

HAMILTON BOARD OF SELECTMEN &
HAMILTON COMMUNITY PRESERVATION COMMITTEE

MINUTES OF JOINT MEETING

Teleconference

July 27, 2020

Selectmen Present:	Shawn Farrell, William Olson, Darcy Dale, Rosemary Kennedy, and Jamie Knudsen.
CPC Members Present:	Jay Butler, Shawn Farrell, Katherine Mittelbusher, and Sherry Leonard
CPC Members Absent:	Chris Currier, Robert Preston, and Richard Boroff
Town Manager Present:	Joe Domelowicz
Other Staff Present:	CPC Coordinator Patrick Shannon, Director of Planning & Inspections Patrick Reffett, and Treasurer Peggy McLoughlin

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

Call to Order/Pledge of Allegiance

Board of Selectmen (BOS) Chair Shawn Farrell called the joint meeting to order at 6:33 p.m. and took a roll call. All BOS members were present. Community Preservation Committee (CPC) Chair Jay Butler called the CPC to order. He did not take an official roll call but four members were online at the start of the meeting: Mr. Butler, Katherine Mittelbusher, Sherry Leonard, and Mr. Farrell, who is a CPC member as well as its BOS liaison. The Pledge of Allegiance was recited.

Community Preservation Committee Annual Public Hearing—Presentation by CPC Chair Jay Butler/ Discussion of Special Town Meeting (STM) and Possible Requests for CPC Funds

Mr. Butler explained this annual meeting is required by statute to explain to the community what the CPC has been doing and to solicit ideas for CPC grants. He said CPC Coordinator Patrick Shannon was also present and displaying the slides, and he listed all the current

CPC members and staff. He gave a brief history since the Town's joining of the CPC in 2005. He said 68 of the 351 CPC communities have a 3% surcharge. Hamilton has a 2% surcharge. He explained the money is managed by the Department of Revenue and comes from Registry of Deeds property transactions plus a State match based on each town's surcharge. Last year was the first increase in document transaction fees in 20 years. The State match for Hamilton for last year was 23.9% for a total revenue of \$562K.

He displayed calculations showing the amount of CPC funds Hamilton would have to work with if it had a 3% rather than 2% surcharge. The surcharge is billed quarterly with the property tax bills. For a modest amount of only about \$17 more per quarter for a property valued at \$500K, the CPC would have \$901K rather than \$681K—a \$339K increase. There is an exemption of the first \$100K before the surcharge is calculated; also property owned by some with a low income or a senior is exempt.

Mr. Butler detailed grants approved this past year, including two grants for the Town Hall Renovation, Addition, and Preservation project and a grant to the Affordable Housing Trust (AHT). He said a program clarification had been put in place in 2012 for the CPC to provide rental assistance, and this idea is currently being explored. Rosemary Kennedy asked if there was a typical amount available and where the money would come from. Mr. Butler explained it came from the CPC and there isn't any money delegated currently, although the Town could pursue the idea if an organization, such as The Hamilton Foundation or the AHT wanted to apply for a grant and set up a program. Ms. Kennedy said she would discuss the idea with AHT Chair Marnie Crouch. Darcy Dale asked if it was restricted to rental assistance or if it could be applied to helping someone with a mortgage. Mr. Butler said it applied only to rental assistance.

Mr. Butler discussed grants the CPC had bonded. He said the last Donovan Field bond repayment was made last year. Bonding money can only come from the local surcharge dollars not the State match. He talked about bonding as it relates to the Town Hall Building and Renovation project and said if the CPC chooses to do that, it won't have much other money to work with unless it votes to raise the surcharge. He said current total CPC reserves amount to \$641K and explained the categories funded by the CPC, which include Open Space and Recreation, Community Housing, and Historic Preservation. Each category is given 10% of the CPC funds with the rest going into Unreserved.

He discussed various projects that have been funded by CPC grants. The organizations don't have to be governmental, he explained, but there are allowable and not-allowable uses. There are some gray areas—such as the fact that the CPC can't do general maintenance unless the project was originally acquired and created with CPC funds. He said typically the CPC looks out for future projects and categorizes them into A, B, and C categories depending on the amount of details provided about the project and other factors. There is a two-part application process: eligibility and funding. He detailed the process and deadlines. On Aug. 6, the CPC will review eligibility for the Town Hall project and for any other projects submitted by grant applicants.

