in consultation and with approval by its Town Moderator; however, if they do that, they are limited to discussion articles related to the budget. There are still a number of questions regarding what constitutes budget-related, but he said it would be an option if the bill passed. Mr. Domelowicz said from what he’s heard there might not be an appetite necessarily to reduce the quorum (which is 75). His plan was to have seats for about 150 participants. He said he doesn’t want people to stay away or contribute to any feeling or perception of disenfranchisement.

Mr. Olson suggested they go through the articles and put them into four buckets. Ms. Dale listed the articles she and Mr. Wanger had suggested previously for putting on the Consent Agenda. Mr. Domelowicz listed articles that could potentially be removed from the warrant and could go under the Consent. He noted a few articles that would require votes, including articles regarding the HDC and Patton Homestead.

Decision:

Mr. Farrell made a motion to reopen the June 20 Annual Town Meeting Warrant. 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.

Ms. Batista had some financial-related comments to add to Section 2 regarding the Community Preservation Committee (CPC) budget and education incentives falling under one article.

Mr. Bowler had a question on the article related to the HDC. He said when the Town adopted the meals tax, it was with the clear expectation it would go for downtown improvements, so if there’s a change it should be explained at Town Meeting and not be put into the Consent Agenda. Mr. Domelowicz said he thought it would be a separate vote unless both boards felt it could be rolled into the Consent, in which case someone could ask to put a hold on it. Mr. Wanger explained the practice had been each year to use the prior full-year meal tax as the appropriation to the HDC, although sometimes there was some slippage and it wasn’t done. For the last ATM, the initial appropriation was \$75K (which was the sum of the meals tax for FY’19). He said he had approached Mr. Mitchell in the spirit of what they are attempting to do Town-wide about moderating the appropriation. It was agreed informally and will be subject to a formal vote by the HDC to reduce the budget from \$75K to \$50K. There was no change in the intent, just a reduction in the amount. Mr.

Domelowicz said it is projected the meals tax will suffer in the coming year with less seating capacity at restaurants and a decrease in receipts. He said the HDC recognizes other departments are cutting their requests and offered to do the same. Mr. Bowler thanked them for the explanation.

Per Mr. Farrell's suggestion, Mr. Domelowicz summarized what warrant articles were discussed for going into the Consent Agenda and what ones could drop off the warrant until STM. He said depending on the school budget, they could theoretically have just one budget question instead of two. Mr. Wanger explained that if the Schools aren't cooperative in reducing their budget, they will need to have two articles—one for the up to 5% increase to the School budget and another for the balance over and above that [additional school spending up to 3.25% over the main budget article]. Mr. Farrell suggested the BOS not close the warrant this evening and instead keep it open until next Monday night. Mr. Domelowicz said the Schools would be meeting on their budget this week so they will know more after that. Mr. Wanger updated the BOS on what was discussed last Thursday. The Schools are anticipating a reduction in State aid and looking to reduce their budget as a result by about \$1.3M, but there are some gray areas to this.

At Mr. Domelowicz's suggestion, Mr. Hubbard asked the BOS for a straw vote on 10 items in Section 2 going into the Consent Agenda, two items being removed, and four items going on as separate votes. Mr. Farrell said he was favorable of all the changes recommended in their discussion. All other participating members of both boards were favorable as well.

Mr. Domelowicz moved to discussing Section 3, the first of which concerns the lease for the Marsh Rats, which has a benefit in that it provides revenue to the Town, but he doesn't believe they are counting it as revenue this year just yet. Mr. Wanger supported deferring the article until STM unless it could go through summarily as part of the Consent. He did not think it worthy of debate on the floor. Mr. Bowler said it can't be a part of the Consent because it requires a 2/3 vote. Mr. Wanger, Ms. Dale, and Mr. Farrell agreed it should be deferred.

