

HAMILTON SELECT BOARD

MINUTES OF MEETING

577 BAY ROAD, TOWN HALL, HAMILTON, MA

February 7, 2022

Select Board at Town Hall:

Chair William Olson, Jamie Knudsen, Darcy Dale, Rosemary Kennedy, and Shawn Farrell

Town Manager:

Joe Domelowicz Jr.

Other Town Staff Online:

Council on Aging Director Theresa Woodbury, Chief of Police Russell Stevens, Detective Joe Achadinha, and Patrolman Jake Santarelli

**The Select Board meeting was held at Town Hall with a Zoom component.*

Chair William Olson called the Select Board (SB) meeting to order at approximately 6 p.m. with all members present at Town Hall. **The name change from Board of Selectmen is now official.*

Met with the members of the former Town Hall Building Committee (THBC) to discuss the project need and ideas for how to move forward

Past THBC members present online included Jay Butler and Jack Lawrence. Past THBC members in attendance at Town Hall included Past-Chair Mike Twomey, Jean-Pierre Minois, and SB liaisons Rosemary Kennedy and Darcy Dale.

Mr. Olson gave a brief history of the Town Hall project, saying the only time it met resistance was about two weeks before the vote for the bond when he felt the citizens viewed it as “either/or”—either a vote for the Town Hall or for other things, such as school fields. He said also that people did not seem to realize how many employees work at Town Hall. He noted the building’s structural, ADA compliance-related, and environmental issues. He mentioned fundraising could be done as well as further use of CPC (Community Preservation Committee) funds, such as by voting to increase the surcharge thereby obtaining a higher State match.

Ms. Dale noted Town Hall does not meet plumbing, electric, fire, sanitary, or building codes, and lacks accessibility for people with strollers, walkers, and wheelchairs. The money set aside for the project is CPC grant money, already voted for and approved by the CPC. She said the State worked with the THBC on the design of the elevator addition and is watching as there is a timeline attached to the building variance, which is tied to the Town meeting its goals for the building.

Mr. Knudsen said he agreed the status quo is not acceptable and the Town must move the project across the finish line in the most financially responsible way. He noted the price is high and bids are not going to come in lower.

Mr. Farrell cited a need for strategizing to get out the vote, such as through a phone campaign. He noted a sunset is attached to the CPC grant, meaning the project must be started by Nov. 15. About \$1.4M has already been spent on the project, so he said it is not responsible to not move forward.

Ms. Kennedy said the building represents the history of the Town. Having a usable Town Hall reflects pride in the community and encourages people to invest in the community. The Memorial Room has been used in the past as a school, library and theater and is a community asset. She applied on behalf of the Town for a \$250K grant from the Mass Cultural Council with the vision of the Memorial Room as a community space.

Mr. Butler gave a detailed report on the two ballot failures of the project. He emphasized the project passed easily at the Nov. 2020 Special Town Meeting (STM) and May 2021 Annual Town Meeting, but lost by 208 votes at the polls in November and by 71 votes in May. The first voter turnout was 18.9% and second was 17%. He agreed with Mr. Farrell that between now and STM, they needed to work to get out the vote. He noted there was no "fluff" in the design and did not think it likely to be changed. He asked if they could go out for a formal bid and then hold the award of the contract until after STM. Mr. Farrell said he did not think they would go out to bid before approval at the ballot and thought they would use a "not to exceed" in the warrant article. When asked if the CPC might grant an extension to the Nov. 15 deadline, Mr. Butler pointed out it would be necessary for the CPC to vote and for Town Meeting to approve the extension, but did not think it would be a problem.

Mr. Domelowicz said the project would not have to go back to Town Meeting, just to a ballot vote. Mr. Farrell asked Mr. Butler if there were a way to not have the sunset as part of the warrant article, but to have it as a CPC policy instead. Mr. Butler was not sure. He explained the sunset was essentially a project start date put in place so as not to have CPC funds for projects tied up for a long time.

