

Board of Selectmen

February 16, 2021

Remote meeting via telephone conference call

Present:

- Board of Selectmen: Ms. Mary Power (Chair), Mr. Joseph Fisher and Mr. Bill Ramsey
- Mr. Tom Mayo, Town Administrator
- Ms. Michelle Monsegur, Assistant Town Administrator

7:00 PM: Call to order

Ms. Power called the meeting to order and read the following statement:

“This meeting is being held remotely as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 Suspending Certain Provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Hingham in accordance with the Open Meeting Law. If any participant wishes to record this meeting, please notify the chair at the start of the meeting in accordance with M.G.L. c. 30A, § 20(f) so that the chair may inform all other participants of said recording.”

Ms. Power asked if anyone was recording the meeting. There were no responses.

Approval of Minutes

Vote: Mr. Fisher made a motion to approve the minutes dated January 21, 2021. Mr. Ramsey seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Consideration and Potential Vote regarding Appointment of Police Chief - Candidate David P. Jones

Ms. Power explained that, over the past several months, the Board of Selectmen has received feedback from employees and citizens regarding the process the Board has undertaken to select a new Police Chief and recommendation of who to select. Ms. Power thanked everyone who took the time to share their perspective and reported that interview questions proposed by citizens were incorporated into the public interview that took place during a previous Board meeting.

Mr. Mayo recapped the process the Board had undertaken during the selection and interview process and noted that, pursuant to MA General Law, the Town Administrator must coordinate the recruitment and screening of candidates for the position of Police Chief. He noted that MA General Law also states that the Town Administrator must present all relevant information to the Board of Selectmen, who would then make a decision on an appointment. The Town Administrator reported that he had done the following:

- He publicly posted the job opening in December 2020, as an internal posting.
- He received one application from Interim Chief, David P. Jones

- An interview was conducted by a panel of three MA Police Chiefs from the towns of Canton, Marshfield and Dedham; the panel provided a written review that was submitted to the Town Administrator.
- The outcome of the review by the panel members was very positive and they recommended, without reservation, the appointment of David P. Jones as permanent Police Chief for the Town of Hingham.
- All relevant materials were presented to the Board of Selectmen.
- A detailed background check on Mr. Jones was performed by an outside agency and resulted in no cause for concern.
- Mr. Mayo observed Mr. Jones while he served as Interim Chief for a period of six months.
- Mr. Mayo conducted a performance review for Interim Chief Jones, which found that Mr. Jones met or exceeded all expectations by the Town of Hingham.
- Mr. Mayo strongly and without hesitation recommended Interim Chief Jones for appointment as Police Chief.

Mr. Fisher said that he has been very impressed with the performance of Interim Chief Jones, adding that “he has shown diligence, compassion and initiative.” He has shown a willingness to learn and an ability to grow. He is, in my view, an officer who is dedicated to his community.” Mr. Fisher went on to give an example of Mr. Jones’ dedication to his community. He noted his quick response to the clergy at Congregation Shar’aray Shalom after the incident at the Capital on January 6, 2020. When clergy at the synagogue alerted him to anti-semitic threats they received, Interim Chief Jones immediately reassured clergy and increased patrols in the area.

Mr. Ramsey recollected that successful Police Chiefs in Hingham care deeply for the community and become part of the fabric of the community. He made complementary remarks about David Jones, his history of knowing Interim Chief Jones as well as past work experience with him.

Ms. Power noted that, during the interview process, Interim Chief Jones was evaluated in the following areas:

- Budget and financial administration
- Personnel administration
- Supervisory and leadership
- Staff development
- Public relations
- Employee and labor relations
- Knowledge of new Police Reform Law
- Operations during Covid
- Interpersonal communication skills
- Ethics in Policing
- Concepts of Community Policing
- School safety
- Interactions with the Board of Selectmen, Town Administrator, and other government officials
- Overall impressions

Ms. Power went on to read several excerpts from unsolicited letters of recommendations regarding the candidacy of David Jones. Adjectives used to describe Interim Chief Jones included: “dependable”, “professional”, “compassionate”, “reliable”, and a “powerful asset.” Ms. Power reported that she has

had many opportunities to interact with Interim Chief Jones over the years and she felt that “he is the right person to lead the Hingham Police Department.” She enthusiastically supported his appointment.

Vote: Mr. Ramsey made a motion to appoint David P. Jones as Police Chief effective immediately. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Interim Chief Jones thanked the Board and said he was “humbled by the confidence and trust” extended to him by the Board of Selectmen. He noted that he has aspired towards the position of Chief since he was first hired by the Hingham Police Department. He added that he is lucky to serve such a vibrant community alongside “such a dedicated team of officers and staff.” Additionally, he expressed his goal of making sure citizens of all races and backgrounds feel comfortable in Hingham.

