HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

Teleconference

December 21, 2020

Selectmen Present:

Chair Shawn Farrell, William Olson, Darcy

Dale, and Jamie Knudsen

Selectmen Absent:

Rosemary Kennedy

Town Manager:

Joe Domelowicz Jr.

Call to Order/Pledge of Allegiance

Chair Shawn Farrell called the Board of Selectmen (BOS) teleconference to order at 6:33 p.m. and took a roll call. All BOS members were present with the exception of Rosemary Kennedy who was absent due to illness. The Pledge of Allegiance was recited.

Board and Committee Openings

- Council on Aging (COA)—two openings
- Human Rights Commission—five openings
- Hamilton Historic District Commission (HHDC)—two openings
- Zoning Board of Appeals (ZBA)—opening
- Community Preservation Committee (CPC)—opening
- Conservation Commission—opening
- Open Space Committee—opening

Mr. Farrell asked if there were any criteria for the HHDC members. Town Manager Joe Domelowicz Jr. said he would have Assistant to the Town Manager Pat Shannon clarify that for the next meeting. Mr. Olson asked if there were any applicants yet for the positions other than Human Rights Commission. It was discussed that two COA associate members may be interested in serving as full COA board members.

Selectmen/Town Manager (TM) Reports

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

Jamie Knudsen gave no report, but mentioned that the candlelight appreciation ceremony for the Public Safety officers was a small but meaningful gesture.

Darcy Dale said it was discussed at a Town Hall Building Committee (THBC) meeting last week that Hamilton is the only Town in the area that does not provide ADA [Americans with Disabilities Act]-accessibility to its Town Hall. She was wanting to encourage citizens to support the Town Hall renovation. She said the THBC was interested in perhaps forming a Friends of the Town Hall and was seeking funds to get information out to the public. With regard to schools and fields and projects for the future, she said parents will need to get behind those efforts. For now, she said, the Town Hall is the only shovel-ready project; interest rates are favorable; and the bidders have said they will stay on and keep the pricing. She said once the COVID-19 vaccine becomes available, there should be a restarting of the economy, and she noted the cost to taxpayer amounted to about \$10 a month and perhaps less as debt comes off the books in 2026 and 2028. In the meantime, she said there was concern about the building not being ADA-accessible and has been talk about moving the employees who work on the second floor of Town Hall over to Pilgrim Hall at Gordon-Conwell Theological Seminary (GCTS). She commented that the BOS had had a great joint meeting with members of the Hamilton Wenham Regional School District and Hamilton's and Wenham's BOS and Finance and Advisory Committees.

William Olson inquired about next steps for the THBC. Ms. Dale said finding some funding for communicating to the public was needed, such as getting out frequently asked questions and answers. She said the BOS needs to give the THBC a renewed or updated charge to continue its work. Mr. Olson asked how quickly they could hold another election. Mr. Farrell said it could happen at the time of the next Town Meeting. A simple majority vote is required for a debt exclusion. Mr. Farrell said they would be talking about plans for the THBC at the next meeting.

Mr. Olson reported the BOS would be discussing 86 Meyer Road and an update on Schools later this evening. He said the Planning Board had reviewed and approved an ANR (Approval Not Required) for breaking up nine lots along Bridge Street at the GCTS to prepare them for sale. Ms. Dale asked about size of the lots, but he said it is unknown as there is currently no project before the Planning Board.

Mr. Farrell reported he will meet with Mr. Domelowicz, Department of Public Works (DPW) Director Tim Olson and THBC Chair Mike Twomey about next steps for the Town Hall restoration project. He is meeting tomorrow with a communications group about forming an umbrella group of board chairs from various committees to share what each of the boards are working on so they are not "silo-ized" and all have a common theme or direction. The second part of that group is regarding communication with citizens. He commented that the meeting with the Regional School District had gone well. He reported on the appreciation ceremony for the Public Safety Officers and citation given to Ken "Kirby" Brand for his more than 40 years of service to the Fire Department. Paperwork for the cell tower is complete. The construction department is being selected and then the building permit will be pulled. Mr. Farrell said they are going to be looking for a site for another cell tower to improve cell service in Town as many people are working from home.

