



Annual Town Meeting brings voters together to decide on government programs and management Photo, J. Hauck, 2019

History of ...

Hamilton Government

In 1793, the population of the Ipswich district, called the Hamlet, was about 750, which included about 220 freemen, 250 free women, and 270 children between 1 and 10. There were also some indentured workers, slaves and a few Indians living among the settlers.⁹

Freemen were those free of debt. Freeholders, they owned land, were residents and had an annual income in excess of 40 shillings or had an estate worth 40£ sterling.

In the Hamlet, town and church government were intertwined from its beginning. Nearly all the elected officials were members of the Congregational Church. In the 1600s and into the 1700s, only members of the church could vote on town matters.²

Following the incorporation of the Hamlet as the town of Hamilton, a meeting was held, on Aug. 1, 1793, for organization of its government.¹ Hamilton basically followed Ipswich's organization, but having a much smaller population, it established fewer governing offices. (*For Hamlet history, see section in Treasures of Hamilton History, on the Hamilton-Wenham Library website. http://hwlibrary.org/wp-content/uploads/2018/11/Hamlet-history-11_18-rev.pdf*)

As delegated by Massachusetts law, municipalities can hold elections, collect taxes, borrow money, define civil laws or regulations, define crimes and set

punishment for offenses, except where the state already has a law.

Massachusetts General Law Chapter 43* requires creating a charter to outline all details of how the municipality will be run. The Charter identifies the form of government and specifies who has various powers. A Charter governs officials that are elected and those that are appointed, their number and terms.

However, in 1793, Hamilton did not acquire a Charter from the Commonwealth. The government functioned according to a code of by-laws. As approved by the Commonwealth, the by-laws describe the town's basic structure, administration and organization. New by-laws and changes require state approval.

First Government

The committee that led the former Hamlet to become a separate town created a Board of Selectmen (3), with members elected for one-year terms.¹ The first selectmen were: Jonathan Lamson (*farmer*), Capt. Daniel Brown (*tavern keeper and blacksmith*) and Joseph Poland, Jr. (*yeoman*).³

* Subsequent references to Massachusetts General Law show only the Chap. and sec. for the law.

A clerk, also elected annually, recorded proceedings at all government meetings, maintained a list of town residents and recorded all births, marriages and deaths. Lemuel Brown was the first clerk. ¹

Assessors (3), a treasurer and an auditor governed the town's finances. The assessors, elected annually, initially were the selectmen. Massachusetts law allowed crossover between the selectmen and other positions.

The assessors appraised real and personal property and recorded the information on a valuation list kept in a tax book. The assessors also prepared books for the surveyors of highways in the districts, assessing the highway tax and setting the scale of payment for residents to work-off the tax. ¹

A treasurer was elected annually. Deacon Nathaniel Whipple was the first treasurer. ¹ There also was an elected auditor.

Surveyors of the highways supervised the town's roads and fields. They also, initially, were the selectmen. As highway surveyors, they had authority to require men, once a year, to repair roads. ¹

State law required every man, 16 to 60 years of age, to serve his turn, as a watchman, during the night. Patrolling the roads, they sounded an alarm when spotting fires or disturbances.

The selectmen also were elected as overseers of the poor. They administered to the needs of the poor for housing, fuel, food, clothing, health and burial.

To conduct town meetings, a moderator was elected annually. Deacon Nathaniel Whipple was the first moderator. ¹

The selectmen appointed constables, for one-year terms. In addition to law enforcement, the constables collected taxes, twice a year, which they brought to the town's treasurer. They informed selectmen of any residents that did not pay their taxes.

The constables and watchmen used a room in the basement of the meetinghouse (*church*) as their watch house (*it also was where the selectmen held meetings*). ³ The meetinghouse was on the corner of Bay Path (*now Bay Road*) and Farms Road (*now Cutler Road*).

Massachusetts Bay Colony law required all towns to annually appoint and send men to serve on Grand Jury Trials as jurors. They reviewed proposed new laws, possible abuses in government and determined people that were to face a criminal trial. Only freemen and freeholders could serve as Grand Jurymen.

Hamilton continued having a School Committee that previously existed in the Hamlet. The Committee had 3 members, chosen by the selectmen. The Committee examined teacher candidates, visited the

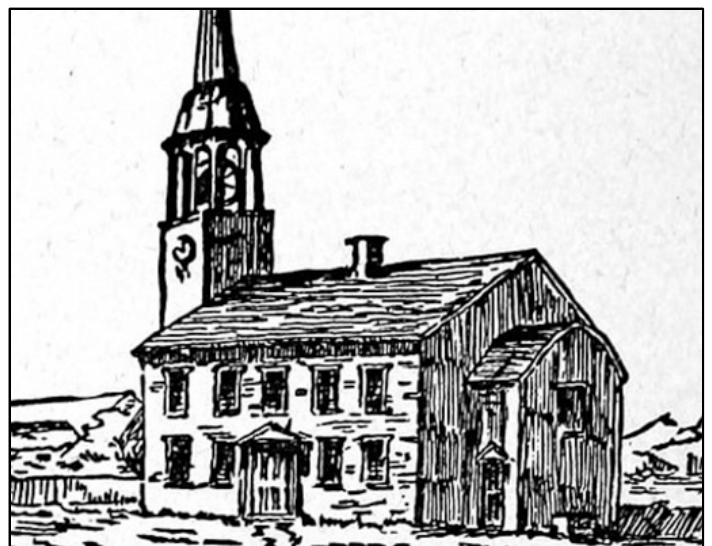
schools, had general superintendence over them, including choice of the textbooks and made an annual written report to the selectmen. ⁸

Also continued was a Prudential Committee for each of the town's school districts. ² (*Prudential then had the meaning of near, proximate.*) The Prudential Committee had charge of the schoolhouse maintenance, provided school maintenance and hired the teachers. Voters in each district annually held a meeting, at which a Prudential Committee member, for the ensuing year, was chosen. ⁶

The selectmen initially did not establish all the positions Ipswich had for particular trades and the treatment of domestic animals. These were: Tithingmen; a Fish Committee; Clerk of the Market; Fence Viewers; Haywards; Surveyors of Lumber; Cullers of Fish; Cullers of Brick; Sealers of Leather; Hogreeves; Gaugers of Cask; Sealers of Weights; Measurers of Grain; Corders of Wood; Firewards; Packer of Pork; and Field Drivers. ⁹

Hamilton held its first Annual Town Meeting, in March 1794, at the meetinghouse. ³ By Massachusetts law, the fiscal year for towns began Mar. 1. Voters raised £910 to pay Ipswich for various 1793 expenses, mostly being for care of the poor. ³

At a special town meeting, held in October 1794, rules and regulations (*not called by-laws*) were adopted for the management of town affairs and setting the monthly salaries for officers: town clerk, 6 shillings; treasurer, 12s; selectmen/assessors/overseers, £2 14s. ¹ In the morning, the freemen elected the town's officers by written ballots. At noon, the meeting adjourned for lunch, at a nearby house, and reconvened at 1 p. m., to vote on the articles in the warrant. ¹



First Annual Town Meeting, in March 1794, was held at meetinghouse on corner of Bay Path (*now Bay Road*) and Farm Road (*now Cutler Road*). Drawing, Hamilton Historical Society

One of the first new positions created by the town, at the 1798 Annual Meeting, was a Fire Warden. A 1797 Massachusetts law (*Chap. 88, sec. 1-8*) enabled selectmen to annually appoint "prominent men" as Fire Wards (*also called Fire Wardens*) and to give them a badge. They were responsible for sounding the fire alarm and directing efforts to extinguish fires.⁴

19th Century

The general character of Hamilton, during the 1800s, changed from a mainly agricultural town to a farm town having many merchants and tradesmen. To better serve the needs of the townspeople, government expanded and the town came more under the control of state and federal laws.

State law had a major effect on Hamilton's government in 1834. The previous year, the state amended the constitution to prohibit towns from compulsory financial support of churches. Hamilton government meetings continued to be held in the church meetinghouse, for which the town paid the church.⁵

The 1839/40 annual town report (*earliest now available*) shows several new government expenses: painting guide boards for the roads, maintenance of the town clock in the church meetinghouse, a Fishways Committee, perambulating the town's borders and start of a study to establish districts.¹¹

Hamilton amended its by-laws in 1838 to elect a selectmen from each of its three districts: west, included all land north and west of the post road [*Main Street*]; the middle, encompassed the post road leading through town; and the east, included the land south and east of the Miles River."¹

Elected were: Joseph P. Lovering, West; William Brown, Middle; and Oliver Poland, East.¹¹

In 1840, Hamilton, for first time, participated in a census conducted by the federal government, the sixth United States Census.¹¹ (*A 1921 fire completely destroyed all census data prior to 1890.*)

The Congregational Church remodeled the meetinghouse in 1843 and added a vestry below the sanctuary. The town held the 1844 annual town meeting in the vestry, at 10 a.m., on Tuesday, Mar. 7. Constables posted the warrant at the meetinghouse, general store on Main Street (*now the post office*), and the general store (*now Talbot's*) at the train depot, also on Main Street.¹

In 1843, the 50th anniversary of Hamilton's becoming a town, its expenses were \$1,482. The two largest expenses were schooling (\$490) and support of the poor (\$265).¹²

Beginning in 1846, Hamilton allowed non-property owners to vote, by paying a \$1.10 poll tax.¹³ (*The word poll came from a Low German word for "head," and was used to mean an individual.*)

The selectmen, in 1846, appointed the town's first sealer of weights and measures.¹³ He enforced the state laws for the accuracy and integrity of the scales, weights and measuring devices used by businesses. The Commonwealth supplied a complete set of standard weights and measures and a balance to

every community, as well as a wooden case.

The town built, in 1849, a pound to hold stray cows, pigs and other livestock, until owners claimed them, or the town sold them to cover the costs of impounding. A pound keeper, appointed by the selectmen, managed the pound.¹¹⁶

Since 1705, there had been a town

cemetery. In the early 1800s, the town hired people, on an as-needed basis, for burials and for building and repairing the cemetery stonewalls. They also cut trees and removed stumps to clear new burial areas.

The Cemetery Board appointed undertakers, who drove the town hearse, cared for the hearse house, did ground work and submitted the official "returns of deaths," to the town clerk. The town-owned hearse and hearse house were the first capital expenses.³

In 1849, Joshua Porter was appointed "undertaker of the burial of the dead." He shared the duties later with William B. Jackson.³

Hamilton had its first Liquor Agent in 1862, David Hoyt. As told by Tom Juergens, "He ran a store and post office at the south corner of Bridge and Main Streets. That year, and in every "wet year" thereafter, in a nod to temperance and to the freedom to drink legally, the authorization from town meeting was carefully worded. It allowed the wholesale purchase and retail resale of intoxicants "to be used in the arts, or for medicinal, chemical, and mechanical purposes and no other," wording that led to many a drinker's creative interpretation.

Boards, Councils, Committees, and Commissions

Board – Group, established by law, with powers to decide and control the working of a government body. Members are elected.

Council - Group, established by law, elected or chosen to represent a particular group of people. Members can be permanent or temporary.

Commission – Group, established by law, performing a particular administrative function. Members, either appointed or elected, can be permanent or temporary.

Committee - Group appointed for advising specific areas of government. The committee can be permanent (*standing*) or temporary. Members are appointed.

The Hamilton Liquor Agency reported stock on hand, liquor purchased, barrels sold, and the agent's salary. 1885 payments 'for the suppression of the illegal sale of liquor' totaled just over \$300, which included \$26 for violation 'spotters' from the temperance organization, the Law and Order League."¹⁰

State law allowed towns to decide whether or not liquor sales should be licensed. Annually, at town meetings, Hamilton's warrant had an article on allowing "the licensing of individuals to sell fermented liquors." Before prohibition (1920), Hamilton often flip-flopped on the issue. One year, voters wanted alcohol to be legal; another year, illegal; and then legal again. Often, the votes were by very close margins.

The first mention of roads commissioners is in the 1873 Annual Town Report, however the position likely existed previously.¹⁵ The commissioners inspected the town's roads and bridges and recommended repairs and new constructions, all tasks originally handled by the selectmen.

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In 1846, the Commonwealth supplied a complete set of standard weights and measures and a balance to every community, as well as a wooden case. Photo, J. Hauck, 2014

War of Rebellion

From Hamilton, nearly 140 men served in the War of Rebellion (*Civil War*). In 1868, to financially assist the veterans and their families, the town began a Soldiers' Relief program.¹⁴

Prior to the start of the war, Massachusetts enacted Chap. 115 that created the Department of Veterans' Services. Offices of Director of Veterans' Services, Burial Agent, and Graves Officer opened in every city and town.

The requirement to preregister to vote began in Hamilton about 1870. The selectmen appointed voter registrars to maintain a voter registry book.