Regarding an article that allows the Town to apply proceeds on bonds to pay down the debt, Mr. McEnaney said it could go into the Consent. Ms. Batista said that was a recommendation from Bond Counsel. Mr. Domelowicz proposed three articles in the section that could be put off until STM, but Ms. Batista asked for one of them to go into the Consent because it was just a housekeeping item that corrected one word. Mr. Domelowicz said he would like the article that allows for a solar array on top of the Town of Manchester's water plant (which is located in Hamilton) to go into the Consent. Mr. McEnaney said it could if it was something they didn't anticipate needing a lot of discussion on. Mr. Wanger had a question about the Consent items wondering if there were some ability to ask questions without putting a hold on an article. Mr. McEnaney said no. A hold and explanation would be asked for and then if the person were satisfied with the

response, the hold could be released. Mr. Domelowicz suggested the article concerning the Master Plan be put off until STM.

Regarding the Citizen's Petition pertaining to the trash program, Mr. Wanger proposed they ask the proponent to withdraw it (since the Town voluntarily reverted back to every-week trash pickup in response to the pandemic) and to do so with the understanding the topic could be raised again at a later date. However, Mr. McEnaney said there is no way to withdraw a Citizen's Petition once it has been submitted and is on the warrant. He said the proponent could get up at Town Meeting and say they had petitioned it but were now asking it to be passed over and for no action to be taken and to explain why. However, he said if the article were passed over, the person would have to go through the process of getting signatures again to bring the petition back again. He suggested the alternative that the BOS could agree to put it on the warrant at STM themselves (thus avoiding the need for getting the signatures). The number of signatures required for STM is significantly higher than for ATM (100 instead of 10). Mr. McEnaney said the BOS could make it a handshake agreement and could include a commentary on the warrant that the BOS had agreed to put it on the STM warrant but didn't support the article. Mr. Domelowicz said he just received an email from the sponsor of the Citizen's Petition who was listening in real time and he had forwarded the email to Mr. Wanger. Mr. Farrell said since the warrant is now open there's room for negotiation. He asked if Mr. Wanger could work with the petitioner. Mr. Wanger asked if any FinCom members had any objection to his undertaking that. They did not. Mr. Wanger asked Mr. McEnaney to email him the details so he doesn't mislead. He said he would. Mr. Farrell asked the two boards if they supported keeping the trash program as is until STM. They said yes, but Ms. Schenk Hargrove suggested leaving that information off the warrant as it was a weird way to have a negotiation.

Mr. Domelowicz said he would send out a revised list of all the warrant articles before Wednesday. When asked by Mr. Farrell about when the budget modifications would be complete, Ms. Batista said that will depend on the Schools' revised budget and what the total budget will be. Mr. Domelowicz said, according to an email he received from School Superintendent Dr. Julie Kukenberger, the Schools were charged with making \$1.3M in reductions this week for a vote on the budget next week.

Review of FY'21 Budget Proposal for Changes

Mr. Domelowicz explained that due to the pandemic and recession, the Town is working to address the projected revenue shortfalls from what they had been expecting by reducing all areas of the budget within its control. They've already made reductions of about \$420K on the Town side. Mr. Domelowicz discussed that they also need to look at another component, which is what will happen to property value in Town and how that impacts the tax rate. He said based on advice from the Town Assessors, prior to March they had been projecting values increasing about 2.5%, but now project they will remain flat. They are

working hard on the budget as they don't want the tax rate to climb too high. He said the goal was to reduce the overall budget by \$1M. He said basically that they are hoping the Schools will do their part since they represent 60% of that budget. Mr. Wanger complimented the Town's department heads for acting responsibly and with sensitivity to the situation. He said they were looking for the same from the Schools.

Mr. Domelowicz noted Town staff will see a couple of retirements coming up and said he was withdrawing the idea of growing the Community Projects position and would be striking it from the budget. He said he would instead grow the Assistant to the Town Manager position and replace Michellelee Carroll (who is leaving to take the joint Human Resources position) with someone who can do grants and also some coordination of activities for the CPC, HAHT, and HHDC (Hamilton Historic District Commission). Mr. Wanger added he wanted to compliment all the Town employees in addition to the department heads.

