

MINUTES OF MEETING

Memorial Room, Town Hall, 577 Bay Road

August 2, 2021

Selectmen Present at Town Hall: Chair William Olson, Jamie Knudsen,
Rosemary Kennedy, and Shawn Farrell

Selectmen Present Online: Darcy Dale

Town Manager: Joe Domelowicz Jr.

*The Board of Selectmen/*Selectboard meeting was held at Town Hall with an online/Zoom option offered.*

Call to Order – Memorial Room/Pledge of Allegiance

Chair William Olson called the Selectboard/Board of Selectmen (BOS) meeting to order at 7 p.m. **Note: The BOS is informally known as the Selectboard.* The Pledge of Allegiance was recited. Town Manager Joe Domelowicz Jr. and three of five Selectboard members were present at Town Hall; Darcy Dale participated via Zoom. Jamie Knudsen had not yet arrived.

ANNOUNCEMENTS & BOARD OPENINGS

Board and Committee Openings

- Finance and Advisory Committee (FinCom)—two associate member openings
- Conservation Commission (ConCom)—one opening
- Hamilton Historic District Commission—one opening
- Zoning Board of Appeals—one opening
- Open Space Committee—two openings
- Planning Board—one associate member opening

Public Comment

None.

Selectmen/Town Manager (TM) Reports

Mr. Olson and Mr. Farrell gave no report. Mr. Knudsen had not arrived.

Ms. Kennedy did not attend the ConCom meeting but said the ConCom Chair told her the NOI [Notice of Intent] for 133 Essex St. had not been presented yet. She received a letter from George Tarr asking when they would review the MOA [Memorandum of Agreement] for the Patton Ridge property. She thought it would be on the agenda for next week and would need just a tweak of the original agreement. The major issue is how to traverse the driveway. Plans are progressing for the Garden Party for seniors to be held at the Patton Homestead on Sept. 11.

Ms. Dale asked Mr. Domelowicz if there was any update on the backflow valve at Asbury Grove. Mr. Domelowicz said the Department of Public Works (DPW) was working on it and funding was being secured as it is a water improvement project. Ms. Dale said she spoke to State Representative Brad Hill for ideas about getting State funding to address ADA non-compliance issues at Town Hall. Rep. Hill suggested contacting the Massachusetts Architectural Access Board to meet with the Town and provide an overview of the process and grant monies recently made available. Ms. Dale also spoke to Police Chief Russell Stevens about the idea of regionalizing the ECO [Emergency Communications Operation] and said it might be a good time to reach out to other towns expressing interest.

CONSENT AGENDA

- **Approve one-day liquor license for the Community House**
- **Approve minutes of the July 6, 2021 Selectboard meeting**
- **Accept gift of scoreboard for basketball gym**
- **Approve extra day of Sunday Music in the Park by Community House**

Decision:

Mr. Farrell made a motion that the BOS (Selectboard) approve the Consent Agenda. Ms. Dale seconded the motion. A roll-call vote was taken with “ayes” from Ms. Dale, Mr. Farrell, Ms. Kennedy, and Mr. Olson, (4-0) unanimous among those present.

Annual Meeting with CPC [Community Preservation Committee]—Jay Butler

CPC Chair Mr. Butler addressed the Selectboard at Town Hall, explaining that the CPC is required by statute to make an annual public presentation on its activities of the past year and chose the Selectboard meeting as its venue. He was also making a plea to boards and committees to submit project ideas for grant consideration. He listed current CPC board and staff and presented slides. Some takeaways from the presentation:

- Hamilton has a 2% surcharge. Wenham has a 3%. Total CPA [Community Preservation Act] revenue given to Hamilton was \$625,754; Wenham’s total was \$650,664—\$24,910 more due to the bigger surcharge. He noted that of the 351 participating communities, 70 have a 3% surcharge. He detailed CPA revenues since 2006. He calculated the resulting revenue from increasing the surcharge from 2% to 3% would be \$475,662. Mr. Olson pointed out this would mean an increase in taxes to the Town of about \$225K. Mr. Butler said that amounted to about \$93 per year for

the average homeowner. It was discussed that not everyone would have to pay the surcharge as exemptions are available to those meeting certain income criteria.