Mr. Lawrence commented there are many moving parts. For one, they don't have a price for the project now. He mentioned that Windover is now qualified to work on historical structures. Mr. Minois commented they could rehire the architect they had used previously to provide a new quote.

Ms. Dale inquired about available ARPA [American Rescue Plan Act] funds. Mr. Domelowicz said about \$900K of the Town’s ARPA funds could be used, as well as the General Stabilization fund and Capital Stabilization Fund from which the Town could borrow with the commitment to pay the funds back.

Mr. Olson said the next step would be to prepare a financial report and include the impact on the tax rate. There was discussion of a plan for Mr. Domelowicz to have Department of Public Works (DPW) Director Tim Olson get a new cost estimate from the architect and then they would place a not-to-exceed warrant article for the 2022 Special Town Meeting (STM), such that if the project passed at Town Meeting and then at the polls, it would then go out for public bid.

Mike Twomey gave a brief report and distributed paperwork to the SB. He said what they needed now was a marketing effort as the nuts and bolts had been done. He said the THBC group did a great job, but a different group was now needed, and he commented he was not the right person to head that up. Ms. Kennedy said they would value his expertise on the nuts and bolts moving forward.

Mr. Olson asked if the SB should appoint a committee. Mr. Domelowicz advised that they not have a reformation of the THBC, but treat the effort as a campaign. Mr. Farrell suggested forming a Friends of Town Hall group that anyone can join. Ms. Kennedy advocated a two-pronged approach. In addition to the marketing ideas discussed, she said they should reach out to people who were against the project and see what common ground may be reached.

It was discussed that the next ballot election is in April, but they will not be ready until STM in the fall. Or, they could hold a special election at the time of the primary in September. Mr. Domelowicz will discuss this with Town Clerk Carin Kale. Mr. Lawrence commented they would need to put a good deal of effort into dispelling misinformation. The discussion ended at approximately 6:45 p.m. and a 15-minute recess was held while awaiting the start of the next meeting.

MINUTES OF SELECT BOARD REGULAR MEETING

Call to Order/Pledge of Allegiance

Chair William Olson called the first official Select Board (SB) meeting to order at 7 p.m. with all members in attendance. The Pledge of Allegiance was recited.

ANNOUNCEMENTS & BOARD OPENINGS

Board and Committee Openings

- Hamilton Historic District Commission—one opening

- Capital Committee—one opening
- Open Space Committee—two openings
- Hamilton Planning Board—one associate member opening
- Hamilton Affordable Housing Trust—one opening
- Hamilton Human Rights Commission (HRC)—one opening (Housing Authority Rep.)

Public Comment (3 minutes on topics not already on the agenda)

Tosh Blake, 217 Sagamore St., speaking at Town Hall, read a brief statement that we all live on American Land and acknowledged the English tribe and its descendants who inhabit historically English territories to this day.

Board of Health (BOH) Chair David Smith said at their last meeting, BOH members expressed interest in holding a public forum regarding Covid, but wanted to first consult with the SB on whether it was a good idea. It would be a Zoom meeting the last week of February. Mr. Farrell asked what topics would be covered. Mr. Smith said they would invite the public to submit written questions and would answer them during the meeting. He expected it would cover what the BOH thinks about vaccinations, testing, and isolation and quarantine following a positive case. Ms. Dale support the idea, saying the more information the better. Mr. Olson was concerned about whether it would become a debate. Mr. Farrell said it was good for citizens to get the facts from the BOH rather than other sources.

Energy Manager Vicky Masone said, pertaining to the library roof solar project, that four contract documents needed SB signatures: the PILOT (payment in lieu of taxes), Power Purchase Agreement that locks in the electric rate for 20 years, a notice of lease (because the company is leasing the roof of the library to put the solar on and operate it) and a notice of lease that gets recorded at the Registry of Deeds.