Ms. Kennedy asked if the grants had sunset clauses. Mr. Butler replied that the CPC was instructed by Town Counsel to include a clause specifying when work for the granted project must start, which is typically within one or two years. Mr. Farrell noted the CPC reviews its list of grants at each meeting and closes out grants after the money is used. Money is also oftentimes returned to the CPC when not used and those grants are closed out. Ms. Kennedy noted she had seen projects receiving funds that seemed to be stretching eligibility; she meant in general not specific to Hamilton. Mr. Butler said he hadn't seen that.

William Olson commented there had been discussion about putting up plaques to advertise when projects had been funded by the CPC. Mr. Butler said the plaques are there and cited specific locations. Mr. Olson was interested in the 2% vs. 3% surcharge discussion and steps needed to have it on a warrant. Mr. Farrell answered that it would require a citizen's petition and a ballot vote as well. Ms. Kennedy asked if there were any indication that a citizen or group would bring it forward. Mr. Farrell said not yet.

Mr. Farrell asked Mr. Butler if the Town's Capital Committee had input on projects going before the CPC. Mr. Butler said no. He added that Wenham's CPC is interested in having a joint meeting with Hamilton's CPC and holding a training seminar with KP Law, PC, who is the Town Counsel for both of the towns.

The BOS thanked Mr. Butler for his presentation and he departed the online meeting.

Adjournment

No adjournment vote was taken for the CPC portion of the joint meeting as the CPC did not have a quorum. Per CPC bylaw, five members make a quorum

Public Comment

None.

Selectmen/Town Manager Reports

Ms. Dale reported she made contact with the committees to which she's been assigned as liaison. She will join the Board of Health (BOH) Zoom meeting on Aug. 6 and will meet with the Town Hall Building Committee (THBC) in a few days.

Mr. Olson said the School Committee was working hard to come up with a plan for the school year and will meet on Wednesday, July 29. This topic is on tonight's agenda.

Mr. Knudsen gave no report.

Ms. Kennedy said she and Ms. Dale will attend the THBC meeting on Thursday. She also touched base with the Conservation Commission to let them know she is onboard for another year. She hasn't yet reached out to the Housing Authority yet.

Mr. Farrell gave no report.

Town Manager Joe Domelowicz did not give a report in the interest of time, but said his report will be posted online tomorrow.

Announcement of Board and Committee Openings

The Council on Aging, Hamilton Historic District Commission, Community Preservation Committee, Hamilton Affordable Housing Trust, and Hamilton Board of Appeals have openings.

Consent Agenda:

- Approve Minutes—May 26, 2020 and June 17, 2020

Decision:

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

Update on Plans for Reopening Schools—Presentation by Hamilton Wenham Regional School District (HWRSD) Superintendent Mary Beth Banios

Ms. Banios shared her presentation/slides and gave a brief overview of the situation, saying uncertainty regarding reopening the schools is a given and learning is not going to look the same way it has in the past. She said the goal was to work together with flexibility and cooperation and recognize everyone’s positive intent. She anticipated a School Committee meeting as well as a vote on the plan on Aug. 10. She discussed all the many issues: physical, social, and emotional wellbeing of students, parents’ surveys, and transportation, technology, and financial challenges. She said the percentage of parents preferring remote learning for their kids was 20%. Most favored a return to in-school learning or a hybrid option. The most vulnerable students will require in-person learning full-time, she said, and there are families who for specific reasons will need to be fully remote. She said 25 educators and five administrators are working on the plan, which is due on July 31 (this Wednesday), and then a meeting and vote will take place on Aug. 10.

Issues involving the school building and ventilation were discussed. She said guidance was released last Friday that buses will run at only 32% capacity. They are looking to have tents on the campuses to move students outside and give them an opportunity for mask breaks. She is exploring the costs. She said there are many questions that need to be processed with families to make sure they feel comfortable as they start the school year.