- Mr. Butler detailed the many steps for getting an increased surcharge approved, starting with a Citizen's Petition, and said that once started, it would take about three years to come to fruition.
- He detailed grants approved by the CPC within the past year and the outstanding bonds held currently. \$4M in CPC grants (bonded money) was approved by Town Meeting for the Town Hall restoration, but certain conditions must be met, such as a positive ballot vote, or the funds in escrow will need to be returned.
- Total Hamilton CPC reserves are now \$642,266.
- About \$12M in grants have been given out by the CPC since 2006.
- Mr. Butler presented the current projects list. There are three categories—Open Space/Recreation, Community Housing, and Historic Preservation—and the projects are divided into A, B, and C categories according to how well-defined the projects are. There is a two-step process for review: an eligibility hearing and a funding hearing. The hearings take place well before Town Meeting. He gave a timeline for CPC review.

Mr. Olson asked if there was a limit for the percentage that can be used for restoration. Mr. Butler said there is no restriction other than wanting to keep something in reserves for other potential projects, such as athletic fields at the high school. Mr. Butler said the School Committee had formed a working group for the turf field, of which he is a member.

Ms. Dale said five days after Annual Town Meeting (ATM) is when the Town goes to ballot, but clarified that Mr. Butler said the vote at the polls for the surcharge has to be 90 days after ATM. She asked if there was a way to earmark money for a project by holding funds from year to year. Mr. Butler said the way to do that would be to present a Category A project and speak to the CPC about it every year so the money could be earmarked.

Mr. Farrell inquired about anticipated grants. Mr. Butler said the Affordable Housing Trust (AHT) was not anticipating asking for one. Mr. Knudsen, BOS liaison to the AHT, asked for clarification about whether there needs to be a specific project attached to a grant. Mr. Butler said that is a guideline of the CPA Coalition, but not of the Town's CPC. It is OK for grant money to be used to build up an organization's treasury if funds are low. That is how the AHT got started, he said.

Mr. Knudsen asked if taxpayers receive any communication that they can apply for an exemption to the tax surcharge. Mr. Butler said the only communication he has done is during his annual presentations. Mr. Domelowicz said people come to the Assessors Office seeking exemptions, but he isn't aware of how the information is shared.

Mr. Knudsen was now present at Town Hall. The CPC portion of the meeting was concluded at 7:39 p.m.

Approval of Greenbelt Bike Race Fundraiser—Vote

Jane Rumrill of Greenbelt explained this is an annual cycling event in its seventh year. She detailed the route, which starts in Essex, and was requesting permission for the race to come through Hamilton. The date is Saturday, Sept. 18.

Decision:

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

Approval of Coast to the Cure Bike Race—Vote

Mr. Domelowicz said 20 participants are expected. As requested at the last meeting, more race details had been provided to the BOS.

Decision:

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

Reappointment of HW Cultural Council Representatives Charlotte Lidrbauch and Emily Hayden—Discussion and Vote

Ms. Hayden was present online; Ms. Lidrbauch was not able to make it. Ms. Hayden said the HW Cultural Council (administered by the Massachusetts Cultural Council) gave out nearly \$17K in grants last year to 16 local recipients. Both members have been on the Council for three years and are requesting reappointment.

Decision:

Ms. Dale made a motion that the BOS (Selectboard) reappoint representatives Charlotte Lidrbauch and Emily Hayden to the HW Cultural Council.

Further Discussion:

Mr. Farrell inquired about deadlines. In September, the Council finds out how much money it has to award. Applications are accepted until mid-October and reviewed in November/early Dec. for taking effect the next calendar year. Information can be found online at the Mass Cultural Council website. As requested by Mr. Olson, Ms. Hayden provided a few examples of grants given out, including to The Musery, which loans musical instruments to students, as well as to the Garden Club and Community House. All money has to be given out each year and cannot carry over.