Selectmen/Town Manager (TM) Reports

Mr. Farrell reported that the Community Preservation Committee (CPC) would be discussing a small handful of grant funding applications at its upcoming meeting, including one for a Patton Park Master Plan and one involving improvements to The Community House [outside space].

Mr. Olson said the Planning Board is working through the 133 Essex St. project. He said the SB is receiving many comments on it and will be discussing it when it makes sense to do so. He reported that the SB had reviewed the Town’s draft budget at a meeting last Saturday.

Ms. Dale said she and Ms. Kennedy met with Hamilton Wenham Green, a nonprofit that has had a resurgence and has written a resolution for climate change. She also attended the Boxford Town Committee speaker series focusing on climate change and thinks it needs to become a big focus.

Mr. Knudsen said the Affordable Housing Trust (AHT) met last Wednesday. No votes were taken, but the AHT received updates regarding the Habitat for Humanity project on Asbury Street, which will break ground this spring, as well as the Asbury Commons project that's being discussed for the future. He said State Representative Jamie Belsito passed along her appreciation to the SB for sending its statement of support for the Extended Producer Responsibility (EPR) legislation.

Ms. Kennedy said the Master Plan Steering Committee met last week and worked on the Town survey questions. They will meet again this Thursday. She said Hamilton Wenham Green is an interesting and energetic group and she enjoyed speaking with them. She met with Anne Gero of the former Waste Reduction Committee regarding the EPR document and will send it back to the SB for review. The Conservation Commission (ConCom) issued conditions and reservations about 133 Essex St. in terms of the environmental impact. At least two ConCom members attended Planning Board meetings to talk about their concerns and urge due diligence. They are not sure of a better response yet.

Mr. Domelowicz said the Town Manager Report will be shared online tomorrow, saying it is much farther reaching than just his office, involving all departments. The School Department voted last week to reduce its budget by about \$180K, which will help keep the Town under a need for Proposition 2½ override this year.

CONSENT AGENDA

- **Approve Minutes of Five Boards Meeting on Jan. 13.**
- **Approve request for YuKanRun Half-Marathon for May 7.**
- **Accept two gifts to the Council on Aging (COA):**
 - **Check for \$20 from Changzhi Weng**
 - **Check for \$1,500 from Frances and Hubert de Lacvievier to benefit Meals on Wheels**

Decision:

Mr. Dale made a motion that the SB approve the Consent Agenda. Mr. Farrell seconded the motion. The motion was approved (5-0), unanimous.

Mr. Domelowicz said Theresa Woodbury was present online to answer questions. There were none.

AGENDA

Approve Kathy Simons as Member of the Conservation Commission (ConCom)—Vote

Ms. Simons briefly discussed her background. She moved to Hamilton about three years ago. She is retired from MIT where she worked for 30 years developing a network of childcare programs. She said environmentalism has been close to her heart for a long time

and she is eager to learn and get to know people. She is taking certification through the State.

Decision:

Mr. Farrell made a motion to appoint Kathy Simons to the ConCom. Ms. Kennedy seconded the motion. The motion was approved (5-0), unanimous.

Department Head Report—Police Chief Russell Stevens

Chief Stevens and two of his officers were present (online) to present details of a new Autism Outreach program and a Silver Alert program.

The Autism Outreach program is three weeks old. Detective Joe Achadinha shared that he has a son on the Autism spectrum. He said in addition to recognizing Autism Awareness Month in April, he had been looking for things to do to support individuals with Autism and their families and to educate the police department and community. He reached out to the Hamilton Wenham Schools and obtained training for the police department. The program they developed involves families filling out a form pertaining to the disability of a family member that is then entered into the police computer system to give police relevant information that increases the chances of a positive encounter. He said the information is confidential. The feedback he has received suggested creating some kind of icon to be put on a home or car to alert police. He said the finishing touches were put on the logo recently and their purpose is to create partnerships and serve as a starting point for conversation within the community about making things safer for those with Autism. Ms. Dale asked if the Fire Department would be involved since they are the main EMS providers. Chief Stevens said this was a good idea.