Ms. Kennedy said she heard varying reports about the Federal government picking up some of the costs of PPE (Personal Protection Equipment) and other expenses. Ms. Banios said they received a small Cares grant of about \$70K. There have been conversations about additional stimulus.

Ms. Olson asked if there was a program to make sure every student had a laptop at home. She said at the high school, they have been one to one for a while. They are now making purchases to be one to one at the middle school. At this point she said they don't think it's the best use of funds to purchase technology for all the students at the elementary school, but any family needing a device will have one assigned.

Mr. Olson asked if anyone other than the School Committee will vote on the plan. She said no, the final say rests with the School Committee barring a Governor mandate, which is not anticipated. She discussed the many stakeholders being consulted pertaining to the plan. Mr. Olson asked her when she expected the school year will start based on what she knows today. She didn't expect it to happen before Labor Day. She said the School District had taken 10 days off of the school year and pushed back the school opening. Working with masks on is difficult in hot weather.

Ms. Dale asked what indicators would be relied upon to determine if school will need to go fully remote. BOH Chair David Smith responded that was one of the key questions covered in the initial conversation between the Hamilton and Wenham Boards of Health. He said they would work with Ms. Banios as these issues arise. He said they don't have the answers yet, but he is optimistic they will. Mr. Farrell commented he feels there is some double standard in the fact that there are different recommendations for the schools vs. the Town boards who are meeting on Zoom rather than in person.

Mr. Farrell had questions regarding PPE and equipment like desks as there could be a breakdown in the supply chain. Ms. Banios complimented the Schools' facilities' director for already getting what they need.

Ms. Dale asked if they had considered using the calendar differently, such as by having year-round schooling so as to have school outdoors in spring, summer and fall, and perhaps instruction on Saturdays. Ms. Banios said this presented a challenge as none of the schools are air-conditioned and the facilities are old and have ventilation issues. The idea of extending the school day into the evening was brought up and there was a discussion about how some working parents will rely on their older kids for the care of siblings. Mr. Farrell said some districts are looking at the busing issue and staggering school start times so older kids can drive their siblings to school.

Ms. Banios said spacing kids to comply with social distancing rules isn't the biggest problem; the problem is that if you divide kids into separate areas, you need more teachers. They are trying to sort that out. They now need to offer three different models with the same resources they used to deliver one.

Ms. Kennedy said she was concerned about expenses for families, as many kids need to share technology in the home. Ms. Farrell asked if Ms. Banios had been in touch with the EdFund regarding technology expenses. She said there didn't appear to be a large number of families that cannot manage the expenses of computer on their own. Ms. Kennedy said

she heard there was consideration for extending the traditional K-12 years by another year. Ms. Banios said she hadn't heard that.

Mr. Knudsen asked what one or two things aside from remaining flexible could they do as a community to support the schools. She responded that once a plan was in place, they would quickly need information from families about their preferences. Also, they need people to get kids to school without using the bus if possible. Ms. Kennedy brought up the idea of asking for volunteers in the community. Ms. Banios said she thought they should start with asking their school families to consider driving rather than putting kids on the bus. She said that if the Town had any available stimulus money, it should consider the schools.

Mr. Farrell suggested that she let Mr. Domelowicz know of any information she wanted to have pushed out through social media. He ended the discussion by saying the BOS will touch base about joining the School Committee meeting on Aug. 10.

Approve Advance in Lieu of Borrowing—Town Manager and Finance Director

Mr. Domelowicz reported that Finance Director Marisa Batista was not present due to another commitment and introduced Treasurer Peggy McLoughlin. She explained the BOS was being asked to vote on whether the Town might borrow funds for the short-term (about eight weeks) from its own Stabilization Fund for the purpose of the design, preservation, and construction of Town Hall until it receives the bonds.

Mr. Domelowicz explained that due to the pandemic, there are numerous questions being asked by the Division of Local Services that need to be answered before the BANs (Bond Anticipation Notes) can be completed, and the Town won't have the paperwork completed before the next installment is due to the architects.

Ms. Dale asked if there were a penalty to take those funds out of the Stabilization Fund. The answer was no penalty, although Ms. McLoughlin said they could possibly lose a very small bit of interest.