Decision (Continued):

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

Appointment of New Member Susan Choquette to HW Cultural Council—Discussion and Vote

As per the appointment policy, a letter from the Chair of the HW Cultural Council was received and applicant Ms. Choquette was in attendance at the meeting (via Zoom).

Decision:

Ms. Dale made a motion that the BOS (Selectboard) appoint Susan Choquette to the HW Cultural Council. Ms. Kennedy seconded the motion.

Further Discussion:

Ms. Choquette said she grew up in Hamilton and returned when her father passed away and her mother needed help. Her son is a HW Regional High School rising sophomore. She is a teacher of Theater Arts in Andover with degrees in theatre education and art education.

Decision (Continued):

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

Fall Community Event/ HW Shop Local to Discuss Downtown Event—Discussion and Vote

Shop Local HW members attended the discussion online, including Event Planner Megan McGovern, Shop Local HW President Jan Soolman, and board member Natalie Bowers as well as Hamilton Development Corporation (HDC) President Rick Mitchell. The group’s PowerPoint was shared. Shop Local HW is a 501c3 Main Street Certified organization that supports the HW business community of about 300 small businesses. The group received a \$50K grant from the State and is working to create a festival and launch a membership drive with promotional campaigns throughout the rest of the year. The festival is planned for Sept. 19 from noon to 5 p.m., and an attendance of about 1,500 is anticipated. Ms. McGovern detailed plans for the festival, which included a trolley running between Hamilton and Wenham. In Wenham, there will be a micro-market with children as vendors, a Touch-a-Truck event, a bouncy castle, a D.J., and lawn games. In Hamilton, there will be pop-up vendors, live entertainment, and a beer and wine garden in the Acord Food Pantry parking lot. Ms. McGovern said food trucks and area restaurants will be offering food. She listed the event sponsors. “Asks” of the BOS are: 1) for permission to close off Railroad Ave. between 1A and Willow Street, 2) a one-day liquor license, and 3) involvement from the Selectboard in the form of a table or informal meet and greet. She also discussed the police detail.

Decision:

Ms. Dale made a motion to close off Railroad Ave. as per the plan for the Shop Local HW event on Sept. 19, which she clarified was a Sunday. Mr. Farrell seconded the motion.

Further Discussion:

Mr. Olson asked if the U.S. Post Office would need to get trucks in and out on a Sunday; the group thought not but Ms. McGovern said she would confirm. She said there was talk about

offering a COVID vaccine clinic. Ms. Kennedy said the Master Plan Steering Committee was planning to have a table. Mr. Domelowicz said he thought it would be OK to approve the overall event this evening and the one-day liquor license at a future meeting.

Decision (Continued):

Ms. Dale modified her motion. She made a motion that the BOS (Selectboard) approve the event with the caveat that all of the follow-through is concluded for the liquor license, etc. Mr. Farrell seconded the motion. A roll-call vote was taken with “ayes” from Ms. Dale, Mr. Farrell, Mr. Knudsen, Ms. Kennedy, and Mr. Olson, (5-0) unanimous.

Changing the Board Designation to “Selectboard”—Discussion and Vote

This item was taken out of order to accommodate Town Clerk Carin Kale who was present in person at Town Hall. Mr. Olson said Ms. Kale had been conducting research to make sure the process and record-keeping are done formally and correctly. A memo with her recommendations was included in the BOS packets. Ms. Kale said changes affecting Town bylaws require a process, which includes Town Meeting vote and documentation filed with the State Attorney General for approval. In the case of the name change, the date of the A.G.’s approval would become the effective date. She talked about the informal process and formal process for what she called a historically significant change. She commented on a memo she had issued recently saying that any legal documents filed should reference the BOS until the name change becomes official. An asterisk indicating that the BOS is informally known as the Selectboard should be included in board and committee minutes.

Decision:

Ms. Dale made a motion that the BOS change the BOS board designation to Selectboard. Ms. Kennedy seconded the motion.