Mr. Domelowicz said Christmas Eve hours to the public will be from 8 a.m. to noon. He was pleased to report the Cares Act deadline was extended from Dec. 31, 2020 to Dec. 31, 2021. He said that would help support contact tracing and COVID-19 testing. He said there had been 584 tests of Hamilton residents and 250 or so for Wenham residents. Many more tests will be offered utilizing Cares Act funds. Mr. Olson said the testing has been a quick and smooth process. Mr. Domelowicz said he heard people had their results within two days. Ms. Dale said some test results were ending up in spam folders so the public was urged to check. Mr. Domelowicz said work on the Master Plan would be starting in January with the forming of a Steering Committee and the GCTS Task Force would be meeting (via Zoom) next month also.

Public Comment

None.

CONSENT AGENDA

- Approve Minutes of BOS for Dec. 2, 2020
- Declare surplus property for Patton Homestead

Photos of the 20 or so surplus furniture pieces were in the BOS packets. Mr. Farrell explained they are moving it out of the Homestead to create space for tenants who will be renting office space there.

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 Mr. Olson, Ms. Dale, Mr. Knudsen, and Mr. Farrell, (4-0) unanimous among those present.

AGENDA

86 Meyer Road Update

Mr. Farrell said he, Mr. Olson, and Director of Planning & Inspections Patrick Reffett had met to discuss this property, which has been derelict for a long time. Mr. Reffett detailed the current state. He said the exterior has been finished for several months. A caretaker comes to the property. Snow plowing was done. Mr. Reffett said he wants to make sure mowing gets done this season. He said the owner has said he will be bringing in payment for renewing the building permits. There had been a slowdown on the property during the pandemic; however, he said the exterior was finished, and the plumbing and heating are in place. Mr. Reffett said the owner intends to move into the property on June 1. Mr. Farrell said the reason they were addressing this is because some of the neighbors had notified the BOS about it not being finished. He said the question was what to do when a property was

not in violation of the bylaw, but was still not yet a finished property. He asked whether they wanted to tighten up the bylaw.

Ms. Dale said sometimes bylaws say that owners need to have an occupancy permit within a certain amount of time or are fined substantially. Mr. Olson said increasing fees or increasing building permit renewal costs might be helpful. Another idea might be not allowing extensions of building permits. Mr. Reffett said those would be general bylaw changes, but there is a double-edged sword in that you don't want to impede owners from investing in their property if they might just be a bit slow in doing so. Mr. Domelowicz said they are looking at making some adjustments in the regional service agreement for the Inspectional Services Department to rewrite the job description and elevate the building inspector to a building commissioner.

Mr. Reffett said he appreciated the concerns by the neighbors. There are three other properties on Cutler Road that have been neglected by the property owners and are being marketed now. He said on another matter, regarding the cell tower, they are doing the bid review and trying to determine electrical service. He expects to see a building permit application within a matter of days.

Mr. Farrell added that the Ameresco solar project at the landfill is somewhat stuck at present due to a question on title. Mr. Domelowicz said Land Court had filed a question related to the way the property was originally filed back in the 1960s. KP Law has filed the Town's response and they are waiting for the Court to rule on the response.

License Renewals

The total fees collected for the renewals was \$14,250. It was discussed and decided that the BOS would vote on approving each of the different types of renewals as a group.

• Liquor License Renewals

The following businesses were listed in the packet along with the renewal applications: Indigo Restaurant Corporation DBA 15 Walnut, American Legion Augustus Peabody Gardner Post, Black Cow Restaurant, Community Package Store, Crosby's Marketplace, Hamilton Convenience Inc., Harrigan's of Hamilton, Honeycomb, Myopia Hunt Club, and Weathervane Tayern.

Decision:

Mr. Olson made a motion that the BOS approve the renewal of all Alcoholic Beverage Control liquor license renewals (listed above). Ms. Dale seconded the motion.

Further Discussion:

Mr. Olson said in some cases, the new manager's name was written over the old manager's name and asked if that was acceptable. Mr. Domelowicz said he thought yes. When the license is printed, the new name will be on it. Mr. Olson asked for some clarification regarding the Black Cow Restaurant. It was explained that the restaurant intends to reopen

when the pandemic is over. Currently it is not open in Hamilton, although its larger restaurant is open in Newburyport.