Patrolman Jake Santarelli discussed the Silver Alert program that helps identify individuals with Alzheimer's or other memory issues who are at risk for wandering away from their homes. People can register and provide a photo and medical history that the police can access if a person goes missing. Registration forms will be available through the Police, Hamilton COA, and on their respective websites.

Ms. Woodbury noted that as of 2018, 11.5% of Hamilton residents over 65 had a memory impairment. Statewide, the average is 13.6%. She said they hope to get the program going and then introduce it to Wenham. She is seeking ways to get the word out.

As a side note, Chief Stevens said he would be coming back to the SB to give a PowerPoint presentation on making a school zone at Cutler School.

Review Request from The Community House for Community Block Party on June 25, 2022—Discussion and Vote

Community House Event Manager Gail Horsman Lull was online along with incoming Community House President Jen Daniels and board member Amy Wallick. Ms. Wallick said that aside from recent years, the block party has been an annual event for 10 years. The

event is planned for June 25 with rain date of June 26 and features kids' activities, entertainment, food trucks, and fireworks. She presented a map giving an overview of placement; everything will take place in Patton Park. Ms. Daniels inquired about whether they could come before the SB to obtain a one-day liquor license; Mr. Olson replied yes. They have met with the Police Department and will have police details at the major crossings. Hours for the event were reviewed.

Ms. Kennedy asked that local entities be invited to participate and that lower price points for food and desserts be considered to make the event more affordable to local families. Mr. Farrell suggested involving Fire and Police personnel, the American Legion, and others to make the event community-inclusive.

Mr. Knudsen noted that on the application it is acknowledged there won't be any alcohol. Mr. Olson said they can address it later. Also, signatures from the Recreation Director, Police, etc., weren't on the application, but it was confirmed that the completed form had been submitted.

Decision:

Ms. Kennedy made a motion that the SB approve the request from The Community House for a Community Block Party. Ms. Dale seconded the motion. The motion was approved (5-0), unanimous.

Review Draft Climate Change Resolution—Discussion

Ms. Dale said the draft had been updated with additional strategies added by Gretel Clark of the former Waste Reduction Committee. The Technical Assistance Program for the Climate Action Plan (TAP for CAP) seeks ways to mitigate damage done to the environment from fossil fuels. She said they hope the State will help them come up with goals and available grant money and are starting with baby steps to create momentum. The strategies suggested by Ms. Clark involve conservation and efficiency, replacing fossil fuels with non-carbon energy in homes and for automobiles, expanding on the plastic bag ban, and composting and recycling initiatives. Mr. Olson reviewed a complete list of all the many green initiatives the Town has already undertaken. He said they should treat this as a first reading and review it individually.

Mr. Farrell mentioned a recent article in *The Boston Globe* saying Massachusetts was having a trash crisis. Ms. Dale said they were going to have to change the way they do business. Ms. Kennedy said if you drive around the community you see the large amount of trash people put out every week.

While the letter of support from the SB for EPR [Extended Producer Responsibility] was sent to the Legislature, the more detailed EPR document is still in process. Ms. Kennedy said the language had been tempered to make it more palatable. It will be brought to Hamilton Wenham Green for its input and SB members were asked to send their comments/changes to Ms. Dale before Tuesday.

Christine Downing of Rockport, who was online, said Rockport is working on the same thing and asked for Ms. Dale's contact info.

Ms. Gero suggested that vendors at the Block Party have composting and recycling bins in place. The SB discussed including this in a future policy.

