

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Teleconference

May 4, 2020

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

Town Manager: Joe Domelowicz

Other Town Staff Present: Director of Planning & Inspections Patrick
Reffett; Police Chief Russell Stevens

** This meeting was conducted via Zoom teleconference with all the above participants
remaining in their homes.*

Call to Order

At 6:33 p.m., Chair Jeff Hubbard called the Board of Selectmen (BOS) meeting/
teleconference to order. The Pledge of Allegiance was recited.

ANNOUNCEMENTS & BOARD OPENINGS

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

Public Comment

None.

Selectmen/Town Manager Reports

Rosemary Kennedy gave a shout-out to the Assistant Department of Public Works (DPW) Director who showed her the trees donated to the Town by the Institution for Savings. She described the types of trees available and said anyone interested in having one planted on public property along their street should get in touch with the DPW.

Town Manager Joe Domelowicz said he'd deliver his report when the BOS discusses the Local Operations agenda item. The others gave no report.

CONSENT AGENDA

- Approve minutes of the March 30 BOS/BOH meeting.
- Approve minutes of the February 24 BOS Executive Session.

Darcy Dale noted the March 30 joint minutes were already approved at the last meeting and asked that they be removed from the Consent Agenda.

Decision:

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

AGENDA

Update from BOH [Board of Health] Chair on Community COVID-19 Response

Chair David Smith shared the latest COVID-19 numbers: 22 Hamilton residents have tested positive. Six are being tracked in isolation protocol. The difference (22 less the 6) have been cleared. There have been four deaths attributed to the virus. At last count, Essex County had nearly 10,000 confirmed positive cases; at least two-thirds of those are in certain communities with a high number of nursing homes and assisted living facilities. Hamilton and Wenham are at a COVID-19 positive rate of about 25 per 10,000 residents; Essex County is around 120 per 10,000. This puts Hamilton and Wenham at 20-25% of the average, which is due to many residents working at home, a lot of open space, and residents taking the guidelines seriously. Last week the BOH restricted access at the Hamilton Housing Authority, effective April 29. The BOS simplified their handling of assignments: Health Agent Leslie Whalen is focusing on septic work; Mr. Smith and Public Health Nurse Chris Lee are focusing on COVID cases and related issues. He said they had hoped a State initiative for a contact tracing collaborative would help them, but those resources are taken up by the towns in real trouble.

Governor Charlie Baker's order on mask wearing goes into effect Wednesday. Mr. Smith said the news media is not capturing this accurately and explained the difference between the Town's order (requiring face masks to be worn when entering any inside enclosed space) and the State order (specifying wearing masks in any situation in which a six-foot distance can't be maintained—indoors or outdoors). He said the BOH will need to further discuss how people can comply with both orders. He applauded Police Chief Russell

Stevens' outreach to businesses to explain the rules and penalties for non-compliance. He said as the May 18th deadline approaches, which lifts the stay-at-home order, the BOH will have to answer many questions on things like summer camps, boat ramps, etc.

Mr. Hubbard asked how much of the COVID numbers are attributed to nursing homes. Mr. Smith said about 60%.

Mr. Olson asked who to contact if people want to make donations. Mr. Smith mentioned the Acord Food Pantry is planning a food drive. A participant on the call informed everyone the date for the food drive is May 8. Mr. Domelowicz said they will get the message out. Other local organizations to support are the Hamilton Foundation, COA, and Meals on Wheels.

Discussion about Off-Leash Dogs—Chief Russ Stevens

Ms. Kennedy said there have been many complaints on Facebook about dogs running loose and people having to clean up after other people's dogs. She said some dogs have killed chickens and are frightening horses. She cited two personal experiences in which dogs behaved aggressively toward her and their owners did nothing, even laughed it off.

Chief Stevens said there isn't anything on the books about dog waste specifically. There is a leash law with fines for violation: first offense (within a calendar year) is a warning, second offense is \$50, third is \$60, and fourth is \$100. He said he thought a larger education campaign and perhaps more signage could help. He said Hamilton has 1,494 licensed dogs. The animal control officer, a stipended employee, spends 9 ½ hours in Hamilton per week and cannot go over that amount; she shares her hours with Manchester by the Sea. Her work is more reactive than proactive, he said. Calls come in about dog bites, but not many about loose dogs. He said the Town's leash law does allow for a resident to have a dog loose on someone's property if the residents give permission for that.