Decision (Continued):

A roll-call vote was taken on the liquor licenses with "ayes" from Mr. Olson, Ms. Dale, Mr. Knudsen, and Mr. Farrell, (4-0) unanimous among those present

• Common Victualler's License Renewals

The following were listed in the packet along with the renewal applications: American Legion Augustus Peabody Gardner Post, Black Cow Restaurant, Five Sons Pizza, Liva Donuts, LLC DBA Dunkin' Donuts; Crosby's Marketplace; Akshar, Inc. DBA Hamilton Convenience, Hamilton House of Pizza, Myopia Hunt Club, Weathervane Tavern, The Community House, 15 Walnut, Cumberland Farms, Inc. Store#6747, and Honeycomb.

Decision:

Ms. Dale made a motion that the BOS approve the Common Victualler's License Renewals (listed above). Mr. Olson seconded the motion. A roll call vote was taken with "ayes" from Mr. Olson, Ms. Dale, Mr. Knudsen, and Mr. Farrell, (4-0) unanimous among those present.

• Entertainment License Renewals

The following were listed in the packet along with the renewal applications: American Legion Augustus Peabody Gardner Post and Indigo Restaurant Corporation DBA 15 Walnut.

Decision:

Mr. Olson made a motion that the BOS approve the Entertainment License Renewals for the American Legion and Indigo Restaurant Corp. Ms. Dale seconded the motion. A roll-call vote was taken with "ayes" from Mr. Olson, Ms. Dale, Mr. Knudsen, and Mr. Farrell, (4-0) unanimous among those present.

• Class II License Renewal

The following was listed in the packet along with the renewal application: A&M Motors.

Decision:

Ms. Dale made a motion that the BOS approve the Class II License Renewal for A&M. Mr. Olson seconded the motion.

Further Discussion:

It was discussed that the Selectmen thought there were more in this group, but Mr. Domelowicz said the other businesses were not looking to renew their licenses at this time.

Decision (Continued):

A roll-call vote was taken with "ayes" from Mr. Olson, Ms. Dale, Mr. Knudsen, and Mr. Farrell, (4-0) unanimous among those present.

Mr. Domelowicz asked the BOS to make arrangements to stop by Town Hall to sign the documents.

Rollout of Mandatory Compost Program

Mr. Farrell said there wasn't anything in the packets pertaining to this agenda item, but two documents had been sent out separately to the BOS—one, a description of the organics ban, and the other, a letter explaining the organics ban and its implementation to residents.

Mr. Domelowicz said he and Mr. [Tim] Olson had met with Casella Waste Systems to express the Town's desire to ban organics from the waste stream and talked about using the "other" line on the current sticker for noting "no green bin" as a reason not to collect a resident's trash. There will be an option to print a new sticker in the future. The plan is that unless the black bin for trash has an exemption sticker on it (which would indicate that the resident does their own backyard composting), the Casella drivers will not pick up the trash. It had been suggested that late January/early February would be a good time to roll out the program, allowing enough time to notify the public and prepare the drivers. Mr. Domelowicz suggested rolling it out for the first collection in February. He said the BOS could choose to adopt the ban at tonight's meeting or its next meeting.

Mr. Farrell found the draft letter from the Waste Reduction Committee Chair Gretel Clark and Committee member Anne Gero, as well as the updated compost policy and displayed it onscreen.

Mr. Domelowicz said if they roll out the program in February, the many people who do not have the green bin that they were previously given by the Town will have time to get a new one. It would also allow residents time to apply for an exemption sticker if they are doing backyard composting. Mr. Domelowicz said they need to decide on a policy for the exemption stickers' renewal, such as every three years, and also to ensure that the exemption stickers don't transfer to a new homeowner when a home is sold.

Ms. Dale asked if the letter were just a draft. The response was that it was a draft but both documents just had some blanks for filling in some details.

Ms. Clark thought the number of people that would want exemption stickers would be about 10% or about 240 households. Mr. Domelowicz said the Town Clerk would send out composting information to new residents.

Mr. Farrell said resident Kirsten Alexander, had just said in the Zoom chat that residents can always put bones and food in their freezers prior to the compost pickup.