Massachusetts, in 1879, first allowed women to vote, but they only could vote for school committee members. There is no mention, that year in the Annual Town Report, of women voting.¹⁶

Hamilton began appointing a Health Officer, in 1889. This followed the state enacting a law requiring the reporting of "diseases dangerous to the public health" and imposed fines for not reporting such. The first Health Officer was Jonathan Lamson, who also was a selectman, assessor, overseer of the poor and a member of the roads commission.¹⁷

By 1890, Hamilton had a Superintendent of Streets, Charles E. Whipple,³² who also was a constable, dog warden, on the liquor committee, a truant officer and a fire warden.

Pursuant to Chap. 347, voters at the 1890 Annual Town Meeting passed an article to establish a public library, and allocated funds (\$50) and three trustees were appointed to a Library Committee.¹⁸ The library was in a room at the back of the John L. Woodbury's house (*now 588 Bay Rd.*). Annie E. Woodbury was the first librarian.¹⁵

The Library Committee remained in charge of the town's library until 1893, when it was disbanded in order to secure the benefits of Chap. 255, enacted, May 6, 1892. By this legislation, the State established the Massachusetts Free Library Commission. The Commission could disburse \$100, for books, to a public library in a town where the property valuation of the town did not exceed \$600,000.⁷

Towards the end of the 19th century, Hamilton established, as required by state law (*Chap. 408*), a Cattle Commission, which appointed an Inspector of Animals and Provisions, to investigate for animal diseases. In 1890, Frank C. Norton was the Cattle and Provisions Inspector.¹⁸

In 1902, the Commission's first report on the number of animals, showed: 453 horses, 325 cows, 252 sheep, 4,250 fowl and about 130 other animals, including pigs.²² The most cows were in 1912: 446.²⁹

At Hamilton's 100th anniversary, the government included 10 elected offices and 15 *appointed* positions. ²⁰ The town did not have an appointed legal counsel, but called upon various local lawyers, on an as needed basis.

Further, the town paid many residents for their services:

56 people paid for roads work, \$1,488;

110 people paid for snow removal, \$406; and

31 people had paid positions, \$675

Total town expenses were \$12,820, while total town receipts were \$16,348.

Fire fighting became more formally organized, in July 1896, with the creation of the first volunteer fire company. \$1,000 was budgeted for expenses.¹ Members were called "fire engineers."

Construction and furnishing of a town hall were completed in December 1897, and the building was occupied in January 1898. ¹

At the first town meeting in the town hall, Mar. 13, 1898, at 10 a.m., voters considered 19 warrant articles, seven of which dealt with town roads. ¹⁸

Although, in 1838, the state passed a bill allowing towns to appoint police officers, with all the powers of constables, except the serving and executing any civil process, Hamilton did not have a police officer until 1898: Charles T. Litchfield was the town's first police officer. In addition to being a police officer, Litchfield was the Town Clerk for many years, the Pound Keeper, the town hall janitor, the Tramp Officer and the Keeper of the Lockup. ¹⁹

The new town hall had a jail cell, called a lockup, in the basement. Mainly used for detaining tramps arrested, the small cell had sleeping space for only one at a time. ¹ The selectmen appointed a Keeper of the Lockup to care for the jailed.

Total town expenses, in 1898, were about \$40,000 and the town debt was about \$29,300. The town had 744 property owners paying taxes. ¹²⁵

The 1899 warrant had 23 articles, of which 9 dealt with roads, sidewalks and buildings.

1900 Hamilton Government

(* Elected offices)

- *Assessors.
- *Board of Health,
- *Library trustees
- *Moderator
- * Overseers of Poor
- *School committee
- *Selectmen
- *Town clerk
- *Treasurer
- * Tax collector
- Auditor
- Cattle Commission
- Cemetery Board
- Constables
- Dog warden
- Election Officers
- Fire Department
- Liquor Committee
- Lockup Keeper
- Police Department
- Poor Department
- Registrars of Voters
- Sealer weights & measures
- Superintendent of Streets
- Veterans' Services



Construction and furnishing of town hall were completed in December 1897, and the building was occupied in January 1898. Photo, Hamilton Historical Society

20th Century

Hamilton's population, in 1900, was 1,614 or about 107 people/sq. mi. living in 775 houses.²¹ Farm owners and workers comprised most of the population.

The town had nearly a hundred merchants. In addition to the small business district near the town hall, there were many businesses on Railroad Ave. and at the train depot. On the west side of the town, by the Ipswich River there was a wool factory, which at its peak employed about 60 workers. The railroad that came in 1856⁵ employed about 20. Streetcars, which came in 1886,¹ had about 30 workers.

In 1900, Hamilton had a town meeting form of government, with a governing board of three selectmen. Voters met at an Annual Town Meeting, held at 10 a. m. on the second Tuesday in March, following the close of the fiscal year that ended the last day in February. In advance of the meeting, the town clerk posted the warrant at the meetinghouse, the general store on the south corner of Bridge and Main streets and, after 1865, also at the general store at the railroad depot.¹

Fifty voters constituted a quorum for both the annual and special town meetings.³⁵ There were 322 registered voters, each paying a \$2 poll tax. This was 84 less than the number of horses.²¹

Unlike many early Massachusetts' municipalities, Hamilton did not develop a charter to define how its government was structured and to be run. It created orders and by-laws, approved by the state, that defined administration, structure and organization of its government.



Cemetery's casket holding house, built in 1877, was one Hamilton's earliest capital expenses.

Photo, J. Hauck, 2016

The total assessed valuation of Hamilton, in 1900, was \$2.3 million with a property tax levy of \$6.70/K.²¹

Total receipts were \$39,890, which included \$3,328 late payments from previous years. Total expenses were about \$34,370,³² yielding an accumulated excess in receipts of \$5,520.

Pursuant to a town by-law, the auditor, at the end of the year, transferred all outstanding balances to an Excess and Deficiency Fund. At town meetings, voters decided how this money was to be used.

Government Expanded

During the 20th century, Hamilton's government expanded from a couple dozen offices, departments, and committees it had in 1900, to nearly five dozen by the year 2000.

In 1902, Hamilton, in accordance with state law Chap. 78, sec. 21 to 25, established a Board of Cemetery Trustees having 3 members. The Board had charge of and managed the cemetery, sold burial lots and hired workers.²²

1903 was a very active year.

Voters accepted Chap. 122 to allow the town to construct its first water supply system.²² Several factors, principally convenience and fire protection, influenced the vote.

A state law required municipalities to elect a Tree Warden, to care for shade trees alongside a town's roads. Otis F. Brown was the first tree Warden. An example of private citizen concern to the town was George von L. Myer's planting, 200 rock maples on Main St., at his own expense.²³

Further, a 1903 state law compelled small towns to

form school districts and hire a superintendent. In April, the school boards of Ipswich, Essex, Wenham and Hamilton formed a regional school district.²³

Also in 1903, Hamilton appointed its first Sealers of Leather, and Surveyors of Lumber and Measurers of Bark and Wood.²³ With these actions, town government further broadened how it oversaw how private businesses acted.

The town increased the number of elected constables from 4 to 6, with the selectmen appointing one of them chief of police:¹ Erle G. Brewer was the first Police Chief.

The selectmen controlled the Police Department, and had authority to make, "from time to time, such rules and regulations for the government, disposition and management of the police, as they may deem expedient." ¹⁶ The selectmen appointed all members of the police force. ²³

One reason for the increase in constables may have been a rise, in recent years, of the number of tramps coming into the town. The town's by-law (1903) regarding tramps read: "Whoever, not being a minor under 17 years of age, a blind person or a person asking charity within his own city or town, roves about from place to place begging, or living without labor or visible means of support, shall be deemed a tramp. An act of begging or soliciting alms whether money, food, lodging or clothing by a person having no residence in the town within which the act is committed, or the riding upon a freight train or a railroad, whether within or without any car or part thereof, without a permit from the proper officers or employees of such railroad or train, shall be prima facie evidence that such person is a tramp." ¹

There likely were previous special town meetings in Hamilton, but the first mention, in the annual town reports, was in 1903 and was called by the selectmen. Special town meetings were usually held at 3 or 4 p.m. on Wednesdays. ¹ Per Chap. 39, sec. 10, voters can call for a special town meeting, when requested in writing by 200 registered voters or 20% of the total number of registered voters, whichever number is the lesser.

The first mention of not having a quorum for a town meeting was in 1906. At a special meeting held May 15, "The small number of voters present necessitated an adjournment to May 22." The meeting was held to consider building an addition to the south schoolhouse, and purchase land to enlarge the schoolyard. ²⁴

The Town Clerk, beginning in 1906, published the names of births, marriages and deaths; this continued until 1953. Previously, the Clerk only reported the number of each. The Clerk, also added a new item, i.e., Brought Into Town, which continued until 1943.

In 1907, pursuant to sections of a state law (*Chapter 28*) Hamilton established a Parks Department. Three Park Commissioners were elected. ²⁵ At the time, the town did not have a public park, other than the playgrounds at the schools.

In the early 1900s, a major environmental problem developed that required large expenditures. Gypsy and brown tail moths were stripping trees of their leaves. In 1906 the town appointed a gypsy and brown tail moth superintendent, George H. Gibney, who also was a selectman, overseer of poor, asses-

sor, cemetery commissioner, a leather sealer and on the Board of Health. ²⁴

The state passed a law for suppressing the gypsy and brown tail moths. Hamilton had to devote 0.0025% of its total valuation to destroying the moths. The town's liability, for a full year, was \$1,121, to which the state added \$500. The state also provided funds. About 50 people, in 1906, were paid for moths they collected. ²⁴

By 1917, the town was totally infested. Hamilton bought a truck to spray the trees. ³³ In 1934, the superintendent reported a very large decrease in gypsy moth and tent caterpillars. ⁴¹ The town ended, in 1934, its Gypsy and Brown Tail Moth Department. ⁴¹

A decade after ratification of the 19th Amendment, Hamilton had, in 1929, 502 women voters, almost the same number as men, 542. ³⁹ In 1930, Hamilton first had more than 1,000 voters. Male voters increased to 552, but the number of women voters dropped back to 491. ⁴⁰

Election and Staffing Changes

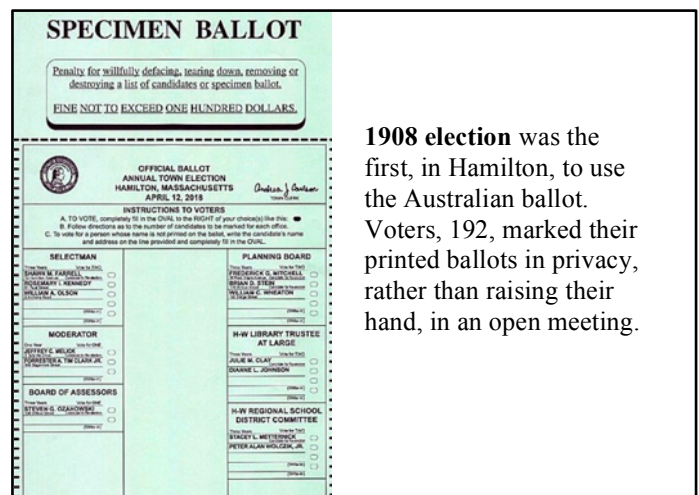
The town's fiscal year changed, in 1908, to start on Jan. 1. ²⁷ The election, that year, was the first to use the Australian ballot. Voters, 192, marked their printed ballots in privacy, rather than raising their hand, in an open meeting. ¹

This began a series of changes in town elections.

The selectmen, in 1908, no longer were also the assessors: the assessors were separately elected. However, the selectmen often were elected to both offices. ²⁶

In 1910, selectmen began to be elected for 3 years, rather than only one year. ¹

A year later, 1911, there were separate elections for members of the Board of Health and Overseers of the Poor, rather than having the selectmen hold these offices. ¹ Also in 1911, the town stopped electing Sealers of Leather. ²⁸



Hamilton held four special town meetings, in 1911.²⁸ However, the Annual Town Report does not report what they were about or who called them.

One of them likely was about creating a park. The Massachusetts legislature passed an act authorizing Hamilton's board of park commissioners to take over the 58,790 sq. ft. Wigglesworth Cemetery, across from the town hall, for use as a public park.¹²⁶ About 30 graves were transferred to the town cemetery.

Hamilton appointed its first Town Accountant, in 1913, pursuant to a state law. The accountant was to "examine and record all financial accounts of the town, and make a full annual report."³⁰

Chief of Police, Joseph Merrill, issued the Police Department's first annual report, in 1913. The department's appropriation was \$1,000; \$1,270.38 was spent, with Chief Merrill receiving a salary of \$688.96. There were 5 constables.^{1,30}

In 1918, Massachusetts voters amended the state's constitution to allow enacting laws through the initiative process. By approving Article 48, citizens could bring a proposal to all town meetings, to change an existing law or create a new law. The statewide ballot question, if approved by a majority, becomes law. Article 48 contains the issues excluded from the initiative process. The law requires petitioners for a statewide ballot question to submit a proposal to the Legislature before it qualifies to be placed on the ballot.