Further Discussion:

Mr. Olson confirmed that Town Counsel Tom McEnaney had weighed in and that it was not a problem for the BOS to refer to itself as Selectboard until the change is official. Ms. Kale noted it was important to be clear with historic records for the sake of future board and committee members.

Decision (Continued):

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

Review Letter to HWRSC [Hamilton Wenham Regional School Committee] to Reopen the Regional School Agreement—Discussion and Vote

Mr. Olson and Mr. Domelowicz noted that Ms. Kennedy had edited the letter and those changes were reflected in the draft. Mr. Olson said typically the BOS would have more than one reading prior to a vote, but they needed to get the letter sent out to the School Committee.

Decision:

Ms. Dale made a motion that the BOS review the letter of the Regional School agreement to approve the agreement. Mr. Farrell seconded the motion.

Further Discussion:

Ms. Kennedy said her only substantive editing was adding a bullet point about the need for a transparent mechanism (operational audit) for regular reporting of School District revenues to assure accountability to the taxpayers. She described other edits she had made to the letter as well, commenting that the letter voiced BOS concerns. Mr. Olson said he liked the specificity. Ms. Dale said she thought the BOS should talk with Wenham first (prior to meeting with the School Committee) to make sure the two towns are on the same page. She commented on recent newspaper reporting and “cry for help” by the School Committee, which she attributed to a lacking in structure and leadership. Ms. Kennedy said she wasn’t sure if an audit was needed every year, but should be done regularly. She discussed that taxpayers deserved to know where funds for the Schools are going. Recent history and the short-term superintendent and interim superintendent were discussed.

Mr. Knudsen noted that the letter referenced “Selectboard” rather than “BOS.” Mr. Domelowicz said he will change that. Ms. Knudsen said somewhere in the letter it should say that the Hamilton BOS had voted to reopen the agreement. Mr. Domelowicz said it was the School Committee that had to reopen it. Mr. Farrell said the two towns vote on whether they were in favor of opening it (or would encourage it), but the School Committee is the one that opens it. According to Mr. Olson, a timeframe was not included in the letter. He suggested saying that the BOS asks that its request be considered in a timely manner.

Decision (Continued):

Ms. Dale amended her motion and made a motion that the BOS ask the School Committee to reopen the Regional School Agreement in the letter that was discussed this evening and ask that the School Committee respond in a timely manner. Mr. Farrell seconded the motion, adding that the letter sent to the School Committee would include the edits made this evening. A roll-call vote was taken with “ayes” from Ms. Dale, Mr. Farrell, Mr. Knudsen, Ms. Kennedy, and Mr. Olson, (5-0) unanimous.

Review and Approve Minor Changes to Text of Previously Approved Town Meeting Article as Suggested by the State Senate—Discussion and Vote

The changes in legalese to a warrant article passed by Town Meeting as suggested by the State Senate were included in the BOS packet. It was discussed that the changes were minor changes in the language.

Decision:

Ms. Dale made a motion that the BOS (Selectboard) approve the minor changes to the text of previously approved warrant article as suggested by the State Senate. Ms. Kennedy seconded the motion. A roll-call vote was taken with “ayes” from Mr. Knudsen, Ms. Kennedy, Mr. Farrell, Ms. Dale, and Mr. Olson, (5-0) unanimous.

Review of Possible Warrant Articles for the STM Oct. 23, 2021—Discussion

Mr. Domelowicz gave the list of potential warrant articles, which included the BOS/Selectboard proposed name change; vote to move funds due to merging the pool and recreation accounts; money that was “double-approved” during the annual vote on the budget and needing to be amended; a potential citizens petition with the potential to be worked out prior to Annual Town Meeting; and a possible article on action to be taken concerning the Town Hall restoration. Mr. Domelowicz said that as of now, Town Meeting is scheduled to be inside the high school, but he is in communication with the Board of Health to see if a tent will again be needed.