Ms. Clark said the WRC sends out a letter to every new household, but they should combine that mailing with the one the Town Clerk was doing so as to conserve funds. Ms. Gero pointed out there are two documents the BOS needs to review: the letter to residents and the Organics Ban Policy itself. Mr. Farrell said another person had said in a chat that Asbury

Grove residents, who are seasonal, will not be present to receive the information if it is sent in February, and will need to receive that communication prior to moving back to their cottages.

Mr. Domelowicz displayed the two documents onscreen. Ms. Clark reminded them that these documents had been seen three times. Mr. Farrell said yes, but this is the first time they were editing them. Mr. Olson said the BOS had listed "discussion" on the agenda, but did not have an issue voting on it this evening. The BOS added "week of February 1" as the start date in the document.

Decision:

Ms. Dale made a motion that the BOS approve the Organics Ban as written and edited. Mr. Olson seconded the motion. A roll-call vote was taken with "ayes" from Ms. Dale, Mr. Knudsen, Mr. Olson, and Mr. Farrell, (4-0) unanimous among those present.

Regarding the next document, the letter that will be sent to the residents, Mr. Farrell filled in the first blank as Feb. 1, 2021 and said the Town would make the Organics Ban information available on the DPW page of the Town website as well as the application for an exemption sticker. The phone number (978-626-5576) was filled in. Mr. Domelowicz said he would check the fee for the green bins. Mr. Farrell said he thought it was \$32.10. Ms. Dale asked who would approve the exemptions, and Mr. Domelowicz replied the DPW director.

Ms. Clark applauded the move by the BOS and said these documents will be read by all the environmentalists in the region who will be happy about it. Mr. Olson checked online and said the compost bins are about \$38.

Decision:

Ms. Dale made a motion to adopt Hamilton's new compost policy to residents, but to double-check the pricing to make sure it was entered correctly. Mr. Olson seconded the motion.

Further Discussion:

Mr. Olson clarified that this was the letter to describe the policy, not the policy itself, so was concerned about its title. Mr. Domelowicz said they could change the subject line of the letter. Mr. Farrell suggested: "Hamilton's Updated Compost Program."

Decision (Continued):

Ms. Dale amended her motion to read "Hamilton's Updated Compost Program." Mr. Olson seconded the amended motion. A roll-call vote was taken [to approve the letter with the subject line "Hamilton's Updated Compost Program"] with "ayes" from Mr. Olson, Ms. Dale, Mr. Knudsen, and Mr. Farrell, (4-0) unanimous among those present.

Ms. Clark shared the sticker design by Mr. [Tim] Olson. The person who has the sticker fills in the address. Mr. Farrell asked if they had a designated spot on the barrels to place the

sticker; the response was that Casella had suggested it be placed on the top of the lid so the drivers can see it clearly.

Meeting Minutes Process

Mr. Farrell said the BOS had previously broached the subject of changing the meeting minutes process a little bit to reference the Zoom meetings, but had decided they weren't going to overly simplify the minutes and would make sure all the meeting materials were cited in the minutes so the Town is in compliance. Ms. Dale asked if the meeting materials/attachments would be uploaded to the website. Mr. Domelowicz said they would note where the materials were kept and anyone wanting them could contact the Town. He said if they uploaded them, it would outpace their available space. Mr. Farrell said they wanted to be conscious of staff time, but want minutes to be more easily searchable so they can be reviewed by the residents.

Mr. Knudsen said the Town does have a minutes policy that was adopted in 2018 and part of it does say that minutes and open-session handouts are to be posted to the Town website in OCR (optical character recognition) format. Mr. Farrell asked if it might be worth KP Law doing a refresher for those responsible for minutes to make sure everyone is on the same page since the boards seem to do them differently, to try and make things more universal. Mr. Domelowicz said that training was part of the Town's retainer with KP Law and it could be done via Zoom. Mr. Domelowicz said the Town had a new minutes taker [Ann Schlecht], who took over for Marcie Ricker who retired, so it was a good time to hold the training. Mr. Farrell asked Mr. Knudsen to coordinate the effort.

Minutes Secretary Mary Alice Cookson said in the Zoom chat that not all the minutes were being scanned through Nuance. Mr. Domelowicz said in the fall, the Nuance machine had not been working properly, but it was now.