Massachusetts, in 1919, was the 8th state to ratify the 19th Amendment. Registrars of Voters held 6 meetings that year for voters to register: 48 men and 2 women voters were added, bringing registrations up to 378 men and 101 women.³⁴ In 1920, Lydia L. Haraden was Hamilton's first woman voter in a general election.³¹

Hamilton, in 1920, voted to reduce the quorum at town and special meetings to 50, 3% of its population of 1,631. The Finance Committee spoke against this action and said, "In considering transactions of important business, the quorum should be at least a seventh (14%) of the town's registered voters."³⁵

Hamilton, in 1920, added a by-law that required the selectmen to annually appoint a paid attorney-at-law to act as town counsel.³⁵

1920 was the last time that the Annual Town Report mentioned a cattle inspector.³⁵ However, the 1924 annual town report mentions an Inspector of Animals and Slaughtering.³⁶

Massachusetts, since the mid 1800s, had a law protecting the quality of milk. Towns appointed a milk inspector. Hamilton's first mention of an Inspector of Milk is in the 1926 annual town report.³⁷ There were

two milk farms in Hamilton: Samuel Ayers and Albert F. Allen.

More Roads

Voters approved, in 1923, the appointment of a Surveyor of Highways to be in charge of building and repairing the town's roads and bridges. This was done in accordance with a state law, Chap. 41, sec. 62. The Highway Surveyor was not "subject to the authority of the selectmen"³⁶

Town records do not indicate when the first macadam road was built; however, in 1900 Hamilton owned a steamroller used to compress macadam roads. In 1908, Hamilton macadamized Main Street, from the Wenham line to or beyond the railroad crossing, at the intersection with Walnut Road.²⁶ In subsequent years, the town converted, at its expense, other high-traffic streets to macadam. (A macadam road, in 1900, consisted of two layers of stones: a base layer, 8-in. thick, of large stones and a top layer, 2-in. thick, of small stones. The road was beveled.)

In 1930, under Chap. 90, sec. 34, the Massachusetts Dept. of Public Works and Essex County allotted Hamilton \$10,000, in support of a like amount the town provided, to build about a mile of Highland Street. Chap. 90, at the time, allowed the state to assist towns only on through routes connecting towns.

Another example of change arose in 1930, when there were more motor vehicles (984) in Hamilton, than there were horses (224).⁴⁰

A 1929 state act, Chap. 379, established an excise tax on registered motor vehicles, "for the privilege of operating such vehicles up on the highways." In 1930, the motor vehicle excise tax revenue was \$8,700.⁴⁰



Hamilton bought a steamroller, in 1902, to help build new macadam roads. It cost about \$3,000, a major investment for the time.
Photo, Hamilton Historical Society

The Great Recession

In 1929, Overseers of the Poor, no longer being a position held by the selectmen, became known as Overseers of Public Welfare.³⁸ There were early signs of the Great Depression that would lead to many people becoming poor. The welfare rolls quickly grew in number.

The selectmen, in 1934, reported, "Expenditures for public welfare and unemployment relief have of necessity been very heavy. We have many of these cases. Present indications are against the promise of any material reduction in these conditions."⁴¹

Federal and state relief funds helped Hamilton provide assistance to the needy. Total appropriations were \$17,500, with \$10,00 coming from the Dept. of Public Works and \$5,000 from the County of Essex,⁴¹

In 1934, Hamilton created a Board of Water Commissioners, having 3 members elected for 3 years.⁴¹ Previously, the selectmen oversaw the town's water projects and the town's plans for conversion to a water main system.

While voters said yes to water, they said no to alcohol. Voters, in 1934, decided to keep Hamilton a "dry town." By a narrow margin (139 no and 125 yes) they did not allow the sale of alcoholic beverages whiskey, rum, gin, malt beverages, wines and all other alcoholic beverages.⁴¹

The town ended, in 1934, its Gypsy and Brown Tail Moth Department.⁴¹

Also that year, voters decided to have the Board of Health expand its garbage and rubbish collection to the east part of the town. Garbage consisting of kitchen and table waste was brought to a local pig farm. Rubbish, which was paper, glass, metal and other non-organic materials, was brought to a dump. Total cost for the first year was about \$2,000.⁴¹

In 1935, the town debt was \$8,000, nearly all of which was for school projects.⁴²

Unemployment relief and public welfare, by 1935, were the major concerns of town government. The selectmen stated, "It seems as though this situation will continue with us until there is a general improvement in business throughout the country."⁴²

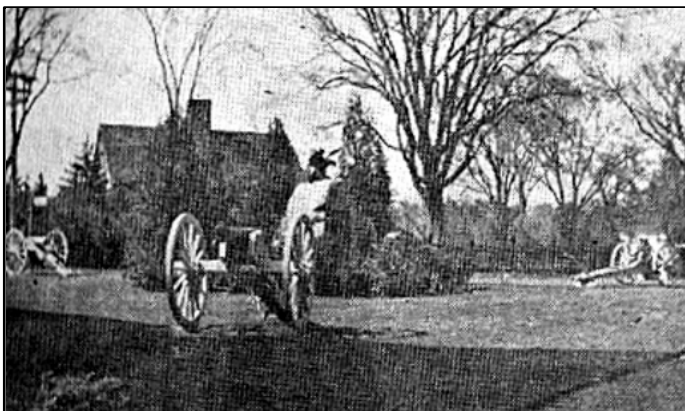
The selectmen decided that "with the enormous amount of detail work and investigation required," they could not handle the welfare task. They hired an experienced welfare investigator, Hugh A. Daugherty. He was a former member of the Stoneham Board of Public Welfare.⁴²

The Works Progress Administration, W.P.A., first came to Hamilton in 1935. The federal government administration hired unemployed men, in the town, to rebuild 5 roads, not in the town proper, but in a new part of the cemetery.⁴²

By 1937, Hamilton spent \$18,645 on public welfare, which was about 12% of the town's total expenditures.⁴³ The selectmen commented that, "with the countrywider recession, which developed during the last quarter of the year, we have unemployment and public welfare as our major problems. We are hoping that this setback is of a temporary nature."⁴³

Voters again, in 1938, decided on the sale of alcoholic beverages. The tally was 462 in favor and 457 against, with 207 not voting on the question. A recount resulted in 459 saying yes and 461 saying no, with 206 abstaining.⁴⁴

The town's Board of Public Welfare Appropriations, in 1939, included: general relief, aid to dependent children and old age assistance. For welfare assistance in 1939, the total cost to the town was about \$29,000. The Federal Government and the state funded about 50%.⁴⁵



Soldiers' and Sailors' Monument was erected in 1924 near the front of First Congregational Church to commemorate the men that served in the Revolutionary War, Civil War, Spanish American War, War of 1812 and World War I.

Photo, Hamilton Historical Society



High School built in 1932 on Linden St. cost more than \$110,000, in the midst of the great recession.

Photo, Hamilton Historical Society

Hamilton's Welfare Agent made 947 total visits to homes of recipients, 372 homes in-town and 106 out-of-town; 8 persons were transported to or from hospitals, 7 visits made to the state welfare department. In addition, the agent made funeral arrangements and arranged for the estates left by deceased,⁴⁵

On Jan. 1, 1940, the State Dept. of Public Welfare transferred welfare case-investigations and direct contacts with relief recipients to the towns. Hamilton's local welfare board, following policies and procedures established by the state, were responsible, for the first time, in gathering required case information. The boards also were responsible for approving the amount of the allowance.⁴⁶

The local government workload also grew in 1940, when the Water Dept. had its first full year of operation. The minimum annual rate allowed was 40,000 gal. for \$16, plus a meter rental of \$1/yr.⁴⁶

At the close of 1940, Hamilton's Public Welfare had a balance of \$1,191.55. This was the first time since 1930 that there was a balance to turn back to the town. The budget for 1940 was \$13,000.⁴⁶

WWII Expense Cuts

Hamilton voters approved, at the 1941 Annual Meeting, the establishment of a Planning Board, with 5 elected members, under the provisions of Chap. 41 sec. 81A. The original responsibility of the Board was to "make careful studies of the resources, possibilities and needs of the town, particularly with respect to conditions that may be injurious to the public health, or otherwise injurious in and about rented dwellings, and to make plans for the development of the municipality with special reference to the proper housing of the people."^{46, 47}

Also at the 1941 meeting, voters approved \$8,400 for the purchase of a combination fire department ladder, truck and pumper.⁴⁷ This was, at the time, a very large sum.

The town debt in 1941 was \$140,000, about \$90,000 of which was for water supply projects.¹²⁰

Then came Sunday, Dec. 6, 1941, "a day that will live in infamy."

Quickly, the town cancelled the fire truck purchase and many other expenses.

The selectmen, in compliance with a request from the state's Adjutant General, authorized, in 1942, the establishment, in Hamilton, of a State Guard Reserve Company. It had 61 men.⁴⁷

In 1943, WWII continued with no sign of an end. Perhaps looking for something positive to report, the selectmen said that for the 8th consecutive year there was a reduction in the tax rate.⁴⁸

Sep. 2, 1945, WWII ended, with the surrender of Japan. There was dancing on Railroad Avenue.

At the 1946 Annual Town Meeting, voters appropriated \$2,000 for a welcome home reception for the returning veterans. It was held on Saturday, Aug. 17. All businesses were closed from 1 to 5 p.m. A reception was held in the town hall auditorium (*second floor of the town hall*).⁴⁹

The selectmen, in 1946, in accordance with Chap. 115, appointed a Director of Veterans' Services to provide veterans with information, advice and assistance necessary to find jobs, and to receive hospitalization, medical care, pensions and other benefits.⁴⁹

The fire department, in 1947, bought the truck it had cancelled in 1942.¹²⁷

The selectmen, in 1947, voiced their concern about the town hall's ability to meet government needs. " We should be aware that times are changing, that the town is growing and that the changes and growth have placed new demands upon the town hall."¹²⁷ X

The size of a quorum was the subject of a warrant item in 1948. A question was whether to increase it to 100 from 50. However, the motion was amended to be 200 and enthusiastic voters approved the amendment motion.⁵⁰

The moderator, in 1949, appointed a Town Government Study Committee to investigate the services provided by the several town departments and commissions. The selectmen charged the Committee with "determining what, if any, economics in operation or administration can be effected by consolidation or otherwise without impairing such services. "⁵¹



WWII welcome home banquet held for veterans at Hamilton High School, Nov. 11, 1946.
Photo, Hamilton Historical Society

Following the start of the Korean War, in 1950, the federal government enacted Public Law 920: the Federal Civil Defense Act. The law required states and municipalities to have a plan of civil defense for the protection of life and property from attack. Hamilton appointed, in 1951, a Civil Defense Director, John H. Perkins. By year's end, a Civil Defense Agency existed with 154 members.⁵³

The subject of a quorum again was brought up at the 1950 Annual Town Meeting. Defiant voters defeated an effort to reduce the quorum from 200 to 100. The year prior, only 36 voters attended a Special Town Meeting. A month later, the meeting initially drew 121 voters, but later that night town officials were able to bring the number up to 206.⁵²

Hamilton voters, in 1946, approved the appointment, by the selectmen, of a Veterans Services Director, Edward A. Dewitt, who was a selectman.⁵² Duties of the Director included providing information, advice and assistance to veterans seeking work, hospitalization, medical care, pensions and other veterans benefits.

Post WWII Changes

At the 1950 town meeting, the 1949 Town Government Committee submitted its final report. The Committee recommended:⁵²

- Increased administrative power be given to the selectmen.
- Selectmen's term of office be increased to 3 years, on an overlapping basis.
- Creation of a Public Works Department, combining all public works functions.
- Creation of a Public Safety Department, combining civil defense, police and fire.
- Reconsidering present practice of standing votes, voting regulations and procedures.
- A new centralized legal records system to assure ready accessibility.
- Centralized government in town hall, thereby concentrating general administrative services, fiscal operations, and public relations.
- Overall personnel system for handling job classification, training, pay, vacation and retirement for town personnel.
- Planning Board prepare a general development plan for the town and a program for future capital expenditures.
- Develop a zoning by-law for the town.
- Combine all town purchases to a single purchasing department.
- The Board of Assessors prepare a valuation map for the town to develop a standardized valuation system.

- Consolidating the two library operations, i.e., the one at the town hall and the other on Bay Road, opposite the depot.
- Recreation committee established to coordinate the recreation programs of the school and town.