Mr. Farrell commented that, as was discussed by Mr. Butler earlier in the meeting, there could be a potential future article concerning raising the Town surcharge from 2% to 3%. Ms. Dale discussed outdoor restoration proposed at Town Hall, but said that if they hit a certain threshold, they would have to upgrade the entire building. Mr. Farrell said he and HHDC Chair Scott Clements and Mr. Butler had discussed that the outside work wouldn't trigger it. Mr. Farrell said that instead of bonding, there is potential to stockpile some cash from CPC funds, holding the money over rather than spending it on projects. Ms. Kennedy discussed the idea of using the second floor meeting room of the Town Hall as a cultural center with potential for a Mass Cultural grant. Ms. Dale also proposed using some “rainy day” funds from the Capital Stabilization and General Stabilization funds. Mr. Farrell discussed the idea of a creative capital campaign and also continuing the Town Hall tours given by Ms. Dale and Ms. Kennedy to inform the public of the building's bad condition.

Draft IMA for DPH [Department of Public Health] Grant Funds for Regional Nurse and Social Worker—Discussion

Mr. Domelowicz reminded the board that Hamilton had been approved for a regional public health excellence award grant (for public health nurses and public health social workers). One of the conditions is having an IMA (intra-municipal agreement) with other towns. Along with Hamilton will be: Wenham, Manchester-by-the-Sea, and Essex. All towns are represented by KP Law, which is working on the agreement. All of the four towns will review a draft of the agreement. Mr. Domelowicz said the grant is a three-year grant at \$200K per year to fund two positions. After the three-years, the goal was to have the person in the position identify additional funding sources. Ms. Kennedy suggested maybe the grant could be renewed.

Tonight's BOS review was treated as a first reading. Mr. Domelowicz said the beauty of the grant was to hire someone to back up and support the areas in each town that are lacking and to build up the standard in all of the towns. Mr. Farrell asked if Hamilton was taking the lead on the agreement. Mr. Domelowicz said yes, Hamilton had sought out the grant and initially sought out the grant with just Hamilton and Wenham but then added Manchester and Essex after the State asked for the inclusion of other partners. The BOS will send their comments on the IMA to Mr. Domelowicz in preparation for a second reading at the next BOS meeting.

Ms. Kennedy will be the next person to meet with Mr. Olson and Mr. Domelowicz to help set the next BOS meeting agenda. Suggestions so far, according to Mr. Olson, include: financial policies and a continued discussion of regionalization.


Adjournment

Ms. Dale made a motion to adjourn the meeting at 8:56 p.m. Ms. Kennedy seconded the motion. A roll-call vote was taken with “ayes” from Ms. Dale, Mr. Farrell, Mr. Knudsen, Ms. Kennedy, and Mr. Olson, (5-0) unanimous.


Cemetery Deeds #1213, #1214

Ms. Dale inquired about the cemetery deeds. Mr. Domelowicz said he will get them to the BOS for their signatures.

Prepared by:

 , 9-22-2021
Mary Alice Cookson Date
Minutes Secretary

Attest:

 , 09-22-2021
Darcy Dale Date
Board of Selectmen Clerk

Documents Discussed at Meeting:

- Minutes of July 6, 2021 BOS Meeting, Mary Alice Cookson
- Gift Acceptance Agreement and link for additional information and quotes regarding new scoreboard and two shot clocks at the Rec Center gym, Sean Timmons
- Town Manager Report, Aug. 2, 2021
- Letters of recommendation re: appointment to the Hamilton Wenham Cultural Council
- Email from Carin Kale regarding Cultural Council appointments and memo re: BOS/Selectboard name change
- Coast to the Cure Bike Race information
- Greenbelt Race Request, information, and certificate of liability insurance
- Agreement (IME Draft) between the towns of Hamilton, Essex, Manchester-by-the-Sea, and Wenham for Public Health Services
- Application for Special Liquor One-Day License
- Hamilton Community Preservation Committee Annual Meeting, Aug. 2, 2021 Presentation, Jay Butler
- Email from Town Counsel Thomas McEnaney re: language changes in warrant article proposed by State Senate
- Draft of letter to reopen the Regional School Agreement
- Email from Sean Timmons regarding additional concert for Sundays in Patton Park