Review Project Bread Universal Free Lunch Resolution—Discussion

The resolution was shared onscreen. Mr. Knudsen said school lunches had been free to all students during the pandemic, but that will end at the beginning of the next school year. This resolution proposes that all students receive free lunch. Ms. Kennedy asked what the cost would be. Mr. Knudsen did not have that information, but he said it would likely increase the burden of Massachusetts taxpayers. Mr. Olson inquired about the data—if more people were consuming the lunches. Mr. Knudsen didn't have the statistics. Ms. Dale asked if there would be an evaluation period. Mr. Olson clarified that this agenda item isn't about making a local decision for Hamilton, but about whether to voice support for this resolution to the State Legislature. Mr. Farrell, who is a teacher, said he favored the idea to keep students from low-income households from going hungry and to remove the stigma and level the playing field for them.

Indigenous Land Acknowledgment Resolution—Discussion and Vote Board

Mr. Knudsen recapped that this agenda item was unanimously recommended by the Hamilton Human Rights Commission (HRC) and was presented to the SB by Elinor Everett on behalf of the Social Justice Club at the high school. Mr. Olson said he favored it but wanted to make sure they got the wording right. Mr. Knudsen said the HRC hadn't done anything further since the recommendation. The Town of Wenham and the School Committee have adopted it.

Ms. Dale said she would like to see an Indigenous Peoples Day instead of Columbus Day or Thanksgiving Day. She read a letter she had prepared saying SB members took an oath to serve every single body who lives in the Town. She said that designating private property as indigenous people's land could involve land disputes. She said the SB has specific local duties as outlined in the Town bylaws and listed some of them.

During the discussion, some on the SB referred to a letter from Anna Siedzik, a School Committee and Hamilton-Wenham Human Rights Coalition president. Ms. Kennedy read portions of the letter to which she took exception. She noted the respect the Town had paid to Chief Masconomet, who died in 1658 and is buried atop Sagamore Hill. She researched all that had been done to honor him. For example, in 1968, the area where he is buried was donated and a right of way granted. In 1971, a graveside Thanksgiving memorial service was held. In 1972, a large memorial stone was donated. Further improvements were made in 1974 and subsequent years, and in 2006, Hamilton approved a \$2,500 CPC grant to construct a plaque. She said to Native Americans, the landscape is the cathedral. The grave is under pines and gives people a place to reflect. Only traditional offerings may be placed there. She was not in favor of adding more plaques. She cited that Harvard University had

conducted research and had a land acknowledgment that noted Boston and Cambridge are located on the land of the Massachusetts Tribe. She said she trusted Harvard's research.

Mr. Olson reminded the SB they were voting on a two-sentence land acknowledgment and board members can read it at meetings. Mr. Farrell suggested the language: "We live on former indigenous land." He said he was in favor of something more meaningful than just the statement, such as an Indigenous Peoples Day or some type of ceremony, perhaps at the Masconomet gravesite. He read the Town of Wenham's document that acknowledges the second Monday of October as Indigenous People's Day and recognizes the Massachusetts Tribe. Ms. Kennedy said it was a great document to use as a template.

There was debate over whether to include the name of a specific tribe, and if so, which tribe(s) as there was some debate over the accuracy of the research. Mr. Knudsen said he didn't have any issues with Wenham's statement and that it did include Mr. Green's information. [Thomas Green is the vice president of the Massachusetts-Ponkapoag Tribal Council Inc.]

Debbie Everett, formerly of 20 Linden St., said her main concern is that there has been some dancing around the truth. There aren't actual private property rights damaged by doing a land acknowledgment and many towns have done so. She said she doesn't agree that recognizing the original owners diminishes those who came after and found Mr. Blake's statement at the beginning of the meeting to be mocking. She is a history professor and said she appreciates sharing different views. She said she thinks doing nothing at this point is worse than doing something that they can improve upon in the future.

Mr. Blake said he had strong objections to stating we are on indigenous land and that it was false to say it wouldn't bring up any legal problems.

In the end, the SB decided to use Wenham's statement as a template and customize it for Hamilton.