After more than a hundred years of requiring voters to pay a tax to vote, in 1951, Hamilton allowed all residents who were 65 and over to vote without paying a \$2 poll tax.⁵³

Following up on the 1949 Town Government Study Committee's recommendations, the selectmen, in 1953, began creating new government positions. They appointed the town's first employee Personnel Board, charging it with establishing job classifications, training, pay, vacation and retirement for town personnel. At the time, the town's government had about 100 paid employees.⁵⁴

In 1954, Hamilton enacted a Protective Zoning By-Law. Subsequently, the selectmen appointed a Board of Appeals to consider granting relief from the requirements of the by-law.⁵⁵ Also appointed were a Building Inspector and a Sanitary Inspector.⁵⁵ An Electrical Inspector was hired in 1956.⁴⁷

In 1955, the town became its own garbage and rubbish collector. Voters approved the purchase of a garbage truck by the Department of Health. Collections were every other week.⁵⁶

The selectmen, in 1957, announced the start of a long-range planning program. They said, "One of Hamilton's greatest needs is to clarify the future needs of the town, so that we can be progressive and, yet, not find ourselves with an unreasonably high tax rate."⁵⁸

On May 1, 1960, an emergency fire and police report center began. Located in the Hamilton Fire and Police Station, the Emergency Call Operator (ECO) functioned 24/7 dispatching the fire and police of both Hamilton and Wenham.⁵⁹



Hamilton became its own garbage collector, in 1955. Voters approved the purchase of a garbage truck Collections were every other week.. Photo, Hamilton Historical Society

Hamilton, also in 1960, formed a Housing Authority, under Chap. 121, sec. 26K, to manage construction, financing, maintenance and renting policies for low income and elderly housing. The Authority has 5 members, elected for 5-year terms.⁵⁹

In 1960, the town debt was \$1.1 million. Voters approved adding \$2.1 million to the debt for the Hamilton-Wenham Regional District School Committee to acquire land, and construct and equip a regional high school. This was the largest debt approved to date.⁵⁹

The 1949 Government Study Committee's recommendation to increase selectmen terms to 3 years was achieved in 1961. Voters elected a selectmen for 3 years, one of 2 years and another for 1 year.⁶⁰

Voters approved, in 1961, combining the water, parks, and cemetery conservation commissions into a single Conservation Commission that also included wildlife, open space, wetlands and waterways.⁶⁰

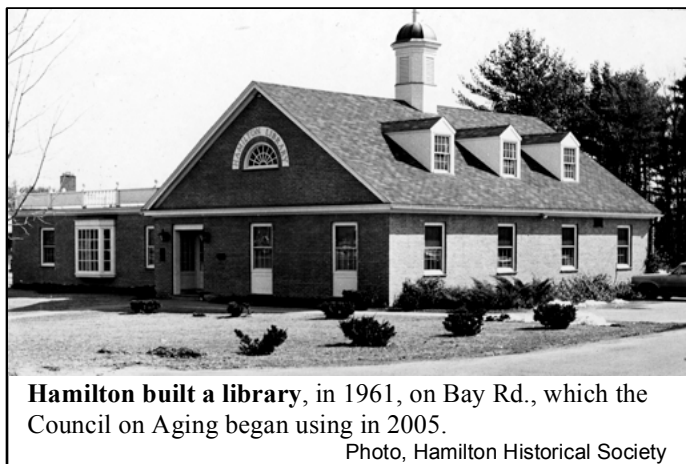
The Commission created an Open Space Committee, with 7 members, to study ways of preserving open areas in Hamilton for recreation, protection of the town's water resources, maintenance of the rural beauty and for the protection of property values.⁶⁰

Cherry Sheet Funds

Massachusetts, in 1961, began officially notifying municipal governments the amounts of state financial aid and assessments on cherry-colored paper, thus resulting in the annual reports being known as the state's "cherry sheets." The State provided \$174.7K, in 1961.⁶¹

Voters approved, in 1962, the creation of a Stabilization Fund, pursuant to the provisions of sec. 5B of Chap. 40. The law allows towns to appropriate up to 10% of the money raised in the preceding fiscal year by taxation of real estate and personal property. Voters approved transferring \$20,000, from the Excess and Deficiency Account to the Stabilization Fund.⁶¹

Also at the 1962 Annual Town Meeting, voters approved the Conservation Commission and estab-



Hamilton built a library, in 1961, on Bay Rd., which the Council on Aging began using in 2005.

Photo, Hamilton Historical Society

lishing an Insect and Pest Control Dept. to conduct mosquito spraying.⁶

As required by state law (*Chap. 43C*), Hamilton appointed, in 1963, a Gas Inspector.⁶² In 1966, a Plumbing Inspector and a Sewage Disposal Inspector were appointed.⁶³

Hamilton established an elected Board of Health, in 1964. Previously, the selectmen appointed the Board's members. The members were elected for 3-year terms.⁶³

Pursuant to Chap. 40C, entitled the Historic Districts Act, the selectmen, in 1964, created the Hamilton Historic District Commission. Appointed by the selectmen, members were to include: a Hamilton Historical Society member; 3 residents of the area, an architect, a member of the Society for the Preservation of New England Antiquities, a member of the Hamilton Board of Realtors and a historian.⁶³

It took about 15 years for Hamilton to appoint, in 1964, a Personnel Board that the Town Government Study Committee had recommended in 1950.⁶³

In 1963, Hamilton residents paid \$2,784 to vote.⁶² In 1964, townspeople no longer had to pay to vote. On Jan. 23, 1964, the United States ratified the 24th Amendment to the Constitution, prohibiting any poll tax in elections for federal officials.⁶²

In the early 1960s, municipal governments were increasingly objecting to the control of state government, the Massachusetts General Court, had on local laws. The procedure for establishing local laws was restrictive, complicated and time consuming.

Call for Home Rule

Echoing back to early colonial complaints about the King's control of their government, Hamilton's voters, in 1965, sent a petition to the state government. The petition stated "as members of this Town Meeting, we feel competent to handle the affairs of our town without strict supervision by the Commonwealth of our every act and deed. Now, therefore, be it resolved that this Town Meeting hereby instructs its representatives to the General Court to vote in favor of the home rule proposal H1384 of 1963, as revised, when it comes before them."⁶⁴

An example of the depth to which the state controlled local government was Hamilton's accepting, in 1967, Chap. 136, sec. 4B authorizing the selectmen to grant licenses for the operation of bowling alleys on the Lord's day between the hours of 1 and 11 p.m.⁶⁶

The purpose of home rule was to "grant and confirm to the people of every city and town the right of self-governance, in local matters." In 1966, the state legislature approved a home-rule amendment to the

Massachusetts Constitution. A subsequent Home Procedures Act, Chap. 43B, detailed the steps whereby a municipality was to petition for home rule.

The Massachusetts' Home Rule Amendment to the Massachusetts Constitution, in sections 1-9 of article II, grants cities and towns broad regulatory authority. Section 8 authorizes a municipality to petition the state to enact special legislation pertaining only to that town or city.¹¹⁷

The petition process enables cities and towns to exercise home rule only to the extent their actions are "not inconsistent with laws enacted by the state legislature."¹¹⁷ In petitioning, the state for authorization of a new law, a municipality must work with their state representatives. Without a representative's active support, a petition likely will not be acted upon.

Municipal home rule authority does not allow the regulation of elections; setting punishments for crimes; disposing of town-owned park land; enacting private or civil laws about civil relationships; and borrowing funds; tax levying, assessing and collection.

Not being able to levy and assess taxes restricts a municipality's ability to generate revenue. The lack of money is a major problem for many municipalities faced with steadily increasing costs.¹¹⁷

At the 1966 Town Meeting, pursuant to Chap. 40, sec. 8B, voters established a Council on Aging having 7 members, of whom the selectmen appoint 4, including the chair, who appoints 3 members.⁶⁵

In accordance with Massachusetts laws and the recommendation of the 1950 study committee, Hamilton, in 1968, created a Public Works Dept., consisting of 5 previously separate operations: cemetery, highway, park, tree and water. Voters elected a 3-man Board of Public Works having 3-year terms. The Board appoints a Superintendent of Public Works.⁶⁷

The Board can appoint engineers to supervise the collection and disposal of garbage and refuse, the

maintenance and repair of town buildings and property, and the performance of duties of any other boards, departments and offices of the town. With this action, the town eliminated a Water Conservation Commission and a Sanitary Inspector.

Further, beginning Jul. 1, 1968, the State Dept. of Public Welfare assumed all administrative and financial responsibility for the Welfare Program, which the selectmen had been handling.⁶⁷

Also in 1968, the state began questioning the town's practice of burning garbage at the town dump and covering of the ashes.⁶⁷

In 1969, voters made the Board of Public Works responsible, subject to approval of the Board of Health, for the control, operation and maintenance of the town dump.⁶⁸

The selectmen, in 1969, no longer appointed members of the Board of Public Health, nor the Board of Public Works. These became elected positions.⁶⁸

Need for Affordable Housing

In 1969, to address the shortage of affordable housing, by reducing barriers created by local municipal building permit approval processes, local zoning, and other restrictions, the State enacted Chap. 40B.

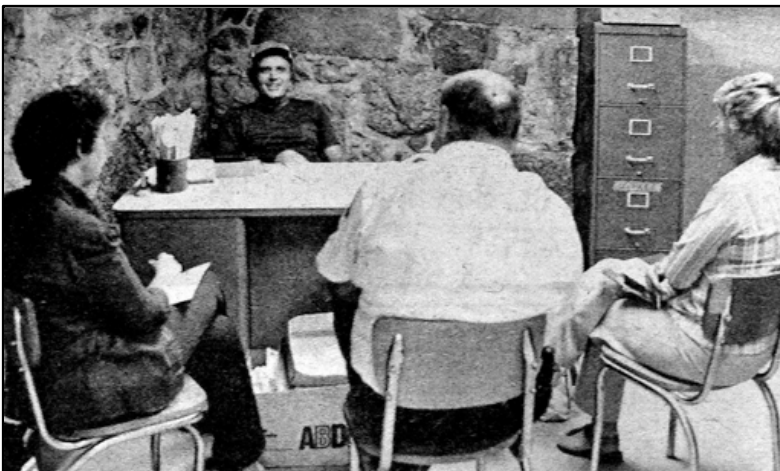
With Chap. 40B, a developer can build more densely than municipal zoning bylaws permit, in any municipality where less than 10% of its housing qualifies as affordable. At least 25% of the new units must have long-term affordability restrictions. The law defines affordable housing as a unit for sale or rent by a household making 80% or less of the area's median income.

A State law, in 1970, also affected the town's open burning of garbage, at the town dump. To meet the demands of the State Dept. of Public Health, it became what was known as a sanitary landfill.⁶⁹

Garbage collection, done by a private contractor, returned to once a week. However, with many people using plastic bags for their garbage pickup, the town required homeowners to put out the bags only on garbage day, to minimize the problem of animals and birds tearing open the thin bags.⁶⁹

The moderator, at a 1970 Special Town Meeting, adjourned it due to a lack of a quorum. Between October 1949 and October 1970, 12 special and annual town meetings adjourned due to a lack of a quorum.

The 1970 Annual Town Report has the last mention of an Inspector of Animals and Slaughtering.⁷⁹ From then on, the town had an Animal Inspector.



Some town hall offices, in 1976, were moved to refurbished basement.

Photo, Hamilton-Wenham Chronicle

At the 1971 Annual Town Meeting, pursuant to state law Chap. 40, sec. 8E, voters approved the creation of a Youth Conservation Commission, to determine the needs of town young people and provide programs. The Selectmen appointed 7 members to the Commission. Assisting the Commission were high school students serving as Deputy Commissioners.⁷⁰

The selectmen hired, in 1971, the town's first Recreation Director,⁷⁰ Ralph Vitale. The position became part of the Dept. of Public Works.

The 1971 Annual Town Report has the last mention of a Civil Defense Director.⁷⁰

A first in 1971 was the town paying an outside consultant for guidance. \$200 was paid to a consultant to assist in developing plans for a new police and fire department building.⁷⁰

Recycling glass, paper and metal rubbish began in July 1973; about 4 tons were collected.⁷¹

By state law, Hamilton, in 1973, changed its fiscal year from starting Jan. 1 to Jul. 1.⁷¹

Also in 1973, the state made it mandatory (*Chap. 54, sec. 6*) for the selectmen to divide the town into voting precincts, with each having about an equal number of inhabitants. The selectmen created two voting precincts, designated Precinct 1, west of the railroad tracks; and Precinct 2, east of the tracks.⁷¹

The 1975 Annual Town Report has the last mention of a Milk Inspector.⁷³

Selectmen, in 1975, voiced their concern about the limited life expectancy of the town dump. They said the town needed to join with other communities looking toward a regional solution to the problem of solid waste disposal.⁷³

Beginning with the 1975 Annual Town Meeting, the treasurer also was the tax collector, as was recommended by the 1973 town hall study committee. The combined Treasurer/Tax Collector continued as an elected position.⁷³

Hamilton's police, in 1976, joined the Police Benevolent Association. The first 2-year police contract was signed. For the town, important clauses in the contract were assurance that the selectmen manage the police department and it had a no strike clause.

In 1978, six government offices moved into the town hall basement: the recreation director, who had been on first floor; the assessors; the building, plumbing, milk and animal inspectors; the health officer; and the civil defense officer.⁷⁵

Voters, in 1979, approved the creation of a part-time Executive Secretary to assist the Board of Selectmen. This was done in accordance with Chap. 41, sec. 23A.⁷⁶

Where to dump trash became a major problem, in 1980. The town dumping area had to be closed. Three years later, it was closed and covered. Garbage and rubbish collection began to be sent to an incinerator in North Andover.⁸⁰

Hamilton hired a Planning Coordinator, in 1981 to improve planning between town boards and assist them in gathering information.⁷⁸

Proposition 2½ Limits Taxes

A taxpayer revolt began in 1982.

