

HAMILTON SELECT BOARD

MINUTES OF MEETING

Memorial Room, 577 Bay Road, Hamilton

February 22, 2022

Select Board Present at Town Hall: Darcy Dale, Rosemary Kennedy, and Shawn Farrell

Select Board Absent: Chair William Olson and Jamie Knudsen

Town Manager: Joe Domelowicz Jr.

Other Town Staff Present: Hamilton Wenham Recreation Director Sean Timmons, Finance Director Alex Magee, and Town Counsel Tom McEnaney

*\*Meeting was held at Town Hall with a Zoom component.*

**Call to Order/Pledge of Allegiance**

Select Board Clerk Darcy Dale called the Select Board (SB) meeting to order at 7 p.m. with a quorum of three present at Town Hall, including Ms. Dale, Rosemary Kennedy, and Shawn Farrell. 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)**

None.

### **Selectmen/Town Manager (TM) Reports**

Mr. Farrell said at its last meeting, the Community Preservation Committee (CPC) approved bringing a grant to Town Meeting for The Community House, which is looking to build a patio outside the front of its building. He also reported that the Recreation Dept.'s [Spring/Summer] catalog is out.

Ms. Kennedy said the Master Plan Steering Committee met last week and worked on the Town survey. Her biggest time consumption has been with the Conservation Commission (ConCom) that is bringing forward a new conservation bylaw as Town Counsel has informed the board that the present one is legally indefensible. Ms. Kennedy wrote the bylaw a few years ago that the ConCom is using as a template. There will be a public hearing on it.

Ms. Dale discussed a Mass Municipal Association (MMA) alert regarding Governor Charlie Baker's request to add a supplemental budget for roads, bridges, and infrastructure as well as climate change mitigation. Her idea is for the SB to send a letter of support to their State Rep and State Senator. The Hamilton Wenham Green group is now known as the Hamilton Wenham Climate Action Team (CAT) and is seeking members.

Joe Domelowicz Jr. said his Town Manager Report will be posted online and available in the e-newsletter on Friday. The Town received a notice from the State to proceed with the SWMI [Sustainable Water Management Initiative] grant and he said the work should begin in earnest. The Town's [Americans with Disabilities Act] Transition Plan is also moving forward.

### **CONSENT AGENDA**

- **Approve Minutes of BOS meeting, Dec. 20, 2021**
- **Approve Minutes of BOS meeting for Jan. 3, 2022**
- **Approve request for Melody Miles road race for May 28, 2022**

Ms. Kennedy asked to hold the Jan. 3 minutes as she has not had a chance for review.

### **Decision:**

Mr. Farrell made a motion that the SB approve the Dec. 20, 2021 minutes and request for the Melody Miles road race for May 28, 2022. Ms. Kennedy seconded the motion. The motion was approved (3-0), unanimous among those present.

### **AGENDA**

#### **Request from Little League for donation of 2 scoreboards at Patton Park**

Hamilton Wenham Little League president Tim Fazio and Louis Levesque, vice president and past president, reviewed their plan for the scoreboards, which was included in the meeting packet. Ms. Dale asked if they would be solar-powered. The answer was that the

smaller of the two, located right next to the electric panel, would be plugged in while the larger one would be solar. Mr. Farrell confirmed the Town would assume the electric bill although the cost was said to be negligible since the boards would only be on during ballgames. He asked if the Little League would have to go through the planning or zoning process; the answer was yes, but this first step was to gain approval to build on Town property. Mr. Levesque said Little League would assume maintenance costs over the lifetime of the boards after the warranties expired.

Ms. Dale inquired on sizes. The larger one is 13 feet tall by 9 feet wide. The other one, in front of the utility box at the tennis courts, doesn't extend above the fence line and will have a base that is an 11 by 6 raised bed with evergreens. Recreation Director Sean Timmons said the Little League has been generous to the Town, helping to buy field maintenance supplies.

Ms. Kennedy said when the Little League came before the SB in the past, there had been concerns about one scoreboard and now they want two scoreboards. She said they had been told the one board was the same size as the one in Cheeseman Field in Wenham, which is substantial. She said Patton Park is a park, not a dedicated playing field, and the more equipment there, the less people feel comfortable walking there. She said she believes the scoreboards will change the nature of the park and said would like someone to convince her of their necessity.