FY21 Capital Repurposing Request: Hybrid Police Vehicles

Chief Jones gave the Board an overview of the request. He said that the Police Department would like to repurpose \$13,131 from existing Capital to fill in a gap in funding for the purchase of seven Police cruisers already in the budget. He said that the purchase price of the vehicles increased by \$4,000 per vehicle due to a redesign of the exterior of the vehicles by Ford. He reported an additional request of \$24,500 to upgrade the seven cruisers to hybrid models. He also said that he has had discussions with area Chiefs who have been very happy with their purchase of the vehicles and added that the State Police has over 200 of the vehicles on order as well. He also noted that the expected annual fuel savings would more than cover the cost of the upgrade. Environmental benefits were also cited. He would like to use \$24,000 originally intended to purchase new automated defibrillators, noting that their life expectancy is longer than originally thought, thus eliminating the need for replacement this year. He would like to use \$500 from a pre-approved capital project to upgrade the evidence storage room. He noted that the \$13,131 request would also come from the same project. Ms. Power said that MA General Law requires an approval by a governing body for a request such as this.

There were some questions from the Board. It was clarified that, after speaking with the manufacturer of the defibrillators, the Department learned that the life span is 10 years, as opposed to 5 years as originally thought. Mr. Ramsey was happy that the Department was being environmentally conscious. Chief Jones commented that the hybrid vehicle outperformed the model the Department originally ordered.

Vote: Mr. Fisher made a motion to approve the request of the Police Department to repurpose \$13,131.00 from the existing FY2 Evidence Room Upgrade capital funds to bridge a deficit in the cost of replacing seven marked police cruisers. Mr. Ramsey seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Vote: Mr. Ramsey made a motion to approve the request of the Police Department to repurpose \$24,500.00 from the existing FY 21 Automated Defibrillators capital funds to upgrade the purchase of seven police cruisers with Ford's hybrid police vehicle option. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

2021 Annual Town Meeting Warrant Article Discussion

Article Q: Citizen's Petition: Amend General By-laws Gender Neutral terms

Ms. Power stated that this petition is being put forth by the Hingham League of Women Voters. She said that, while she is a member of the League of Women Voters, she was not involved in the development of the petition. She thanked the League for undertaking this effort.

Lisa O'Reilly, member of the League of Women Voters reported that the League, in developing this petition researched the procedure of other Towns who have undertaken a similar effort. They also redlined the Town of Hingham By-laws and worked with Town Counsel to develop the Warrant Article. She said that the League felt it was important for the Town of Hingham to support equity for all citizens, elected officials, and staff. She noted that they would like to change the "Board of Selectmen" to the "Select Board" and use the term "Chair" in place of "Chairman." She also said that they would like all Town communications and documents to be gender neutral as well. She reported that 13 of Hingham's 20 benchmark towns have already made this change, with an additional two towns considering the change this year. She also reported there has been preliminary review of the petition by the Attorney General's office. She advised that the public could access her presentation online at <https://my.lwv.org/massachusetts/hingham>. There was some discussion by the Board regarding the replacement of pronouns in the By-laws.

Mr. Ray Estes, 92 Fort Hill Street, asked if there were any other source, outside of Hingham's By-laws, that would need to be consulted in order to officially change the "Board of Selectmen" to "Select Board." Ms. O'Reilly said that Town Counsel has been consulted has suggested that Hingham may have to get approval by the MA Legislature, however, other Towns who have adopted gender neutral terminology have not been required to do so. She also said that Hingham has two "Special Acts", which may need to be included in the Warrant Article. Ms. Power also noted that election ballots might need to be changed as well.

Ms. Michelle Learned, 15 Volusia Road, noted that the term "they" is often used as a singular pronoun. She also suggested asking for a person's preferred pronoun during direct communication, rather than assuming.

Vote: Mr. Ramsey made a motion to recommend favorable action of Article Q.

Mr. Fisher suggested the following motion, as recommended by Town Counsel, to replace the motion made by Mr. Ramsey.