The state enacted a law (*Chap. 59, sec. 21C*) that limits municipal increases on property taxes to 2.5% (*\$25.00 per \$1,000 of valuation*). Thus began an annual battle among voters, at town meetings, to pass or deny a property tax override of what was known as proposition 2½.

Hamilton had its first female selectman in 1984. At a special election, following the resignation of a member of the board, Susan Wiltshire was elected to the Board of Selectmen.⁸¹

Cable television came to Hamilton in 1986. Three years earlier, the selectmen granted a license to Continental Cablevision, Inc., Boston, MA, to design, build and operate a Hamilton-Wenham Regional Cable TV System.⁸⁰ Hamilton and Wenham selectmen appointed, in 1985, a 5-member Hamilton-Wenham Cable Television Advisory Board, with 3 members from Hamilton and 2 from Wenham. Subscribers paid Continental Cablevision a fee for programs, from which the towns received 50¢ per subscriber.⁸¹

In accordance with the requirements of sec. 504, Federal Revenue-Sharing Regulations, initiated Oct. 17, 1983, the selectmen, in 1985, appointed 5 members to a Handicap Coordination Committee. Joanne Patton was the first chair.⁸²



Town hall became handicap accessible in 1992, with the addition of a ramp, for wheelchairs, to the side entrance. It was to be replaced within three years, but remained in place through 2019..

Photo, J. Hauck 2016

The size of a quorum once again was reviewed in 1986. Voters approved a reduction of the quorum from 200 to 150 for special town meetings: 200 remained for the annual town meeting.⁸³

The selectmen, at the 1987 Annual Town Meeting, said that budget constraints caused by proposition 2½ were a continuing concern. Many fixed costs continued to rise at a rate higher than 2½%.⁸⁴

A year later, voters were asked to allow the town to be exempt from the provisions of proposition 2½, for money to pay for bonds or notes of \$4,2 million, to pay for school building costs. The article passed with 883 yes vs. 715 no.⁸⁵

1993 Hamilton Government

(* Elected offices)

*Assessors.

*Board of Health,

*Library trustees

*Moderator

*Planning board

*School committee

*Selectmen

*Town clerk

*Treasurer/tax collector

Accountant

Animal control

Appeal Board

Board of Public Works

Cemetery

Building inspector

Electrical inspector

Gas inspector

Highway

Parks Department

Plumbing inspector

Sanitation

Tree warden

Water Enterprise

Conservation Commission

Council on Aging

Dog warden

Emergency Response Center

Fincom

Fire Department

Historic District Commission

Personnel Board

Police Department

Recreation Director

Sealer weights & measure

Town Counsel

Veterans' Administration

In 1988, the selectmen appointed 18 people to a Housing Partnership Program Committee. The committee established a tentative set of guidelines for affordable housing and locations.⁸⁵

To partially replace funds lost due to proposition 2½, Hamilton created a fees by-law in 1989. Pursuant to Chap. 262, sec. 34, the by-law, Chap. XXVII, created two dozen new fees.⁸⁶

The selectmen, in accordance with Chap. 40, sec. 8H, established, in 1989, a recycling program for solid waste, including, but not limited to paper, glass, metal and plastics. The program required all such recyclables be separated from other solid waste. About 250 tons of paper was recycled, in 1989. The selectmen appointed 5 members to a Recycling Committee.⁸⁶

Free garbage and rubbish collection ended in 1990. The Board of Public Works began charging property owners for collection.⁸⁷

In 1991, town employees voted to unionize those working at the town hall, library and the Emergency Center. They joined the American Federation of State, County and Municipal Employees.⁸⁸

Another change instituted in 1991 was linking of computers in Assessors and the Treasurer/Collector offices to a common service bureau database. This reduced redundancy and inconsistency of data the offices collected.⁸⁵

The 1992 Annual Town Report has the last mention of Field Drivers.⁸⁹

200th Anniversary

1993 was the 200th anniversary of Hamilton's incorporation as a separate town. Through the 200 years, there were 46 different selectmen and just 9 town clerks. Francis Whipple was the Town Clerk for 32 years (1944 to 1976).

The selectmen appointed, in 1993, a town government and services study committee. Its charter was to examine all aspects of town governmental organization and structure, including regional and multi-town relationships and the operation of all departments, boards, committees and commissions, elected and appointed, excluding the school system.⁹⁰

The 7-member committee consisted of: 2 town citizens appointed by the moderator, 2 appointed by the selectmen and 3 appointed by the Finance Committee. Members were restricted from holding or seeking election or appointed office in the town, while a member of the committee; and 3 were to have held elected or appointed offices within the previous 7 years. The Moderator appointed the Chair. A final or interim report was to be submitted at the 1994 Annual Town Meeting.⁹⁰

In 1993, the increasingly complex technical and regulatory issues handled by the Board of Public Works led the selectmen to hire a Town Engineer. The Board re-organized the department to have fewer levels of management and for foremen more directly report to the superintendent.⁹⁰

Also in 1993, most of the Public Works departments moved from the basement to the second floor: plumbing, building and electrical inspectors did not.⁹⁰

The selectmen, in 1993, expressed their concerns about the need for legal representation. "We have been well served by single-lawyer representation over the years, but the town's problems have become far more complex and difficult. This may warrant the town's searching out legal representation that will concentrate on avoiding legal entanglements and, which will provide reasonably-priced expertise in all phases of today's modern government."⁹⁰

The selectmen, in 1994, assigned day-to-day town management to the Board's Executive Secretary, who had been hired in 1992.⁸⁹ The new position became full-time.⁹¹

Further, the selectmen began researching Hamilton's services shared with Wenham and of expanding to other services. As stated by the selectmen, creating new joint services, while helping control costs, was not to compromise the separate identification and heritage of the two towns. The selectmen said "expanded sharing of services between our communities is an important goal, if we are to control cost while maintaining the services that we all want."⁹¹

To be considered were personnel administration, collective bargaining and procurement under the state's bidding laws, legal affairs, computerization and networking, insurance, real estate negotiations and buildings maintenance.⁹¹

At the 1994 Annual Town Meeting, the town required recyclable materials to be separated from household trash.⁹¹ Voters also approved a by-law limiting the amount of solid waste placed weekly by a household or business for pickup to 4 bags, barrels or other containers. Further, each household or business could place 1 bulky object, not metal, per week, in place of one of the 4 containers of solid waste.⁹¹

The government study committee, in 1995, recommended changing the Treasurer-Tax Collector position from elected to appointed, as allowed by Chap. 41, sec 37.⁹² Voters approved the appointment of the Treasurer-Collector position.

The study committee also recommended the selectmen appoint members of the boards of assessors and health, rather than these being elected positions. Further, the committee recommended the temporary

transfer of the oversight of the Department of Public Works to the selectmen. Voters approved all the changes.⁹²

Hamilton and Wenham voters approved, in 1995, the forming of a joint recreation program and the sharing of costs and facilities.⁹² A year later, Hamilton and Wenham, formed the Hamilton-Wenham Recreation Dept. They also established a joint Hamilton and Wenham Recreation Board, with 6 members 3 from each town, to oversee the recreation department and its programs.¹⁰⁸

Voters, in 1996, supported a change in the by-laws, Chapter IV, related to public works. They authorized the Selectmen and the Personnel Board, acting collectively, to appoint a Director of Public Works, to be overseen by a Board of Public Works. The Director of Public Works supervised highways, parks, the water enterprise, cemetery, tree management and pest control. The change eliminated the State requirement, and expense, for the Public Works Department to be managed by someone that was a Professional Licensed Engineer.⁹³ Steve Kenney held this position until 2008.

Elected Government Offices

Office	Term Yrs.	Began	Ended
Assessors	3	1793	Current
Auditor	1	1793	1912
Cemetery Commissioner	3	1902	2000
Conservation Commissioner	3	1960	Current
Constables	1	1793	1947
Fence Viewers	1	1793	1920
Highway Surveyor	1	1793	1968
Housing Authority	5 & 1	1961	Current
Library Trustee	3	1793	Current
Moderator	1	1902	Current
Overseers of Poor	1	1793	1934
Overseers Public Welfare	1	1927	1945
Park Commissioner	3	1907	1967
Planning Board	3 & 5	1940	Current
Public Works Board	3	1969	2001
Reg. School Committee	3 & 1	1959	Current
School Committee	3	1793	1958
Selectmen	1	1793	1960
Selectmen	3	1961	Current
Surveyor of Highways	1	1924	1945
Tax Collector	1	1793	1975
Town Clerk	1	1793	1989
Town Clerk	3	1990	Current
Treasurer	1	1793	1975
Treasurer/Tax Collector	3	1975	1995
Tree Warden	1	1901	1993
Water Commissioner	3	1935	1970

Town Administrator

Also in 1996, the selectmen, in accordance with Chap. 41, sec. 108N, created a Town Administrator position. They appointed the Executive Secretary, Candace Wheeler, who was hired in 1992, to be the Town Administrator.⁹³

Voters approved a change in the by-laws allowing the Board of Selectmen to transfer some of their responsibilities to the Town Administrator. These included: administering policies and procedures of the board, and enforcing town by-laws and actions passed at the town meeting. Further, the Administrator was to submit to them a proposed annual budget developed in cooperation with department managers. The Administrator was given the management of all town departments, excluding the School Department, and working with other government committees and commissions.⁹³

A new state law, in 1997, Chap. 41, sec. 1B, gave voters, at the Annual Town Meeting, the right to change certain positions from elected to appointed.⁹⁴ (*The Act applies to clerk, treasurer, tax collector, assessors, auditor, highway surveyor, sewer commissioners, road commissioners, tree warden, constables, board of health, but does not apply to school committees.*) The 1995 government study committee had recommended several elected positions be changed to appointments by the selectmen.

Rising utilities costs drew the attention of the selectmen in 1998. They considered joining a municipal consortium to obtain better electric rates. Upon review, they decided not to do so, stating it would tie the town into a long-term contract.⁹⁵

Voters approved a new by-law, in 1998, pertaining to communications cell towers. The by-law controls visual affects of a proposed tower on surrounding properties; encourages tower location on municipal land; and making improving communications services to town agencies.⁹⁵

The 1998 Annual Town Report has the last mention of a Tree Warden.⁹⁵

The 20th century ended with several major government changes.

The state, in 1999, abolished the county government. Essex County assessments were gone.⁹⁶

Voters approved, in 1999, changing the by-laws so that the selectmen were responsible for the collection and disposal of all refuse and garbage, subject to the approval of the Board of Health,

with respect to matters of health and sanitation, and maintenance of the town sanitary landfill.⁹⁶

Also in 1999, voters approved a reorganization of the financial department, as was recommended by the study committee, a few years earlier. The selectmen were authorized to appoint a Finance Director, reporting to the Town Administrator. The Director supervised the Town Accountant, Treasurer-Collector, Information Systems Coordinator, Assessors, and the related staffs.⁹⁶

Hamilton and Wenham selectmen, in 1999, formed a Joint Services Committee, to study the existing programs shared by the two towns. A primary objective for the Committee was to strengthen communication between existing joint services, which included recreation, library, veterans, education, cable TV and emergency services.⁹⁶

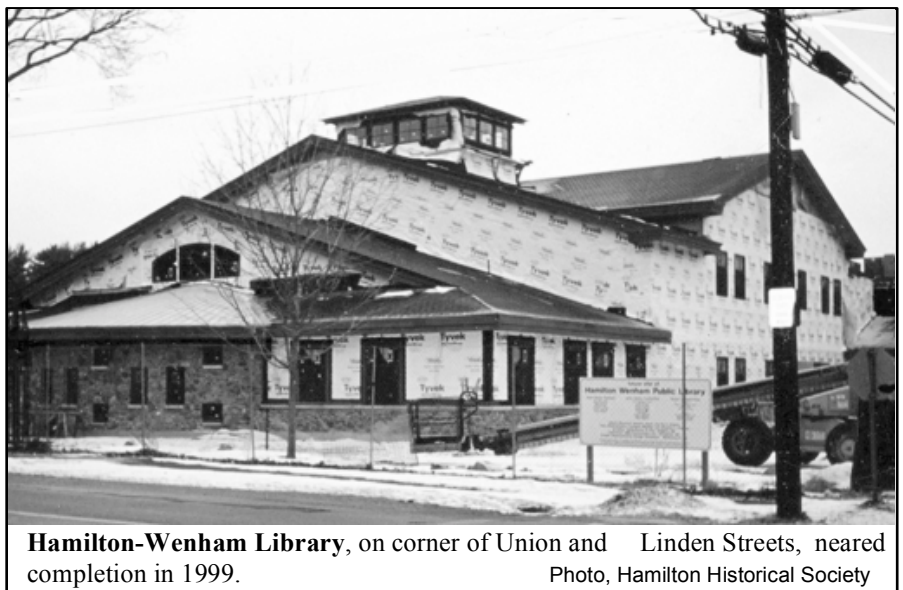
A 1999 Master Plan shows the town's fixed assets included 9,570 acres of land, consisting of: Forests, 5,000 acres; residential, 2,000 acres; wetlands, 650 acres; water, 235 acres; town government and schools, 170 acres, and business, 40 acres.¹²²

The 2000 census shows the town having 2,825 residential units. As for affordable housing, Hamilton fell below the Chap. 40B 10% threshold by 203 units.