Mr. Levesque cited the amount of time the Little League uses the park. He said the Little League funds the upkeep of the fields and without these efforts, the infield clay would be overgrown. He noted the children using the fields are from 4 to 12 years old; it is not an adult league. The larger scoreboard would be in the most unused portion of the park tucked under the trees in the back left corner. The one by the tennis courts would hide the electrical box that is an eyesore. Mr. Fazio added the Little League is regularly working with more than 400 children, which means hundreds of families. He said commonly, park-goers stop and watch the games, and the scoreboard makes the experience more inclusive. Ms. Kennedy said she has nothing against kids playing baseball, but just thinks two scoreboards is unnecessary and not attractive when one rides by. Mr. Farrell asked the timeline; the response was this season, but there is flexibility

**Decision:**

Mr. Farrell made a motion that the SB authorize the placement of scoreboard structures on Patton Park property contingent upon approval from the boards that need to further approve the process. Nobody seconded the motion. It did not pass but will be on the next agenda.

**Further Discussion:**

Ms. Dale said they would table the discussion until the full board was present. Mr. Farrell suggested they reach out to Ms. Kennedy and think about the footprint of the scoreboards. Ms. Dale suggested they might start with approving one scoreboard. Ms. Kennedy said she would be open to approving the smaller scoreboard with the planter maintained by the Little League if they agree to take the second one off the table. Mr. Fazio responded they would prefer not to do that as the Little League supports the entire project. Mr. Farrell

suggested a site walk so they can see whether the scoreboards are obtrusive. Ms. Kennedy said the Town is now doing a Patton Park Master Plan so the process for the scoreboards may be premature.

**Department Head Report/FY'23 Budget Update—Finance Director Alex Magee**

Mr. Magee provided an update on the Finance Dept. that is working on the FY'23 budget and State reporting. He said the department assistant they had hired for a 25-hour a week position left to return to her former employer, so they are searching for a new assistant. Some budget costs still remain unknown, such as insurance and retirement. The budget was reduced by \$205K, primarily because the Regional School District reduced its budget by \$185K. The budget total for Hamilton is now \$36,631,900. There have been a few departmental requests for increases over the last few weeks—in the Consulting line item in Finance and an increase in the Town Clerk's budget due to mandates pertaining to overtime for election staff and an increase in poll workers, as well as a salary increase for the Town Clerk, but they don't have the numbers yet. Also, the part-time Health Director will be taking over the duties of food inspections, which adds a \$3K stipend. Mr. Magee said the budget had decreased in the previous years and was now on a course correction.

Ms. Dale inquired about whether he had done a cost-benefit analysis on engaging a consultant in the Finance Dept. vs. hiring a staff member. Mr. Magee detailed some numbers. He said hiring a consultant allows the staff to stay on track and make sure core functions are met. A joint SB/Finance and Advisory Committee meeting is set for Tuesday, March 15.

**Review Extended Producer Responsibility [EPR] Resolution—Discussion and Vote**

The latest version of the EPR resolution was included in the packets. Ms. Kennedy spoke in favor and discussed that it encourages producers to be thoughtful about packaging.

**Decision:**

Ms. Kennedy made a motion that the SB approve the Extended Producer Responsibility Resolution. Mr. Farrell seconded the motion.

**Discussion:**

Ms. Dale spoke in favor, saying it puts the responsibility on companies to be more innovative in conserving resources when packaging their products. Mr. Farrell said at some point, it may result in a cost savings for the producers.

**Decision (Continued):**

The motion was approved (3-0), unanimous among those present.

**Review Indigenous Proclamation—Discussion and Vote**

The agenda item was tabled per SB Chair William Olson's prior request.

**Review Warrant Articles—Vote to close the Warrant for Spring ATM [Annual Town Meeting]**

Ms. Dale acknowledged Town Counsel Tom McEnaney was online for the discussion of the following warrant articles:

- Election of Officers
- Reports
- Motion for Consent Agenda
- Compensation and Classification Table
- Annual Financial Articles
- Bills of a Prior Year
- FY'22 Capital Program
- Stabilization Fund Transfer
- Town Budget Article
- Water Enterprise Fund
- Hamilton Development Corp. Article
- Community Preservation Fund
  - \* Patton Park Master Plan
  - \* Community House “Square”
  - \* Annual CPC funding article
  - \* Correct Prior Year Appropriation to Historic Preservation due to Town Hall not moving forward
  - \* Appropriate additional funds from a previous year to various reserve categories
- Patton Homestead Enterprise Fund
- Budget from Existing Patton Fund
- Article to Amend School Committee election language in District Agreement
- Article to Amend Hamilton Conservation Bylaw
- Article to Consider a Climate Change Resolution

CPC Articles: CPC Chair Jay Butler, attending the meeting online, discussed the CPC articles. The Patton Park Master Plan is a grant request of the Department of Public Works (DPW) and the Recreation Depart., and the Centennial Square is a request of The Community House. One of the articles is the annual CPC funding article, which is a vote to put 10% of the overall CPC fund into each of three categories as well as 5% into the administrative bucket. The two other articles involve corrections to previous year appropriations, which are housekeeping items. He explained that back in 2020, the CPC underestimated the 2% surcharge revenue and inadvertently underfunded the categories for 2021, so that is a “make-up,” and last year, they didn’t make the 10% allocation into the Historic Preservation category because they thought Town Hall would pass, so that is another make-up. Both corrections are internal transfers from the CPC unreserved account and Mr. Butler called them Consent Agenda-type activities.