A discussion followed about existing signage. Ms. Kennedy said she observed non-compliance with the posted signs and many dogs not under control by their owners. She said penalties and enforcement were important, and perhaps they might want to increase the dog license fees to support more hours by the animal control officer. Mr. Domelowicz said the BOS can propose increasing the fee, but it cannot direct license fees to go to a certain function because, by Town bylaw, all fees go into the general fund. He said when the next mailing about dog licenses goes out, they can remind dog owners that dogs need to be walked on a leash or they'll be subject to fines. Under State law the BOS can't direct the dog officer's hours, but they could ask her to do some spot patrols so as to "be seen."

Mr. Olson inquired about data on citations over the last five years. Chief Stevens said he would have to look back, but he didn't think there were a lot. The dog officer also handles felines, barn inspections (there are 75 in town) as well as chicken coop inspections. In

response to Mr. Olson's question, he said the police don't go out looking for off-leash dogs, but will educate people when they see something wrong. Mr. Olson said [Essex County] Greenbelt does allow dogs to be off-leash. Ms. Dale said that had been modified now due to COVID-19.

Regarding complaints on people not picking up after their dogs, it was discussed that the BOS could work with the BOH to prepare a bylaw for a future Town Meeting. The idea, according to Mr. Olson, would be not to punish folks who do the right thing, but to educate those who don't. Mr. Domelowicz thought dog owners were generally responsible people and would come into compliance with more reminders. He suggested more signage or changing the placement of existing signs might grab people's attention.

Chief Stevens said Hamilton's dog license fees are \$20 or \$15 for a dog that is spayed or neutered. Wenham just increased their fees in January to \$35 for neutered dogs and \$40 for others. There is a fine if someone does not license their dog. He said in response to a question from Ms. Kennedy that if someone has a bad experience with a dog, they can call the police to come down to issue a citation. He believes education is the best route, though.

Mr. Smith said this discussion touched on a pet peeve. He walks his dogs at Pingree Park where there are signs to clean up after your dog, but there is dog waste left right by the signs. He said his next mission will be a public education campaign focusing on the leash law and getting a bylaw passed making it illegal to not clean up after your dog. Mr. Hubbard said he's astonished how many people bag up the dog poop then leave the bags behind.

Approve Housing Production Plan—Patrick Reffett

Director of Planning & Inspections Mr. Reffett gave a snapshot of the Town's Housing Production Plan (HPP), which he said was an effort the State imposes on communities to study their local populations, incomes and demographics, and to look at their housing stock and develop strategies for creating affordable housing. He cited two important things about having the plan: it allows Hamilton to better exert to the State the ability to get senior units for those 55 and older and also to gain a better local preference. The Planning Board and the Hamilton Affordable Housing Trust (HAHT) already approved the HPP a few months ago. Mr. Reffett respectfully requested the BOS approve it also, so he can submit their vote along with the plan to the Department of Housing and Community Development for certification.

Ms. Dale said she hadn't had a chance to read the plan all the way through and suggested the Selectmen all do that and digest it before voting. Mr. Olson asked Mr. Reffett for his timeline. He replied he would rather people feel comfortable with it and vote when ready. He would like Hamilton to have certification before the State receives the 40B application coming from the Asbury Street property [current affordable housing project by Habitat for

Humanity]. He would also like to see the BOS address the units at the Hamilton Development Corporation's [Willow Street] property.

Mr. Farrell said he was comfortable voting at the next meeting. Mr. Olson said he thought it was a great document; he applauded the work on it and noted 500 people had responded to the survey, and he said he thought the plan gave the Town options to consider. Mr. Reffett said there were options within the document relative to modifying zoning bylaws in certain aspects and other things germane to the HAHT and CPC [Community Preservation Committee]. Mr. Olson stressed the document makes no promises, but has forecasts for down the road. Ms. Kennedy echoed it is a discretionary document, not mandatory, and said it would be good to have more time to review it. The BOS agreed Mr. Hubbard should put it on the next agenda.