21st Century

Hamilton's population, in 2000, was 8,315. an increase of about 14% since 1990. Half the residents were 50 and over, about 80% of the households were families, 15% of the residents were born outside of the northeast, and 6% were not U.S. citizens.

The "we can do it ourselves" way of running the town's government ended soon after the start of the 21st century. Since becoming a self-governing town in 1893, Hamilton had relied upon the expertise of its citizens to manage the town.



Hamilton-Wenham Library, on corner of Union and Linden Streets, neared completion in 1999.
Photo, Hamilton Historical Society

At the 2000 Annual Town Meeting, the chair of the Board of Selectmen said, "The evermore complex operation and management of the town require we move to the Town Manager form of government." A chief administrative officer, the Town Manager, reporting to the selectmen, would direct the town's departments, except for schools.

The town's operating budget, exclusive of education, was nearly \$5 million.

2000 was the 126th year that the town had a town meeting form of government. There was a 3-member Board of Selectmen and a town administrator. Voters met at an Annual Town Meeting, held following the start of the fiscal year (*Mar. 1*) and at Special Town Meetings, during the fiscal year.

Voters (204), at the 2000 Annual Town Meeting, reduced the quorum from 200 to 150, for both Annual and Special Town Meetings. There were 4,606 registered voters in the town's two precincts.⁹⁷

The government consisted of 20 elected positions and 254 appointed to departments, committees, commissions and boards.⁹⁷

In addition to seeking guidance from the various committees, commissions and boards, the town called upon outside consultants. In accordance with Chap. 44, sec. 53G, the town employs outside consultants for specific expert services deemed necessary to come to a final decision on an application.

In 1971, the town spent \$200 for an outside consultant.⁷⁰ The 1990 annual town report has more than two dozen references to consultants. In 2000, Hamilton budgeted \$3,000 for consultant services relative to local television broadcasting; \$5,000 for assistance in writing a cell-tower by-law; and the Planning Board spent \$1,330 for outside consultants.⁹⁷

The 2000 assessed valuation was \$807,219,470, with a property tax levy of \$12.2 million. The 2001 fiscal year tax rate was set at \$15, down \$0.58 from the previous year.⁹⁷

Among houses built in the 1940s, the average total assessed value of the house and property was \$412,639. The average value for houses built after 2000 was \$975,355, a 135% increase.¹²⁸

Hamilton's population decreased slightly, in between 2000 and 2010, and the number of households increased to 2,692. According to Hamilton's assessors, 96 housing units were constructed between 2000 and 2010, fewer than in any decade since the 1940s.¹²⁸

Total expenses for 2000 were about \$14.2 million. Total revenues were \$13.9,

with \$11.5 million being property taxes.⁹⁷

A new term in the government lexicon appeared at the 2000 Annual Town Meeting. Voters were asked to approve a "debt exclusion" override of prop 2½. The article requested \$311,200 for non-recurring DPW capitol expenses.

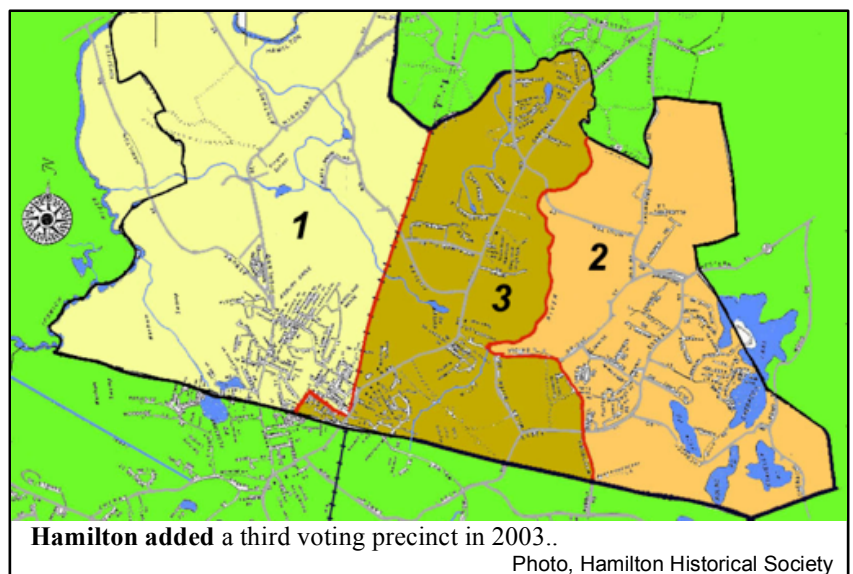
Pursuant to Chap. 59, sec. 21C, a "debt exclusion" allows a town to raise funds for debt service costs, through the purchase of bonds. It requires a two-thirds vote. The additional property taxes are temporary and are removed, when the bond term ends.

Hamilton closed its public library in November 2000, having joined with Wenham to build a public library serving both towns.⁹⁷ The Hamilton-Wenham Library opened in December 2001.⁹⁸

In 2001, state and federal aid (*intergovernmental revenue*) was about \$1.3 million, the first time exceeding a million dollars. However, in 2002, the amount dropped back to \$1.2 million.⁹⁹

Also in 2001, voters approved a change to the town's by-laws, pursuant to Chap. 48, sec. 42-44, to establish a Strong Fire Chief. By the new law, a fire department chief, appointed by the selectmen, has the authority to purchase apparatus for the department, subject to approval by voters at town meetings; hire department members and set the compensation for the fire department members. Previously, the selectmen had these authorities.

In 2002, about 50 properties provided some form of equestrian service, including stables that raise and board horses, equestrian events, related agriculture, and accessory business and hospitality. The largest being the 410-ac. Myopia Hunt Club.¹²² In total, there were slightly more than 200 horses, ponies and yearlings in the town.



Hamilton's farms occupied, in 2000, about 1,200 ac. or 13% of the town, which was only slightly less than 30 years earlier.¹²²

Hamilton added a third voting precinct in 2003. Precinct 1 became an area west of railroad track, south to Railroad Ave., west to Lois St., south to the town line; Precinct 3, included the Railroad Ave. to Lois St area excluded from precinct 1, streets east of railroad tracks to Miles River, south to Bridge St., east to Woodbury St. and south to the Wenham town line and; and precinct 2 being east of the precinct 2.

To reduce the amount of property tax for some elderly citizens, Hamilton voted to accept, in 2003, Chap. 59, sec. 5, clause 41c. Residents, 65 years old, by July 1, may qualify for a \$1,000 tax credit. To be eligible, the resident's income, if single was \$23,718 and his or her assets were not in excess of \$40,000. For married residents, the income requirement was less than \$35,578 and assets not in excess of \$55,000. Another requirement was that they were Massachusetts residents for 10 years and owned/occupied their property for 5 years.

Hamilton joined with Wenham, in 2004, in providing free transportation services to the senior and handicap residents of the two towns.¹⁰⁰ The state funded the purchase of a van and the towns shared in the operating expenses.

The selectmen created, in 2004, an Economic Development Committee to improve the town's business opportunities. Among the charges to the EDC was initiating work on ways the town could modify its land use policies to permit non-single family residential projects like age-restricted and commercial development and, thereby, expand the town's tax base and increase its property tax revenues, without adding school-age children to the schools.¹⁰¹

Voters at the 2005 Annual Town Meeting approved several significant changes and additions to the town's government.

They established the Hamilton Foundation to help meet unexpected, urgent, short term needs of town residents, due to job loss, death, divorce or illness. The Foundation has a 5-member board. A coordinator, appointed by the Foundation Board, handles calls from residents in need and confidentially shares necessary information with the board, in order for the Foundation's Board to make a decision about how to help the resident. The Foundation, in 2005, received \$6,331.71 from the Maxwell Norman Trust.¹⁰²

The town also created, at the 2005 Annual Town Meeting, an Agricultural and Equestrian Commission, with 6 members. The Commis-

sion's purpose is to promote agricultural-based economic opportunities, assist in resolving conflicts involving agriculture, and participate in educating the community on the benefits of local agriculture.^{11, 102}

Also in 2005, voters accepted provisions of the state's Community Preservation Act of 2000, Chap. 44B. The law established a dedicated funding source to acquire, create and preserve open space, rehabilitate recreational land and historic resources, and for the purchase, creation, preservation, rehabilitation and support of community housing.

The CPA program established a 2% surcharge on real estate taxes for all residences and businesses, with exemptions for the first \$100,000 of residential property value and property owned and occupied by any person who qualifies for low income housing or low or moderate income senior housing. To the surcharge, the state makes annual distributions from a trust fund.

Voters, in 2005, also approved a by-law (*Chap. XXVII*) creating a 9 member Hamilton Community Preservation Committee (*CPC*) to review, twice a year, project applications. Requests approved by the CPC are placed on the warrant for the annual town meeting, where voters decide if funds are to be granted.^{11, 102}

As part of efforts to increase the availability of affordable housing in Hamilton, the town established, in 2005, an affordable housing plan consistent with the regulations and guidelines of the Dept. of Housing and Community Development and Chap. 40B. Also created was an Affordable Housing Trust Fund.^{11, 102}

A 2005 study of Hamilton's housing showed there were 2,713 total housing units (*a decrease of 112 from 2000*): 73 units qualified as affordable, according to Chap. 40B, the state affordable housing law.¹⁰²



Selectmen met every other Monday evening at the Memorial Meeting Room in town hall. Photo, Town of Hamilton, 2018

Hamilton and Wenham, in 2005, studied the pros and cons of regionalization of the police and fire departments. Assisting in the study were the International Association of Chiefs of Police and the Hamilton-Wenham League of Women Voters. It was decided that there were not sufficient cost savings to warrant regionalizing the departments.¹⁰²

In 2006, a proposed housing complex, the Carriage House Junction, at the intersection of Essex and Sagamore streets, under Chap. 40B, was to provide 6 affordable housing units.¹⁰³ It did not win voter support.

The selectmen in Hamilton and Wenham, in 2006, formed a non-profit corporation to manage a community access television (CATV) network. This action followed failed contract negotiations with Comcast and Verizon.¹⁰³

To develop a plan for the repair and replacement of assets owned by Hamilton, Wenham and the Regional School District, selectmen appointed a Joint Capital Management Committee.¹⁰³

Also in 2006, the selectmen of Hamilton and Wenham formed a payment in lieu of taxes (PILOT) committee to develop a common approach for the towns to discuss how non-profit organizations, in each town, should pay a "fairer share" for the municipal services provided to their members.¹⁰³ In accordance with Chap. 59, sec. 5, clauses 10 and 11, religious organizations are exempt from property taxation on all personal property that the organization uses for religious or charitable purposes.

A sign of the growing complexity of town government was the town's hiring, in 2006, of its first full-time Finance Director, Deborah Nippes-Mens.¹⁰³

Despite having nearly 6,000 voters, two attempts to hold a Special Town Meeting, in 2006, failed when fewer than 150 citizens turned out.¹⁰³ Thus, in 2007, voters approved a reduction in the required quorum for all town meetings to 75, about 1% of the registered voters.¹⁰⁴



In 2008, Hamilton began a Household Waste Reduction recycle program that allowed residents to put out, weekly, one free 35-gal. barrel of solid waste. Solid waste exceeding one barrel had to go into a town stamped blue bags.
Photo, J. Hauck, 2018

The fire department's 3 full-time employees, in 2007, became unionized.¹⁰⁴ Previous town employees to form unions were those working in town hall, library, and the Emergency Center (ECO).

In 2008, the town began a Household Waste Reduction program. Residents could put out, weekly, one free 35-gal. barrel of solid waste. Solid waste exceeding the one barrel had to go into a town stamped blue bag. The bags were sold, \$1.75 each, at two local stores. During the first year, the solid waste tonnage dropped by 34%, a savings of \$70,000.