Decision:

Ms. Dale made a motion to give Town Manager Mr. Domelowicz permission to sign the documents necessary to obtain the Bond Anticipation Notes (BANs). Ms. Kennedy seconded the motion. A roll call vote was taken with "ayes" from Ms. Dale, Mr. Knudsen, Ms. Kennedy, Mr. Olson, and Mr. Farrell, (5-0) unanimous.

Water Abatement—621 Bay Road

Mr. Farrell presented the water abatement application that was in the BOS packets for \$412.92. A leaky faucet was found on the property. Mr. Olson commented it was a thorough application.

Decision:

Mr. Dale made a motion to approve the water abatement as presented (above). Ms. Kennedy seconded the motion. A roll call vote was taken with "ayes" from Ms. Dale, Mr. Knudsen, Mr. Olson, Mr. Farrell, and Ms. Kennedy, (5-0) unanimous.

Update on Trash Collection Program—Presentation by Department of Public Works (DPW) Director Tim Olson

Mr. Domleowicz said Mr. [Tim] Olson was not available this evening, but had provided information about solid waste tonnage, recycling, etc. He said April and May were high trash usage months. June was tracking at about average. Mr. Farrell said they had asked for this information in preparation for a discussion about perhaps returning to every-other-week trash pickup instead of the current every-week, which will be on a future agenda. The BOS was asked to look at the data in the meantime.

Update on Town Hall Building Committee (THBC) Progress

Director of Planning & Inspections Patrick Reffett gave Ms. Kennedy and Ms. Dale a hearty welcome to the THBC and said he hopes they will build more interest from community members. He said updated plans, which are nearly complete, will be up on the Town's website in the next couple of weeks as well as the cost data. He said the Town has been able to get reduced square footage pricing. The previous cost estimate was \$8.2M in January and is now at \$7.7M.

Mr. Reffett asked whether the THBC should plan on submitting for CPC funding at the next Town Meeting. BOS consensus was yes and to utilize as much CPC funding as possible to cut down on the tax rate. Mr. Farrell noted entities aren't always granted their full asks. Ms. Dale posed a question about whether the THBC might ask for more than \$3M, perhaps \$4M. Mr. Olson said the bond capacity would be \$4M tops. Mr. Reffett said they also need to consider whether there will be other applicants for CPC funds. Mr. Domleowicz said he thought \$3M was reasonable so as not to leave the Town hamstrung in just paying back bonds and not being able to do other projects in future years.

Mr. Farrell said the public could refer to the CPC's website to see what other Town projects had been proposed and how the CPC had voted in the past. Ms. Kennedy said if there were competing asks, she thinks tax money should go to preserving Town Hall for the citizens rather going to nonprofits.

Mr. Reffett asked if there would be a supplemental Town Meeting article for funds for the Town Hall project that were above and beyond the CPC request. Mr. Domleowicz said he thought yes, they should ask for the CPC funds as well as a debt exclusion and show the real numbers, which they will have by then. He said the turnkey estimate of \$7.7M is inclusive of the money already spent and by the time the Town gets to Town Meeting, it will have spent about \$1M so the total ask will be about \$6.6M to \$6.9M. If they take the debt exclusion from that, the remaining will be about \$3M. He said he recognized that was still a big ask, but was less than they had originally thought it would be. Mr. Farrell said much of the cost was bringing the building up to code.

Ms. Dale asked about preparation for the COVID-19 workplace. Mr. Reffett said they had posed questions to the Owner's Project Manager as well as the architect's team on matters such as the ventilation system.

It was discussed that a special election needs to be advertised for 45 days, so if the debt exclusion gains approval at Town Meeting, it would go on a ballot in December or early January.

Update on Proposed Cell Tower Behind Town Hall

Mr. Farrell discussed recent emails between the BOS and Federal Communications Commission (FCC) and said they are finalizing having the tower built. He listed all the entities involved. He said the FCC said in an email it wanted the HHDC to work with the developer. There is a meeting tomorrow night to discuss next steps, including the screening and viewscape. Mr. Farrell said he was optimistic they will have agreement in place and would move forward before September. Mr. Domleowicz said Scott Clement on the HHDC had been working with Mr. Reffett, but tomorrow night the HHDC would elect a new chair.