Vote: Mr. Fisher made a motion to recommend favorable action of Article Q, with a request to the Advisory Committee to ensure that the language to be used in the General By-laws is grammatically correct and consistent with the intent of the League of Women Voters, with the final version of the adjustments to the General By-laws to be reviewed by the Board of Selectmen. Mr. Ramsey withdrew his motion and seconded the motion presented by Mr. Fisher.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Article X: Route 3A Corridor Additional Funds

Ms. Power announced that members of the Route 3A Task Force have joined the Board. Judy Sneath, Chair, 89 North Street, presented. She gave a brief background of the project, stating that the goal is to improve the safety of the area of Route 3A including Otis, Summer and Rockland Streets, including the rotary. Safety concerns in the area are as follows:

- high crash rate and congestion at Route 3A Rotary and North street
- Substandard intersection geometrics
- Excessive speed in the area
- Limited pedestrian connections to Hingham Harbor
- Insufficient and substandard sidewalks throughout the corridor
- Lack of bicycle accommodations
- Insufficient roadway shoulders

Ms. Sneath gave a brief history of the project schedule, highlighting the following actions:

- a MassDOT Roadway safety Audit
- a corridor study
- The appropriation of \$400,000 to the project by Town Meeting in 2015.
- A Road Diet Pilot Program
- Submittal of a 25% project design to the State in 2019
- Replacement of the Town Engineer with Vanassa Associates
- The addition of new Town Engineer, J.R. Frey
- The project has been added to the 2025 MA Transportation Improvement Program (TIP), which is a 5-year rolling Capital Plan.

Ms. Sneath explained the proposed improvements to the area, including the North Street intersection, the rotary, the elimination of a traffic lane and calming of traffic between the rotary and Rockland Street. She explained that they are seeking Town Meeting to authorize the use of \$200,000 to pay for the remaining design engineering. Ms. Power clarified that the Town would pay \$80,000 for design fees and the State would cover the entire construction cost for the project, \$15 million. Ms. Power asked what the consequence would be for the Town if the Town Meeting did not authorize the funds. Ms. Sneath said that Hingham would not be eligible for State funding without a fully designed project. Ms. Power commented that the Town has worked hard to get into the TIP and felt that the consequences of not going forward with the project would be very significant.

Mr. Fisher asked how this project fit in with the Harbor Development project. Ms. Sneath commented that this is a MassDOT roadway project and not a resiliency project like the Harbor Development Project. She added that they are coordinating with the Harbor Development Committee to tie the two projects together. Mr. Ramsey thanked everyone involved, and said that he was looking forward to the project.

Mr. Alan Perrault, 39 Elm Street, member of the Trustees of the Bathing Beach, made some additional comments and reinforced that this is a State traffic project that would tie into other projects at the Harbor.

Vote: Mr. Fisher made a motion to recommend favorable action of Article X. Mr. Ramsey seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Article Z: Reconstruction of Town Pier

Mr. William Reardon, 9 Steamboat Lane, Chair of the Harbor Development Committee presented. He began with a chronology of the project, beginning in 2015. He presented some simulated photographs showing the effects of potential flooding, diagrams showing the proposed elevations of wharves. He noted that the proposed elevation would be 11 feet. FEMA flood maps were shared with the Board as well. He explained proposed changes to the boat ramp and bathing beach area and concerned expressed by the Harbormaster. He reported that the Town Engineer, J.R. Frey, has reviewed the design. Mr. Reardon noted that the project started as a reconstruction project and has morphed somewhat to include resiliency and flooding aspects as well. He added that the main concern of the project is safety and the deterioration of Town Pier. Mr. Reardon reported that they intend to continue construction on the harbor walk. He also mentioned that they intend to seek State funding if available.

Mr. J.R. Frey, Town Engineer, reported that they have addressed some concerns from the Conservation Commission, with help from the Woods Hole Group. He also said that the Woods Hole Group would help by updating the Coastal Flood Plain maps, prepare Flood Pathways maps as projected for future years, review existing conditions modeling, and provide various options for alternative solutions. He felt that this would be a good way to mitigate some concerns raised by the Conservation Commission. Mr. Reardon noted that this work would not be finished prior to Town Meeting and would take approximately 6-7 weeks. He hoped they could continue forward with the permitting process. There was some additional discussion of potential funding sources from FEMA and the State. Mr. Frey clarified that baseline flood elevation of the wharves would not affect the Town's ability to obtain grant funding. Mr. Fisher noted that the current scope of work would not be allowed under the Conservation Commission's current By-laws and would require a change to its By-laws. Mr. Ramsey thanked Mr. Reardon for his work on the project, while also expressing some concerns about funding. Ms. Power noted that the issue of flooding is real and growing, but also expressed concern over funding.

Mr. Marco Boer, 33 Elm Street, cited safety as the main reason for the project.

To sign the Agreement with the Teamsters Local Union 25 – Public Works

Ms. Monsegur explained that a Memorandum of Agreement between the Teamsters and the Town was presented to and approved by the Board in December 2020. That MOA would extend the Collective Bargaining Agreement through June 2021 and would implement a 2% wage increase for DPW staff. She reported that the agreement has been ratified by the Union and requires a vote by the Board of Selectmen.