New Business

Consideration of Topics for Discussion at Future BOS Meetings

- **Electricity Aggregation Renewal.** Mr. Domelowicz shared a document pertaining to this, saying Good Energy has suggested they go out to bid again. He said there would most likely be a slight increase, but it would be a three-year buy. Ms. Dale asked about figures on what the program saves the Town. He said it doesn't affect the municipality, just the residents who can opt out of the program if they wish. Some also (at an extra cost) can choose to have 100% of their energy supplied by renewable sources. Mr. [William] Olson asked how it affected Town-owned properties. Mr. Domelowicz replied the Town buys its electricity separately from the program and bids it out, as well. The Town has a good deal that is locked in right now. Mr. Farrell asked if the BOS can authorize Mr. Domelowicz to sign for the board. Mr. Domelowicz said they had opted to do that previously so it still applies. It was decided to have Good Energy join a future Zoom meeting. Right now they are getting the pricing, which won't take effect until December. Mr. Farrell asked if they could put something about the program on the Town website. Mr. Domelowicz said they would.

Mr. Domelowicz said the Governor will likely open up aspects of the business world next week, which will include town halls. The Department of Public Works (DPW) is making adjustments to the building with Plexiglas shields and such. The new order doesn't address the Memorial Day activities or upcoming Community House's block party, but Mr. Domelowicz said with their permission, he would suggest they be called off and would direct Sean Timmons to cancel the fireworks. It was asked if the Town would be interested

in holding a parade or something like that in late June with people social distancing and wearing masks. Mr. Olson said Boston had cancelled every event from now until Labor Day. He said he'd be in favor of a socially-distanced event. Ms. Kennedy suggested it be a celebration for all the graduates, including the fifth graders. She volunteered to serve on the committee.

Mr. Farrell said he spoke with Mr. Timmons and there was a survey on the Hamilton Wenham Recreation page to poll parents about summer programming. He asked residents please provide input. He said they are figuring out what new norms will be for the Town's pool and summer camp program. Ms. Kennedy warned about a corona virus mutation affecting children and said they need to watch that carefully as they don't have enough information yet.

- Open Space and Recreation Plan. Mr. Farrell said it is complete but not submitted to the State yet. It should be soon. Mr. Domelowicz said he thought the Rec Plan was up on the website.
- Housing Production Plan. Mr. Domelowicz said this topic will go on the next agenda.

Mr. Farrell said he would like to discuss the rain barrel program with Mr. Domelowicz. Right now it is sort of on hold while the Town tries to figure out the delivery—whether to postpone or have the Town buy a palette and sell outright to residents.

- Water resources. Mr. Olson had previously requested having DPW Director Tim Olson look into the Town's water supply as a result of many residents being at home now 24/7 and to forecast out. Mr. Domelowicz said he would ask Mr. [Tim] Olson for an update. There are concerns about the lack of snowfall this past winter.

Adjournment

Decision:

Ms. Dale made a motion to adjourn the meeting for the BOS at 8:48 p.m. Mr. [William] 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.

Mr. Wanger asked if there were any volunteers from the FinCom to serve on the committee regarding June 20 logistics. They will discuss it at their meeting on Thursday and report back to the BOS.

Mr. Nick Tensen made the motion to adjourn the meeting for the FinCom. Ms. Schenk Hargrove seconded the motion. A roll call vote was taken with "ayes" from Mr. Wanger, Mr. Pruellage, Ms. McCormack, Mr. Tensen, and Ms. Schenk Hargrove, (5-0) unanimous.

Prepared by:

Mary Alice Cookson, 6/17/2020
Mary Alice Cookson Date
Minutes Secretary

Attest:

Darcy Date, 6/25/2020
Darcy Date Date
Board of Selectmen Clerk