Mr. Farrell said they would need to hire someone, perhaps an intern, to review the files to get them into a naming convention so they would be more easily searchable. Mr. Domelowicz said he and Mr. Knudsen would look into that. Ms. Dale said a document on naming convention did exist, which was fairly new, and she would share it with the Board. Mr. Knudsen said the Town's minutes policy did not supply a lot of information about the naming convention other than to say how dates should appear. Mr. Farrell said they should consider adding the naming convention to the policy.

On an unrelated matter, Mr. Domelowicz said Mr. [Tim] Olson had just emailed to say the cost of the green compost bins is \$32.10.

<u>Recap of the Joint Meeting with the HWRSD [Hamilton Wenham Regional School District]</u>

Mr. Farrell reported on the joint meeting that included members of the School Administration and School Committee, as well as Wenham BOS, and Wenham FinCom. He called it productive and said the entities had discussed working together more and

coordinating large capital asks so they aren't competing for funds. For example, showing that the Town Hall renovation was not competing with School projects that weren't yet shovel-ready. Debt ceilings and Prop 2 ½ were discussed.

Ms. Dale said there was discussion on seeing where else they could find common ground for certain regional initiatives. She said in the past this hadn't happened, but over time it was becoming apparent it may be needed. Mr. Farrell said the subject of opening up the Schools' regional agreement was also broached. He said that the BOS should do its due diligence first, also involving KP Law to review the agreement. It was expected that this conversation would take place in the fall.

Mr. Farrell said there was discussion of adding more joint meetings and communication between the entities. The Master Plan was also discussed, as well as budget considerations, such as the fact that the Schools cannot sustain such large increases. Mr. Farrell had brought up that perhaps they wanted to have a provision for a cap on increases. Ms. Dale said perhaps it could be tied to inflation. Mr. Domelowicz said when they negotiate that, they should consider some way to make it known that the agreement can be altered if there are some unforeseen circumstances.

Mr. Farrell said another topic discussed at the joint meeting was Chapter 70 funding and a potential decrease in that due to lower enrollment numbers. He said Hamilton may need to lobby the State to be able to use pre-pandemic statistics since most of the students who dropped out to be home-schooled will be back enrolled in the future. Ms. Dale asked if there was money for Schools in the Heroes Act funding recently passed. Mr. Domelowicz said he didn't think Schools were specifically mentioned, but the legislation was about 500 pages so he would research that. Pertaining to the Master Plan discussion, Mr. Farrell said they discussed Winthrop School (the lease is coming up) and that it could perhaps be absorbed at the Cutler School location. The Superintendent had put in an application pertaining to that, which was with the State, but had been stalled due to COVID. Mr. Knudsen said he had written in his notes from the meeting that the Superintendent expected to hear back in March or April. Mr. Farrell asked School Committee member Anna Siedzik about this. She said typically, the Schools would have heard the results by now about now, but this year it was delayed. She expected they would hear in a couple of months. She said she had confirmed that there was \$54B allocated for schools in the recent funding.

Human Rights Forum—Discussion

Mr. Farrell noted the Human Rights Commission had been passed by the BOS and they had discussed an unveiling of it to the public and accepting of applications. Tonight, they were looking for input and to set a date for the forum so they can start planning for it. He noted Chief Russell Stevens would be involved.

Ms. Dale said she wanted to quickly read something from Professor Loretta Ross, who teaches at Smith College and has a book coming out, as well as a movie and podcasts. It was a portion of a transcript from a NPR [National Public Radio] interview with Professor Ross

on the topic of "Callout Culture." The excerpt was about the tendency for people to publicly label and shame others, especially on social media, when they don't like what someone says or what they do, look like, etc. Ms. Dale said pertaining to the Human Rights Commission that she wanted to make sure people understood parameters and that good deeds can sometimes flip and become the exact opposite of what they are standing for. Also, she asked the question whether people serving on the Commission were prepared if there were to be litigation.

Mr. Domelowicz said in towns that don't have a Human Rights Commission, he has seen some of these things happen, but he believes having such a commission keeps things from getting out of hand. He cited some things that had happened in other towns. He said that having a Human Rights Commission gave the Public Safety Department a partner. He said the Commission shouldn't be doing anything that would cause the Town to be sued, but rather not to be sued.