Board to issue a memo to Verizon on its delay in getting tower activated—Discussion and Vote

Ms. Domelowicz said the SB received an email dated Jan. 26 at the end of a series of emails that said it looked like Verizon was finally moving ahead and will have an end of February completion date. If that doesn't happen, Mr. Olson said he would like Town Counsel to draft a letter for the SB to sign as the issue [lack of cell service] is a public safety matter.

Review Draft Warrant Articles—Review and Discussion

Mr. Domeowicz said the articles were provided in the packet. He said there was one addition in that School Committee Chair Dana Allara had provided an email saying the School Committee had voted to seek permission to open the Regional School District Agreement narrowly to amend some of the language that is contrary to State Law. [The amendment would address how School Committee election are handled.] He said the other

items are typical Town Meeting business items. Mr. Farrell asked if the SB can stress to the Schools that Hamilton wants to open and review the overall Regional School Agreement. Ms. Kennedy posed the question that if it is opened, does it stay open? Mr. Farrell said typically when they open it, they also close it. The SB was uncertain, and Mr. Domelowicz said he will ask Town Counsel. Ms. Dale commented that the agreement is ancient and not sustainable.

Mr. Olson asked about the CPC articles. Mr. Farrell said one was the annual CPC article to put the funds they receive from the State match into the different pockets [for the three CPC grant categories]. The other articles involve the Patton Park Master Plan and The Community House [Centennial Square] project. Mr. Domelowicz said the CPC had asked for Town Counsel's opinion as Community Preservation Coalition Executive Director Stuart Saginor had said the project was not eligible as a Recreation and Open Space project. Town Counsel's opinion will go to the CPC prior to Thursday's meeting. Mr. Farrell said from his years of being on the CPC, he knew there are many gray areas, but one doesn't generally find out things that are wrong until someone challenges them in court. Ms. Dale brought up that CPC money could be saved for the Town Hall project.

Ms. Kennedy said she believed the ConCom would be presenting an article at Town Meeting.

Mr. Olson asked if they decide not to have a STM this year, if they would need to do something differently at ATM. There was a discussion that they don't need to hold STM every year.

Mr. Olson noted a beautiful winter scene he had seen recently in Patton Park with families out skating and enjoying a cold night. Mr. Farrell brought up removing invasive species from Weaver Pond. He said the plan had been to hydro-rake, but there was an issue with hauling the material pulled from the pond. The SB discussed whether there would be a way to compost the material.

Adjournment

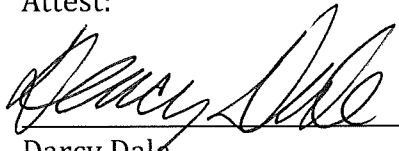
Ms. Dale made a motion that the SB adjourn the meeting at 9:22 p.m. Ms. Kennedy seconded the motion. The vote was unanimous (5-0).

Respectfully submitted as approved at the 3-28-22 meeting.

Prepared by:

Mary Alice Cookson / 3-28-22
Mary Alice Cookson Date
Select Board Minutes Secretary

Attest:

 , 03-29-2022

Darcy Dale
Select Board Clerk

Date

Documents Discussed at Meeting:

- Minutes for Five Boards Meeting on Jan. 13, 2022, Mary Alice Cookson
- Letter from Rich Morrell of YuKanRun requesting permission for the Fast Half Marathon and supporting documentation
- Emails re: two gifts to the Council on Aging
- Recommendation of Kathy Simons to the Hamilton ConCom from Chair Lauren Lynch
- Application for appointment to the ConCom and resume from Kathy Simons
- Request for use of Patton Park Facilities from The Community House
- Hamilton Climate Change Resolution (Draft) for the SB's Consideration
- Support for Universal School Meals
- Town of Hamilton Land Acknowledgment in Hamilton-Wenham
- BOS Masconomet Proclamation rev1
- Massachusetts Tribal Territory