Hamilton sought to modify the property tax relief requirements in 2008, but the state denied the request. The request was to have those residents, with household incomes less than \$65,000, pay no more than 10% of that income in property taxes.¹⁰⁵

Town Manager

A major change in Hamilton's government began in 2009. Voters authorized the selectmen to petition the State, pursuant to Chap. 43B, sec. 10, to allow Hamilton to establish a Town Manager reporting to the Selectmen. The new position supervises and manages the day-to-day activities of all town departments and employees and appoints and removes all department heads and officers, subordinates and employees. All other appointments are made in consultation with the respective department head, board, commission or committee.^{11, 106}

Also at the 2009 Annual Town Meeting, voters approved an increase in the number of selectmen from 3 to 5.¹⁰⁶

Not getting the support of voters at the 2009 meeting was the town exceeding the provisions of proposition 2-1/2, to pay its share of the bond issued by the Hamilton-Wenham Regional School District.¹⁰⁶

Following a windstorm in February 2010 that interrupted power in the town for an extended time, the State required Hamilton to have Community Assessment Plans, Hazard Mitigation Plans and Comprehensive Emergency Plans. The selectmen created a Volunteer Shelter Team to get generator hookups to town buildings, Housing Authority buildings, and other important buildings.¹⁰⁷ The Shelter Team also started gathering cots, blankets, first aid kits, and other emergency supplies and equipment.¹¹

Again, in 2010, the state halted Hamilton from enacting a home rule by-law pertaining to elderly citizen property taxes. The town sought to impose a cap on property taxes to 10% of the total annual household income. A single applicant's total annual household income could not exceed \$33,000 to \$49,499 and \$49,500 to \$74,250 for married applicants. At least

one owner/resident was to be at least 65 or 70. Applicants had to have lived in Hamilton for at least 10 consecutive years. The state said the by-law violated the Massachusetts Constitution.

In April 2010, Governor Deval Patrick approved the town's petition to the State Legislature for a Senior Tax Exemption Program. It became effective on Nov. 9. In its first year, 40 applicants requested reductions totaling \$73,863.40: 35 qualified for reductions totaling \$63,759.¹⁰⁹

2000 Hamilton Government

(* Elected offices)

- Animal Control
- Assessors *
- Auditor
- Board of Health
- Cemetery Board
- Chebacco Woods Management
- Conservation Committee
- Counsel on Aging
- Disability Office
- Election Officers
- Emergency Management
- Finance Advisory Committee
- Finance Director
- Fire Department
- H-W Cable Advisory
- H-W Cultural Council
- H-W Library Committee *
- H-W Recreation Board
- H-W Regional School District Committee
- Harbormaster
- Historic District Commission
- Housing Authority *
- Inspection Department
- Library
- Library trustees *
- MAPC
- MBTA
- Moderator *
- Parking Clerk
- Personnel Board
- Planning Board *
- Police Department
- Public Works
- Regional Vocational School Committee
- Registrars of Voters
- Sealer weights & measures
- Selectmen *
- Town Administrator
- Town Building Reuse
- Town clerk *
- Town Counsel
- Treasurer/ Tax collector
- Tree/Insect Coordinator
- Veterans Graves
- Veterans' Services
- Zoning Board of Appeals

The town established a new source of income, in 2010. Voters approved Chap. 64L, sec. 2 (a) to tax meals served at town restaurants. The new law allows the town to apply a portion of the tax funds to downtown development projects.¹⁰⁷ (In 2017, the amount was about \$72,000.¹¹⁴)

Hamilton and Wenham considered, in 2011, having a joint finance department. However, it was found "there were not sufficient cost savings to warrant regionalizing."¹⁰⁸

The town, in 2012, created The Hamilton Development Corp., pursuant to Chap. 40H, as a publically-chartered organization to support planned economic development through the use of both public and private sector funds. The stated objective of the HDC was to "promote sustainable, long term growth and the economic health of the town and its citizens."¹¹
¹⁰⁸ Available town funds provide money for the HDC's general purposes.

To reduce expenses, Hamilton returned, in 2012, to every other week solid waste collection. Also in 2012, Hamilton was one of the first towns, on the East Coast, to offer residents curbside composting collection. The town issued 13-gal. containers for compost collection.¹⁰⁹

Joint Efforts

In 2012, the town created a board to consider joining the Hamilton Public Safety Building with a regional ECO, based in Middleton. The board, after studying cost, level of service, technology, the political trend toward regionalization and future needs, chose to stay with the existing operation.

However, Wenham, which had partnered with Hamilton since the ECO's inception (1960), decided to join the Middleton ECO.¹⁰⁹ In 2012, ECO expenses were about \$406.7K, to which a State grant provided \$130K and Wenham gave \$125.3K, leaving Hamilton's share at \$151.4K. In 2014, with the ECO no longer a regional program, the State stopped providing grant funds: the ECO costs were \$253.9K.

The joint senior transportation program with Wenham ended in August 2012. Beauport Ambulance began transporting Hamilton seniors, at no-charge, to: Hamilton, Wenham, Beverly, Essex, Gloucester, Ipswich, Manchester, Rockport and Topsfield.¹⁰⁹

In 2012, Joanne H. Patton and her family gave the town their 27.2-ac. property at 237 Asbury St.¹⁰⁹ (By 2019, the town owned more than 70 properties.¹²¹)

The following year, July 2013, Hamilton ended the agreement with Wenham to share a Council on Aging Director. A full-time, year-round Council on Aging Director was hired, Marybeth Lawton.¹¹⁰

In 2013, the League of Women Voters studied whether the Hamilton and Wenham fire departments could be merged to reduce government costs. Based on conversations with the two fire departments, the LWV stated that, "in light of current circumstances, a merger is not needed."¹¹⁰

The two towns, in 2014, did agree to hire a part-time Energy Manager, Victoria Masone, to regularly measure and monitor the energy use at all municipal facilities.¹¹¹ In 2016, the Energy Manager also became responsible for the Hamilton Wenham Regional School District.¹¹³

The Energy Manager, pursuant to Chap. 25, sec. 2A, works with the Town Manager, the Town Finance Director, the Public Works Dept., the Facilities Dept. of the H-WRSD and various other branches of municipal government. The Energy Manager serves as a primary contact point for state agencies on energy grant programs and other energy initiatives.

The state again denied Hamilton's enacting a demolition delay by-law in 2014. However, in 2019, the town received state approval of a demolition delay by-law.

In 2014, Hamilton elected only its 11th Town Clerk

Voter Quorums

Year	Population	Quorum
1900	1,614	50
1906	c1,600	100
1920	1,631	50
1948	c2,700	200
2007	c7,800	75
2018	c7,700	50

in its 226 years of existence. The Town Clerk is a statutory position, legislated by Chap. 41, Section 15.

For many of the town's early years, the first official to be elected was the Town Clerk. The position was seen to be very important, since the Clerk acted as the town's de facto manager, recording births, marriages, deaths, dog licenses, marriage licenses, fishing licenses, hunting licenses, voters, voting reports, appointment of tellers and election officers, and opening and closing of polls.

The position requires thorough knowledge of the ever-changing state, local, and federal statutes and regulations related to the duties and responsibilities of the Town Clerk's office.

At the 2015 Annual Town Meeting, 589 registered voters attended: 11% of the registered voters. Such robust attendance was not the norm in the early 2000s and late 1900s.¹¹²

Also at the 2015 Annual Town Meeting, voters authorized money to revise the by-laws and create new ones. The intent was to have the by-laws address recent developments in cottage housing; cluster-style housing; and marijuana availability.¹¹²

In 2016, the town sold part of the former Patton 27.2-ac. property for building "moderately priced senior housing."¹¹³ The 4-ac. Patton Ridge Estate was to have 12 units, selling at about \$700,000 for people 55 years and older.¹¹¹

Voters amended, in 2016, the Animal Control By-Law, by adding a new sec. 9: Keeping of Roosters. "It shall be unlawful to keep roosters on any property within the town of Hamilton, except for commercial agriculture."¹¹³

The every-other week trash collection, begun in 2012, ended in 2016: there again was weekly trash collection.¹¹³

The selectmen appointed, in 2016, a Town Hall Building Committee to consider updating the 120-year old building to meet current and future needs.¹¹³

Major Town-Owned Land

Properties	Location	Size, Ac.	Acquired
Brown's Hill water plant	130 Bridge St.	1.72	1958
Bridge St. wellfield	Bridge St., across from Woodbury	14,000 sf.	1961
Cemetery	Bay Rd.	19.66	1707 & on
Chebacco Lake park & boat landing	Chebacco Rd.	2.0	1927
Chebacco Woods	Chebacco Lake	117	1997
Cutler Park	Bay Rd.	1.35	1911
Cutler School	237 Asbury St.	11.5	1952
Depot	Bay Rd.	0.24	1960
Fire/Police/ECO/Sr. ctr.	265 Bay Rd.	3.55	1957
High/Junior High School	775 Bay Rd.	43.9	1960
Idlewood water plant	Pine Tree Dr	7.0	1964
Library/Rec. gym	14 Union St.	4.4	1931
Patton Homestead	650 Asbury St.	27.2	2012
Patton Park	Bay Rd.	15.4	1941
Pingree Park	Linden St.	2,610 sf.	1916
Pleasant Pond	Pleasant Pond	0.77	1793
RR Ave. parking lot	RR Ave.	6,011 sf.	1919
School St. park	School St.	5,600 sf.	1953
Town Hall/ DPW garage	277 Bay Rd.	3.14	1896
Winthrop School	325 Bay Rd.	12.0	1960

In 2016, the town's current and noncurrent debt was \$12,223,000, on which it paid \$1.7 mil. in interest and debt reduction, which declined slightly in 2018 to about \$1.6 mil. ¹²³

Also in 2016, voters at the Town Meeting approved the Town Manager contracting for a cell tower, operated by Varsity Wireless, on town owned land. ¹²³ There were some areas in the town where cell phone reception was poor.

In 2016, the town began discussions with Ameresco of Framingham for development of a solar plant, to be built on the landfill site off of Chebacco Rd. The facility was projected to produce 1 million kWh of electricity annually, for purchase by the town, at a rate 2¢/kWh below the National Grid retail price. Ameresco agreed to pay about \$10,000, annually, through a lease payment. Total anticipated annual income to the town was \$30K. ¹¹⁹

Voters approved, in 2017, the establishment of "a special fund to hold all revenues generated from or with respect to the Patton Homestead property, such revenue to be used exclusively for managing, operating, or making capital improvements at the Patton Homestead property." ¹¹⁴

In addition to the house and barn on the Patton Homestead, the town owned 15 other buildings and structures. They ranged in age from the cemetery storage building erected in 1877 and the town hall built in 1895 to the Patton Park swimming pool and administration building constructed in 2017.

Population Shift

Since the end of WWII, the nature of Hamilton's residents has changed considerably. The population grew from about 2,800 in 1950 to about 8,000 in 2018, which is 4% less than it was in 2000.

The town's 2018 population was about even between men and women; the median age was 41; just under 40% were over 50 years old; and 69% of those over 21 had post high school degrees.

According to a 2013 MetroFuture study, "for the 2010 to 2030 period, the fastest-growing cohort in Hamilton will be the population 65 and over, which is projected to grow 72%, from 974 in 2010 to 1,671 in 2030." ¹²⁸

For the same time period, the working age population, those 20 to 65, is projected to decrease by 4.4% over the same period, from 5,204 to 4,974. ¹²⁸

In 2010, the town's median household income was \$99,732, an increase of about \$25,600 since 1999. The median household income, in 2013, was \$112,350. Nearly half of Hamilton's households (49.9%) had an income of \$100,000 or more, in 2013;

however, 28% had incomes below \$40,000, and the percent of households in the middle income categories (\$40,000 to \$99,000) was much lower than in most surrounding communities. ¹²⁸

Town-Owned Buildings

Name	Location	Built
Gordon-Conwell Water Plant	Miles River Rd.	1949
Council on Aging Building	Bay Rd.	1961
Cutler School	Asbury St.	1954
DPW garage	Bay Rd.	1979
DPW road salt shed	Bay Rd.	1987
Emergency Communications	Bay Rd.	2007
Fire/Police Station	Bay Rd.	2007
Hamilton Elderly Housing	Railroad Ave.	1960
Idlewood water well	Pine Tree Dr.	1973
Patton garage	Asbury St.	1924
Patton house	Asbury St.	1786
Patton Park Concession Stand	Service road	1955
Band Stand	Patton Park	1994
Recreation Gymnasium	Linden St.	1953
Swimming Pool	Bay Rd.	2017
Swimming Pool Adm. Bldg.	Bay Rd.	2017
Cemetery Garage	Broadway Ave.	1965
Cemetery Storage Bldg.	Main Ave.	1877
Town Hall	Bay Rd.	1897
Winthrop School	Bay Rd.	1959

The selectmen, in 2017, reported that Hamilton's population continued growth in the number of seniors over the age of 60 and a decreasing number of students enrolled in the Regional School District. Both trends were said, by the Board of Selectmen chair, William Wilson, "to provide insight into the needs of the community and the programs and services needed from the town government." ¹¹⁴

Hamilton's lack of affordable housing could present major challenges in years to come, particularly for many town residents wishing to remain in the town, as they age and retire. ¹²⁸

Many people were involved with the government. In 2018, Hamilton's government had more than 50 elected officials and members of appointed boards, committees, commissions and other appointments. Some people were on multiple groups.