Ms. Dale had questions about the parking for Town Hall being pushed back into the DPW yard in light of the cell tower being located there. Mr. Domleowicz said he had asked Mr. [Tim] Olson that question and was told it shouldn't be a problem as they will be using the area where the fuel pumps will be taken out and some trees will be removed creating room. Another idea is that the driveway might be curved to supply better screening from the road. Ms. Dale brought up the Town-owned land at Gordon-Conwell Theological Seminary as a potential site for a cell tower. Mr. Farrell said yes, but that would be in addition to the tower at Town Hall. Mr. Domleowicz said the Town had signed contracts and was legally obligated to have the tower at Town Hall. He said most of the talk at GCTS had been about upgrading the Town's water tank located there, although it had also been discussed as an additional potential cell tower location.

Ms. Kennedy discussed that she had switched from Verizon to AT&T. She asked if anyone had approached Everest [Infrastructure Partners] to suggest a change in venue and if they should work toward having a tower on Brown's Hill. Mr. Farrell said due to COVID-19, more devices are online so the more towers the better. He said if there are deficits in coverage, towers can be placed there. Ms. Kennedy said the site at the Town Hall is one of the lowest points in Town. She was wondering if they had seriously talked about Brown's Hill. Mr. Domleowicz said he had discussed it with Chris Davis of Everest and Brown's Hill is being considered as an additional site, not as an alternative to the Town Hall site. Ms. Kennedy said sometimes a better deal can be made with a more advantageous outcome.

Special Town Meeting Date and Possible Warrant Articles

Decision:

Ms. Dale made a motion that the BOS choose November 14, 2020 as the date for Special Town Meeting. Ms. Kennedy seconded the motion. A roll call vote was taken with "ayes" from Ms. Dale, Ms. Kennedy, Mr. Knudsen, Mr. Olson, and Mr. Farrell, (5-0) unanimous.

Regarding possible warrant articles, Mr. Domelowicz said they do not need to take a vote this evening. He discussed there is additional staffing needed in the Town Clerk's office due to early voting and there will be costs associated with that. Pertaining to mail-in voting, he said ballots go to Town Hall and are hand fed to ballot boxes by election workers. For the Presidential election, ballots can be received up to Nov. 6.

Ms. Dale asked if the BOS could send a letter to State Senator Bruce Tarr to have the Kaminski-Clarke (historic curatorship property) tax issue expedited. Mr. Farrell will draft the letter.

The BOS reviewed the handout of possible warrant articles.

Annual Town Meeting Date

The date for Annual Town Meeting (ATM) according to the Town's bylaw would be April 3, which is Holy Saturday. The following Saturday is April 10, which is the date Wenham has proposed to hold its Town Meeting. That would mean Hamilton's election would be April 15, which is tax day. The BOS did not need to vote on the matter yet, but discussed April 10 and May 1 as potential best options for holding ATM.

Second Reading of Third-Party Flag-Raising Policy

It was decided to table the discussion until the next meeting.

Additional Special Municipal Employee Designations

Due to the fact that KP Law, PC, had not yet prepared everything for discussion, it was also decided table this discussion until the next meeting.

Status of Open Public Meetings Both Virtual and In Person

It was agreed by the BOS to keep meetings virtual for the time being. Mr. Domelowicz mentioned the BOS could organize a retreat or outing at a local restaurant or venue to create esprit de corps among members.

Consideration of Topics for Discussion at Future BOS Meetings

None discussed.

Adjournment

Ms. Dale made a motion to adjourn the BOS meeting at approximately 9:20 p.m. Ms. Kennedy seconded the motion. A roll call vote was taken with "ayes" from Ms. Dale, Mr. Knudsen, Ms. Kennedy, Mr. Olson, and Mr. Farrell, (5-0) unanimous.

Cemetery Deeds #1193 and #1194

These deeds appeared on the agenda but were not discussed.

Prepared by:

Mary Alice Cookson 9/14/2020

Mary Alice Cookson Date
Minutes Secretary

Attest:

Jamie Knudsen 9/21/2020

Jamie Knudsen Date
Board of Selectmen Clerk