Ms. Dale said when they talk about "perception," they are talking about spectral evidence, which is something that happened during the Salem Witch Trials and they need to be careful. She said she thought it was a failure of leadership that the Human Rights Commission did not get a (5-0) BOS vote and that it would have if they had more back and forth in editing the document. She said there wasn't anything about ADA accommodation in the Human Rights document or about women's rights or atheist's rights.

Mr. Farrell noted that social media does get out of hand quickly as people say things they would never say to someone's face. He said he envisioned the group to be proactive rather than reactive. He saw them providing education about tolerance and how to have better inclusion and human rights for all people.

Ms. Dale said the Human Rights Committee should extend an open hand and not a closed fist. She did not want to see punitive things appearing on Facebook. Mr. Farrell said the Commission would be instrumental in such things as making sure there are ramps for ADA access.

Ms. Siedzik said public accommodation and accessibility were addressed in the second paragraph under "access to town services." She wanted to make sure the record reflects that it is in the document. Ms. Dale said however, if the Town Hall itself doesn't have ADA access, it is not included. She noted there is a difference between women's rights and what the document says about sex, sexual orientation, and gender, etc. Mr. Farrell said they could work on the language in the document.

Mr. Olson said they should discuss the format for the forum, which would be a Zoom call. Ms. Siedzik asked about the application process.

Mr. Domelowicz said the finalized policy would be updated to the website and the application would be the same as for other boards and committees per the BOS appointments policy. He said Monday, Jan. 26, 2021, was open and prior to that they could adopt the agenda. He said the purpose was to explain what the Human Rights Commission

is and how people can get involved. He said if they wanted more of an agenda around civil rights, they could find speakers for the forum.

Mr. Olson said the forum would be prior to the application process. Mr. Domelowicz said people could start applying, but the BOS wouldn't look at them until after the forum. Mr. Domelowicz said they wanted to make sure that different demographics are represented. Ms. Siedzik said people should indicate their background and interest in human rights as part of the application.

Mr. Olson asked who would moderate the forum. Mr. Farrell said he could. Ms. Dale suggested Mr. Domelowicz. Mr. Olson asked if it made sense to invite a guest speaker from another Town that had a successful Human Rights Commission to show how they've done it. Mr. Domelowicz said he would be posting the agenda for the public meeting.

Town Manager (TM) Evaluation

Mr. Farrell said he received one from Mr. Olson and one from himself. Mr. Domelowicz also sent in a partial self-evaluation.

Ms. Dale said she was having trouble downloading the document. Mr. Farrell said he would send her a pdf version she could edit. She said she wanted to have input from Town staff before completing her TM evaluation.

Mr. Domelowicz had already shared the evaluation form with the department heads, which was somewhat by accident as it was meant to be sent to the Board. Mr. Olson said he noted a couple of spelling and grammar mistakes that he would notify Mr. Farrell of.

Mr. Farrell suggested they have the evaluations in by Jan. 4 so they could hopefully wrap everything up by Jan. 19. Mr. Olson said there were only a few sections involving the department heads, so she could send him what she had that didn't involve the department heads first and he and Mr. Farrell could add it to the spreadsheet.

Consideration of Topics for Discussion at Future BOS Meetings

None discussed.

Mr. Domelowicz said he had sent an email to say he is leaving Wednesday morning and returning the following Tuesday. Police Chief Russell Stevens will be acting on his behalf during that time.

Adjournment

Ms. Dale made a motion that the BOS adjourn the meeting at 8:45 p.m. Mr. Olson seconded the motion. A roll call vote was taken with "ayes" from Mr. Olson, Ms. Dale, Mr. Knudsen, and Mr. Farrell, (4-0) unanimous among those present.

Prepared by:

May a Col

2-3-202

Mary Alice Cookson Minutes Secretary

Date

Attest:

Jamie Knudsen

Date

Board of Selectmen Clerk

Documents Discussed at Meeting:

- Minutes of BOS, Dec. 2, 2020, Mary Alice Cookson
- Photos of surplus property from Patton Homestead
- Liquor License Renewals list and applications
- Town Manager Evaluation Form for Fiscal Year 2020