Newly created components of town government since 2000 were: Town Hall Building Committee, Energy Commission, Patton Homestead, Hamilton Development Corp., Town Manager, Hamilton Recycling Committee (*began in 2008 as the Waste Reduction Committee*), Affordable Housing Trust, Agricultural and Equestrian Committee and a Community Preservation Committee. ¹¹⁵

The town, in 2018, had more than a hundred employees. About 75% were part time (*less than 20 hrs./wk.*). In 2019, the selectmen created a new part time position, a Patton Homestead Director.

2018 saw another change in the town's quorum for annual and special meetings. The 21st century began with the quorum being 150 for the annual and special meetings. In 2007, voters approved reducing the quorum to 75. At a 2011 special meeting there were there less than 75 voters. In 2018, voters approved a reduction to 50 for the Annual Town Meeting. Hamilton had nearly 6,000 registered voters.

A reduction that pleased many in Hamilton, in 2018, was achieved through the town partnering with Gloucester to reduce the electrical supply rates.

The original Town Manager resigned, in 2018, having served for 8 years. In August, Joseph Domełowicz, of Swampscott, became the Town Manager.

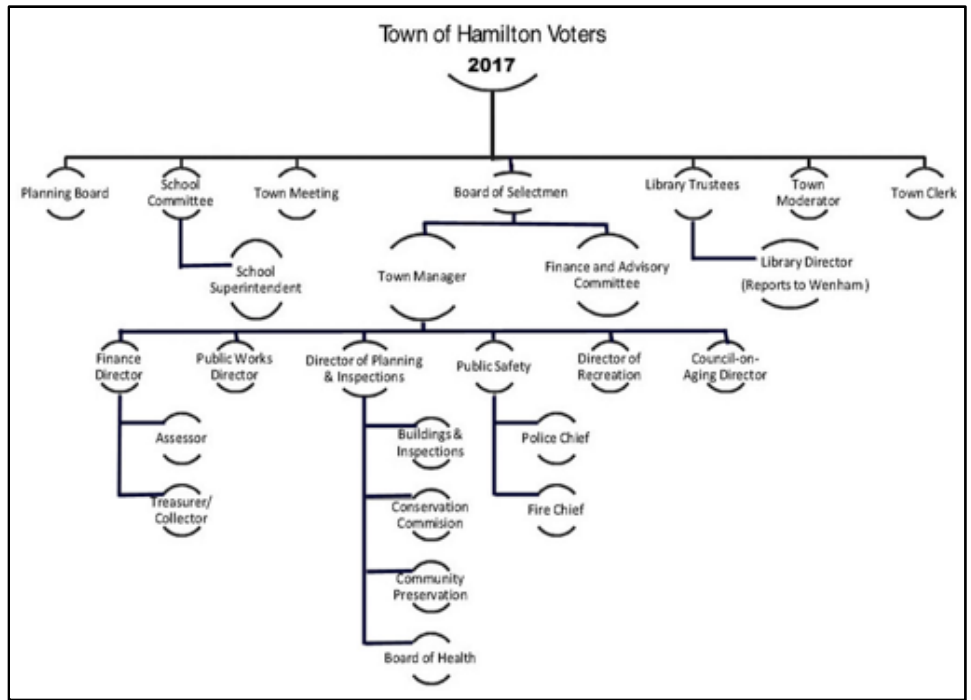
In 2018, a reduction that pleased many in Hamilton was achieved through the town partnering with Gloucester to reduce the electrical supply rates. Nextera Energy Services Massachusetts agreed to provide electricity, beginning December 2018, at 11.4 ¢/Wh, including 5% of a supply coming from renewable sources. National Grid had announced a 13.4 ¢/Wh rate effective Nov 1, 2018.¹¹⁹

Voters approved, in 2018, the creation of the Hamilton Waste Reduction Committee to replace the former Recycling Committee formed in 1989. The change was said to reflect the town's goal of reducing waste and not just focusing on recycling.¹¹⁹

Many Changes in 2019

2019 was a very active year. It began with the selectmen creating a non-standing, 5-member Capital Committee, to which they appointed members for 1, 2, or 3-year terms.. They charged the committee with assisting the Town Manager in the annual update the capital plan and proposed expenditures for the coming fiscal year.¹²⁴

Concerned with debt growth, voters at the 2019 Annual Town Meeting created a Capitol Stabilization Fund "to pay outright for moderate-range capitol expenditures and, thereby, preserve debt capacity for major, higher dollar purchases or projects." The initial request was for about \$580,000.¹²⁴ In 2018, the outstanding debt was \$11.9 million.



The town's 2019 operating budget, including education, was about \$31.5 million, of which \$12.0 million was for general operating expenses: an increase of about 140%, since 2000.

Pursuant to Chap. 32B, sec. 20, voters also approved, in 2019, establishing an Other Post-Employment Benefits Trust, to which funds will be contributed annually.¹²⁴ These OPEB benefits, largely for retiree healthcare and life insurance, have existed for many years; however, the programs are not adequately funded. Public employees, upon reaching 10 years of service, are entitled to predefined benefits, when they retire.¹¹⁵

Several personnel changes occurred early in 2019: the Assistant to the Town Manager resigned, as did the Town Clerk; and both the Director of the Assessors and the Treasurer/Collector retired.

The landfill was fully closed and a program established to monitor groundwater runoff in the area.

In the 2019 town election, two new members were elected, both women: Darcy Dale and Rosemary Kennedy. This was the first time the Board of Selectmen had two women members.

The Town Manager, in 2019, notified the Town Counsel that Hamilton would not renew its annual retainer agreement for counseling services. The town switched to KP Law, a Boston firm specializing in municipal law and representing more than a dozen towns in Essex County, including Wenham and Topsfield.

Beauport Ambulance ended its no-charge seniors transportation service, in 2019, and began annually charging the town \$10,500 and required seniors to

pay \$3 for non-medical rides. Also, the service area no longer included Salem, Peabody and Danvers.

Future Changes

Looking back at the town's history, one thing is clear ... change is constant and pervasive. Perhaps not so clear is that change is accelerating. Many current decisions for change no longer have the benefit of much history.

For the future, revenue growth is expected to slow from all sources (*taxes, fees, grants and state aid*). Mandated operating expense increases, expected in health insurance, pension and wages, will draw off much of revenue increases. As a result, less money likely will be available for operating budgets and capital investments.

Such is the case for three major expense projects in the early planning stages were: Refurbishing the town hall, upgrading the town's water system on Brown's Hill; and renovating the Patton homestead on Asbury Street.

Nextera Energy Services Massachusetts agreed to provide electricity, beginning December 2018, at 11.4 ¢/Wh, including 5% of a supply coming from renewable sources. National Grid had announced a 13.4 ¢/Wh rate effective Nov 1, 2018.¹¹⁹

An effort to improve town income, first discussed in 1999, remained unresolved in 2019. At the 1999 Annual Town Meeting, a voter asked if Gordon-Conwell, which "enjoys a healthy tax break and sends their children to our schools" could be asked to pay for these services.⁹⁶

In 2010, GCTS, for the third year in a row, made a financial contribution to Hamilton: \$100,000 in cash and \$10,000 wages paid to seminary student working in H-WRSO. However, GCTS stated it was having difficult financial conditions: endowments were down

20%, operations distribution was down 40%, enrollment was down 7%, and there had been no pay increases for faculty and staff for two years.¹⁰⁶

The town's FINCOM, in 2017, recommended the adoption of a revised permit/fee schedule for entities such as Pingree School and GCTS. The FINCOM proposed these organizations make defined payments in lieu of taxes (*PILOT*) for the town's municipal services they received, but to which they are exempt by statute to contribute.¹¹⁴

The following year, 2018, the Town Manager began a Gordon-Conwell Theological Seminary Task Force to look into working with the seminary to figure out how the seminary and the town can work together to come to an agreement on their PILOT or some other form of compensation.¹¹⁵

In the past, solutions to financial problems were sought through collaborations with nearby towns.

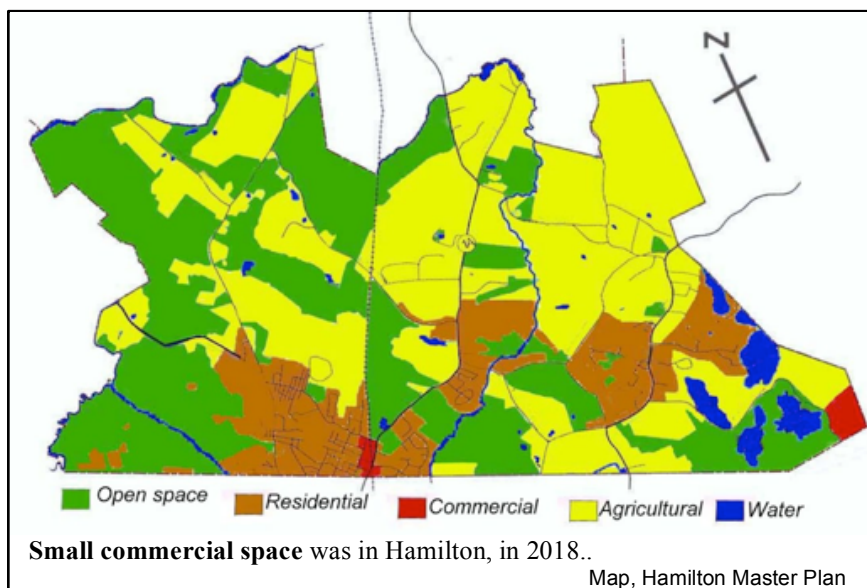
What's to be learned from the Regional School District? The Regional Library? The Regional Recreation Program? The emergency response service?

Did Hamilton lose identity with these joint programs? Lose control? Gain all that had been expected when began?

Maintaining the town's rural atmosphere may be a major challenge for town government. In 2018, Hamilton had an assortment of small, partially developable parcels of about 1,000 ac. with varying levels of development suitability.¹²⁹ In accordance with Chap. 61A, sec. 4A such Class 2 Open Space land is assessed at 5% of the fair market value or about \$10/acre, which ever is greater. The town has a first refusal right to purchase these properties. However, the town has only 120 days to make its decision.

Other factors likely to affect Hamilton's government are:

- Population having few long-time family residents,
- Fixed costs, with guaranteed increases, a major part of budgets,
- Historic government information readily available in digital format,
- Consultants providing technical guidance,
- Reduced state funding,
- Workforce largely not town residents, and
- Voter apathy.



Jack Hauck, Aug. 6, 2019

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Massachusetts General Laws Affecting Hamilton Government

Chap.	Sec.	By-Law	Application
41	55	---	Accountant
40B	20-23	XXXII	Affordable Housing
61A	4a		Agricultural Land Assessment
140		XVIII	Animal Control
41	24	---	Assessors
41	50	---	Auditor
111	2	---	Board of Health
143		XX	Building Permit
40	21	---	By-Laws
41	106B	---	Capital Management
114	2	---	Cemetery
114	22	---	Cemetery Commissioners
60	22A	V	Collection of Taxes
44B	5		Community Preservation
40	8C	XVII	Conservation Commission
41	91A	---	Constables
40	8B	XXXIII	Council on Aging
40	21D	XIII	Criminal & Noncriminal Disposition
32		XIX	Disability Fire Engineers
140	137		Dog License
59	5	---	Elderly Tax Abatement
6A	18B	III, 8	Emergency Response Ctr.
79	2, 3	---	Eminent Domain
25	2A	---	Energy Advisor
111		XXXV	Environment Hazards: Disposal of Waste
60A	1	---	Excise Tax
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49	18	---	Field Drivers
39	16	VI	Financial Adv. Com.
89	7A	XXII	Fire Apparatus Access
48	42	---	Fire Departments
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16	21	---	Highways Dept.
40C	3	XXXI	Historic District
43B	13	---	Home Rule
121B	26		Housing Authority
131	40	XXX	Illicit Discharge Detection and Elimination
		VII	Legal Affairs
78	11	---	Library Trustees
64L	2	---	Meals Tax
43A	8	---	Moderator
90	24I	XVI	Open Container
40	8C		Open Space Committee

40	21D	XXV	Outdoor Water Use
45	2	---	Parks Commission
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41	70	---	Planning Board
41	97A	---	Police Chief
41	97	---	Police Department
147		XI	Police Regulations
59	2	---	Property Tax
59	21c	---	Property Tax Increase Limit
78	14	---	Public Library Board
41	69C-F	IV	Public Works
45	14	---	Recreation Department
71	16A	---	Reg. School Committee
71	37	---	Reg. School Superintendent
78	19c, 19d	---	Regional Library
51	15	---	Registrars of Voters
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90	34	---	Roads Construction Costs
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21G		XXIX	Storm Water Management
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41	97A	---	Strong Fire Chief
140	206	XV	Swimming Pool Fencing
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59	5	---	Tax Exclusion for Churches
41	15	---	Town Clerk
40	4	VIII	Town Contracts
41	26A	---	Town Counsel
41	108N	III, 15g	Town Manager
43A	1	I, II	Town Meeting
41	35	---	Treasurer
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39	10	---	Warrant
40	42A-K	---	Water Charge
40N	4, 5	---	Water Commissioner
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40A	13	---	Zoning
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40A	7	---	Zoning Enforcement Officer