Mr. Butler asked Mr. McEnaney some questions pertaining to two additional warrant articles that may be needed—one for a bond obligation for Sagamore Hill and perhaps one for bond repayment for the Town Hall project if the project passes. He also discussed the condition in the CPC grant for Town Hall, which states that the project must start by Nov.

15. Mr. Butler wanted to know what classified as the project “start,” such as whether that could mean pulling a building permit, although Mr. Butler said a contractor would not be on board until the project went out to public bid, which was planned to take place after the fall Special Town Meeting, so there would not be much time to have that occur before Nov. 15. Regarding a question about who could pull a building permit (for example, the DPW, OPM [Owner’s Project Manager] or architect), Mr. McEnaney suggested they ask the Building Inspector. Mr. Butler noted the CPC would be agreeable to extending out the Nov. 15 start date if necessary.

Ms. Dale asked if moving Town Hall’s second floor employees to Pilgrim Hall was part of it. Mr. Domelowicz said the lease agreement proposed was favorable to the Town and it was awaiting the Gordon-Conwell Theological Seminary vote. Mr. Butler said the funds to move people to Pilgrim Hall had already been approved.

School Committee’s Regional School District Agreement amendment article: Mr. McEnaney said the agreement spells out the process for the amendment, which is a petition process that involves a vote by the School Committee and then sends it to both Towns for inclusion on their warrants and vote by the two Town Meetings.

Mr. Domelowicz noted the placeholder for the Conservation Bylaw. Ms. Kennedy said it is not an amendment but a new bylaw as Town Counsel has opined that the current wetlands bylaw is indefensible. Mr. Farrell expressed he did not feel there was enough time to have it ready for April Town Meeting and was concerned about it being rushed, but Ms. Dale said they should give the ConCom a chance. Ms. Kennedy said it involves reconfiguring the fundamentals of the bylaw and the Commission was well into the process.

The last article discussed was a placeholder for the SB to consider a Climate Change Resolution by the Hamilton Wenham CAT [Climate Action Team]. Scott Regan and Bob Knowles of CAT were online. Mr. Knowles said they had a team of five plus Energy Manager Vicky Masone working on it. The deadline is March 4 to have it in before the next SB meeting. Mr. Domelowicz asked what effect the passage of the resolution would have. Mr. Knowles said the bottom line was to achieve 0 carbon emissions by 2040 and that the resolution provides five points critical to making it happen.

**Decision:**

Mr. Farrell made a motion to close the warrant. Ms. Kennedy seconded the motion. The motion was approved (3-0), unanimous among those present.

Mr. McEnaney confirmed the draft warrant was needed for the March 7 SB meeting.

Ms. Kennedy said a resident had texted regarding the Climate Change Resolution. Ms. Kennedy said it was a goal of the Town and was not addressing private individuals or households, just the municipality. Ms. Dale added that grant money is only available for regional efforts so Hamilton is reaching out to other communities.

Mr. Farrell asked Mr. Knowles and Mr. Regan if they had looked at towns doing similar proclamations. Mr. Knowles said yes, and there is a separate section referencing other area towns that are much further along, for example, he praised Beverly and Salem. Mr. Farrell asked if CAT had reached out to the MMA. The response was yes, through Ms. Masone. Ms. Dale said Ms. Masone is also involved with Wenham and the Schools, and they were lucky to have her.

Mr. Butler suggested Mr. Regan and Mr. Knowles take a look at the Town Hall project, although it was noted that some restoration work involving historic preservation funding precludes the use of green initiatives.

**Adjournment**

Ms. Kennedy made a motion to adjourn the “2-22-22” SB meeting at 8:40 p.m. Mr. Farrell seconded the motion. The motion was approved (3-0), unanimous among those present.

*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:

Darcy Dale, 03-29-2022  
Darcy Dale Date  
Select Board Clerk

**Documents Discussed at Meeting:**

- Minutes for BOS Meetings on Dec. 20, 2021, Mary Alice Cookson
- Minutes of BOS Meeting on Jan. 3, 2022, Mary Alice Cookson
- Letter requesting permission for Melody Miles road race and certificate of insurance
- Email from Sean Timmons to Joe Domelowicz regarding two scoreboards at Patton Park
- Scoreboards Proposal/Presentation Overview
- 2022 Spring Annual Town Meeting Warrant Articles
- Resolution in support of Extended Producer Responsibility
- Draft warrant article regarding amending the Regional School District Agreement
- Climate Change Resolution draft, Hamilton Wenham Climate Action Team