

# Board of Selectmen

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March 2, 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 also announced that, “in accordance with Massachusetts General Law, the Board of Selectmen members who will be participating remotely this evening are myself, Mary Power, Chair, Joe Fisher, and Bill Ramsey.”

Ms. Power asked if anyone, besides Harbor Media, was recording the meeting. There were no responses.

Ms. Power thanked Harbor Media for their help with the live broadcast of tonight’s meeting.

## **Approval of Minutes**

**Vote: Mr. Fisher made a motion to approve the minutes dated February 16, 2021. Mr. Ramsey seconded.**

## **Roll Call Vote:**

**Mr. Fisher: yes**

**Mr. Ramsey: yes**

**Ms. Power: yes**

## **FY22 Capital Outlay Committee Recommendations**

Eric Valentine, 9 Hawthorne Road, Chair of the Capital Outlay Committee presented. He began with an overview of the annual review process of the Capital Outlay Committee. He said that they met with each department to discuss their requests and used well-established criteria to establish a priority to each item. The Committee tries to fund all annual and priority 1 requests each year, with additional prioritization to impacts of deferrals. Mr. Valentine reported that they received \$4.8 million of capital requests in FY22 to be funded by the tax levy. He said that they recommended funding approximately \$2.6 million of these requests. He explained that, of the \$2.6 million, approximately \$800,000 were annual requests and \$1.8 million were Priority 1 requests. He also said that they received \$2.2 million in

requests from the School Department, of which they recommended funding \$1 million. Overall, their recommendations for high level items were as follows:

- \$2.6 million to be funded from the tax levy
- \$40,000 to be funded from the Municipal Waterways Fund (for Harbormaster's requests.)
- \$3.3 million to be funded from user rates and fees (for requests from the SSCC, The Sewer Department, the Recreation Department, and the Water Company.)

Ms. Power noted that the report of the Capital Outlay Committee would be posted online at [www.hingham-ma.gov](http://www.hingham-ma.gov). Mr. Valentine highlighted the following requests that they recommend funding:

- \$125,000 for a new storage area and network upgrade for the IT Department
- \$404,000 for a replacement ambulance for the Fire Department, which had been deferred last year
- \$99,000 for a new backhoe at the Transfer Station
- \$265,000 for baseline technology for the School Department
- \$166,000 for major infrastructure and Google Chromebook replacements for the schools
- \$105,000 for the purchase of three school busses, to be purchased off the expiring lease

There was some additional discussion regarding the ambulance replacement. Fire Chief Murphy said that they intend to keep the current ambulance as a reserve and plan to trade in the current reserve ambulance. Mr. Fisher requested documentation of the departmental requests for funding as well as documentation of the criteria used to determine funding, to better understand the recommendations of the Capital Outlay Committee. Mr. Ramsey asked how the Committee determined the levels of priority. Mr. Valentine explained that each department would prioritize its requests and those would subsequently be prioritized by the Capital Outlay Committee using their criteria. They prioritize requests based on safety issues, whether the item is broken, whether it is core to the department's mission. Ms. Power reported that, as part of ongoing budget discussions, there is the possibility of increasing capital outlay funding up to \$500,000. She said that more information would become available in the upcoming weeks. Mr. Valentine felt that additional funding would be helpful to cover the increasing amount of capital requests. Additionally, Ms. Power suggested that the Town could look into alternative ways of funding capital project, possibly with debt.

## **2021 Annual Town Meeting Warrant Article Discussion**

### ***Article R: Amend Article 39 of General By-laws: Update HAHT Reporting Requirements***

Mr. Tim White, 35 Kimball Beach Road, Chair of the Hingham Affordable Housing Trust presented. He reported that the Trust is asking the Board of Selectmen to consider supporting Article R, which proposes changing their financial reporting to the Town. He said that the original by-law did not include a specific financial reporting mechanism. Mr. White said that the original by-law specified that the Trust would report to Town Meeting. The Trust would like to change the reporting body to the Board of Selectmen. He felt that this change would be practical and would enhance transparency. The Board was supportive of the proposed Article.