Ms. Dale asked those who said they had read the HPP if anything about it surprised them. Mr. Olson responded the population trend—Hamilton's population shrunk by 4% during the same time that neighboring town populations were growing.

Update on Local Government Operations

Mr. Domelowicz said the Governor announced today his committee would start releasing guidelines for a phased reopening starting May 18. He said Town Hall will have some modifications for safety, such as face shield barriers in the Town Clerk's office. He said he would like the BOS to discuss the Save the Date of June 20 for the Annual Town Meeting (ATM). If they decide to go with that date, the warrant needs to be posted by May 20, which gives the BOS just two weeks to finalize the amended warrant and budget proposal, which would happen at the May 18 meeting. He proposes the BOS set May 11 as the date to vote on the Town Meeting date. If June 20 doesn't work out for some reason, the Town Moderator can later delay it. Additionally, discussion is needed about where to hold Town Meeting (such as out on a football or whether it should be indoors) and what warrant articles can be pushed off so as to shorten the meeting and make it safer for everybody. He suggested the Capital Plan can come off, as well as some other things. The School Committee will be meeting to discuss its budget and what might be cut, as well, and there is talk that depending on what happens at those meetings, the BOS could vote to have just one budget article rather than two. The Finance and Advisory Committee (FinCom) will be meeting (virtually) on Thursday.

Ms. Dale asked if FinCom was sure it would have the booklet prepared in time and whether they would be mailing out their information with the warrant. Mr. Domelowicz said yes, it would be handled the same as before.

Mr. Domelowicz said the Board of the Library Trustees had voted to recommend the Wenham BOS lay off some of the Library's part-time workers.

Mr. Farrell asked if the language on the ATM warrant was “buttoned up.” Mr. Domelowicz said the BOS still needed to identify what to put in the Consent Agenda and what articles can be pushed off to Special Town Meeting in the fall. Mr. Farrell asked Mr. Domelowicz if he could put together a list of priority articles and what articles can be pushed off.

Mr. Domelowicz said the Town was looking to reduce some hours and positions but had been notified someone intends to retire before the end of the fiscal year so that might change the reorganization plans and enable them to get through without having to make the reductions. He will meet tomorrow with the union rep to talk about FY’21. He said the Public Works crew had been working half in/half out but would be coming in almost completely to start getting road construction done, such as fixing potholes.

Updates from State Actions—Tom McEnaney

Town Counsel Mr. McEnaney was not on the call. Mr. Domelowicz said the only update from the State was the Governor’s order about wearing masks that Mr. Smith had discussed previously in the meeting.

Mr. Domelowicz mentioned Marblehead had voted to allow a quorum of just 30 people for its Town Meeting, but was still expecting a larger turnout anyway. Mr. Farrell asked if anyone knew the average amount of attendees for Hamilton. He thought it was around 300. The others agreed and noted at one Town Meeting, 900 had turned out.

Anna Siedzik, 227 Highland St., asked if anything had been discussed about the local election. Mr. Domelowicz said the Town’s bylaw says Town Meeting happen five days before the election, so that is what they are doing. The bylaw doesn’t allow them to have the election after July 1. If Hamilton sets the ATM date for June 20, the election would happen June 25. Ms. Dale asked if there would be absentee ballots; he said yes.

Consideration of Topics for Discussion at Future BOS Meetings

None discussed.

Adjournment

Ms. Dale made a motion to adjourn the meeting at approximately 7:50 p.m. Ms. Kennedy seconded the motion. A roll call vote was taken with “ayes” from Ms. Dale, Mr. Olson, Ms. Kennedy, Mr. Farrell, and Mr. Hubbard, (5-0) unanimous.

Prepared by:

Mary Alice Cookson 6-8-2020

Mary Alice Cookson
Minutes Secretary

Date

Attest:

Darcy Dale 6-11-2020

Darcy Dale
Board of Selectmen Clerk

Date