Vote: Mr. Ramsey made a motion to sign the Agreement with the Teamsters Local Union 25 (Public Works Staff) effective July 1, 2020 through June 30, 2021. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Inside Town Finances: Volume 6: Fund Balance

Ms. Power presented the sixth in a series of presentations on Town Finances, “Fund Balance.” The entire presentation can be found online at www.hingham-ma.gov.

COVID-19 Update

Mr. Mayo gave the following update regarding the COVID-19 crisis:

“COVID-19 Data

According to [public health data](#) from the MA Department of Public Health (DPH) released last week, the Town’s designation remains “yellow,” indicating a “medium risk” of spread in the community. The average daily incidence rate for the Town of Hingham is 39.0 per 100,000 residents, and our percent positivity rate was 3.86% for the previous 14 days. Even though these numbers are lower than what was reported for our community last week, Hingham’s average daily incidence rate and percent positivity rate are higher than the state averages for this reporting period, indicating a need for continued vigilance. According to DPH, there have been 131 new cases of COVID-19 in Hingham over the past 14 days. There have been a total of 1,479 cases in Hingham since the start of the pandemic. As of today, confirmed COVID-19 cases in Massachusetts have risen to 531,702.

Virus Variants

DPH continues to conduct surveillance for COVID-19 variants of concern, which include the three that were first identified in the United Kingdom, South Africa, and Brazil, respectively. Surveillance data so far has identified the UK variant in Massachusetts, but does not indicate that it is widespread at this time. It is critical that we do everything possible to minimize the spread of this variant and other variants of concern. Per the CDC: So far, studies suggest that antibodies generated through vaccination with currently authorized vaccines recognize these variants. This is being closely investigated and more studies are underway. Public health risk reduction measures remain the same: please continue to wear masks or face coverings while in public, maintain 6-foot social distancing, stay home when you are sick, and get tested if you have symptoms or are identified as a close contact. The mPathy testing center at

308 Cushing Street remains open Mondays through Saturdays from 7am-4pm. Testing appointments can be easily scheduled online at www.mpathy.org.

Vaccine Rollout

At this time, all Phase 1 priority groups as well as individuals age 75 and older are eligible to receive the vaccine in Massachusetts. According to DPH's [daily COVID-19 vaccine report](#), a total of 861,859 first doses and 304,657 second doses have been administered in Massachusetts as of today. 76.4% of the total doses shipped to our state have been reported as administered. Local vaccine distribution is dependent on receiving doses from DPH. Unfortunately, our most recent requests for vaccine doses have not been fulfilled. The Hingham Health Department continues to request vaccines from the state each week. We will need to wait until we are provided with more doses before we can schedule additional clinics in Hingham. We will release details on future vaccination clinics as soon as additional doses are received. In the meantime, if you can access a COVID-19 vaccine through other means, you should do so. We encourage eligible residents to make an appointment at one of the vaccination sites around the region. Information on available clinics and eligibility requirements can be found at mass.gov by clicking the COVID link. Last week, DPH announced that vaccine appointments were available at CVS pharmacies around the Commonwealth through the Federal Retail Pharmacy Program. Please visit www.cvs.com to schedule an appointment. The closest participating CVS pharmacies include CVS locations in Weymouth and Braintree. If you end up receiving the vaccine through another organization and no longer need to be on the Town of Hingham list, please let us know by emailing CovidQuestions@hingham-ma.gov."

Mr. Fisher reported that the first case of the South African variant in Massachusetts was confirmed in Middlesex County. He also asked if Hingham's ability to receive the vaccine was consistent with the experiences of neighboring towns. Mr. Mayo said that, although unfortunate, it was consistent with other towns. There was some additional discussion about vaccine availability.

Public Comment

"The Board of Selectmen has set aside up to 15 minutes for public comment for items not on the Board's agenda, but within the purview of the Board of Selectmen, during which time we typically follow the guidelines of open meeting. We encourage speakers to present remarks in a respectful manner and not to indulge in personalities. The Public Comment time is not a period of debate for the Board of Selectmen and the Board is neither adopting nor endorsing any of the comments made during the Public Comment period."

There were no comments from the public

Selectmen/Town Administrator Reports

Ms. Monsegur: Nothing to report

Mr. Mayo reported that the Town has been working on a financial reporting model that would be available in the next few weeks.

Mr. Fisher: Nothing to report

Mr. Power announced that the next meeting of the Board of Selectmen would take place on February 23, 2020.

Vote: Mr. Ramsey made a motion to adjourn. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

The meeting adjourned at 10:07 PM.

Documents: A complete meeting packet of supporting documentation is on file and available for public review in the Board of Selectmen's office