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

**Roll Call Vote:**

**Mr. Fisher: yes**

**Mr. Ramsey:** yes

**Ms. Power:** yes

**Article AA: Rockwood Road Transfer**

Ms. Emily Wentworth, Senior Planner, gave the Board an overview of the request. She explained that the property consists of approximately 25,833 sf in a neighborhood running between East Street and Route 3A. She noted that, while the property is now preexisting non-conforming with respect to frontage requirements, it met or exceeded minimum lot area requirements when it was laid out in 1954. She said the lot appeared to be buildable and was acquired by the Town in 1999 through a tax title taking. She said that the Affordable Housing Trust periodically reviews tax title properties to assess whether they have any value for affordable housing development. After reviewing this property over the course of several months, the Trust proposed the Warrant Article as presented, which would authorize, but not require, the Selectmen to transfer the property to the Trust in the future for affordable housing purposes. She reported that the Trust rarely has the opportunity to develop housing in such an economical fashion. She added that their past three acquisitions cost, on average, \$380,000. She said that, if Town Meeting authorizes the potential transfer, the Trust would then undertake some site investigation including, soil testing to make sure wastewater could be treated on site. She also reported that a two-bedroom house could be built without any relief and a 3-4 bedroom house could potentially be built if the Trust were to obtain a comprehensive permit to obtain relief.

Ms. Power commented that a resident had contacted the Board about a year ago regarding this property. Mr. Mayo explained that the review process prompted by this resident's inquiry initiated an interest in the property by the Affordable Housing Trust. Special Real Estate Counsel Susan Murphy added that, if the Town wanted to sell the property, the Town would have to comply with a public procurement process as required by State law.

There was additional discussion regarding altering abutters for the proposed transfer. Ms. Wentworth reported that they would have a series of public meetings encouraging discussion by neighbors. Mr. Ramsey asked if the previous owner could cure the tax delinquencies. Ms. Murphy responded that the Town received a final judgement in the tax lien case in 2003, which stated that the previous owner has no further rights to the property.

Mr. Michael Saitow, 34 Rockwood Road, commented that he was the resident who contacted the Board regarding the property. He made some comments regarding a shed and easement that were included in the purchase of his property. He asked what would happen to the shed in the event of a transfer of the property to the Trust. He also said that he has taken care of many fallen trees on 32 Rockwood Road that had resulted in insurance claims over the years. Ms. Power suggested that all parties follow up regarding Mr. Saitow's request. Ms. Power suggested that the Board defer voting on the proposed Warrant Article until more investigation is conducted.

**Article N: Design & Construction Bidding Funds for Public Safety Facility**

Mr. Tom Mayo gave an overview of the proposed Article. He explained that last year's Town Meeting had authorized funding for preliminary design and feasibility studies for the site at 335 Lincoln Street. He also reported that the proposed Warrant Article would approve the appropriation of funds for a final design of a joint public safety building to be built at the site.

Mr. Bob Garrity, Chair of the Public Safety Building Committee, introduced the members of the committee and gave an overview of their process since Town Meeting authorized funds for the feasibility study. He reported that the committee unanimously recommended that the Town continue to use the services of Kaestle Boos for the future design phases. He also noted that they have successfully negotiated the scope of design services with Kaestle Boos for every phase of the work. He said that they intend to enter into a contract with Kaestle Boos that would include funding limitations. He said that they are also currently in the process of finalizing the contract between Town Counsel and Kaestle Boos. He did not expect any issues, but it would all be subject to approval by Town Meeting. As part of the process, he anticipated numerous public meetings by all of the permitting boards, which would allow the public to fully understand the scope of the project. He also noted that the Town is required by law to select an Owner's Project Manager (OPM) who will manage the project for the Town. This OPM would oversee the design work, review the different estimates, and manage the day-to-day construction. He added that they have received approximately 13 highly qualified proposals for the Owner's Project Manager services through the Town Administrator's Office. They have established a process for evaluating the proposals and have set up an evaluation team to review the proposals. They plan to select three proposals that would qualify for interviews. He hoped to complete the process within a month.

Mr. Garrity said that Article N proposes asking Town Meeting to authorize the expenditure of \$1,569,000 to pay for the following:

- \$1,169,000 for completion of the schematic design by Kaestle Boos
- \$400,000 for a fixed fee for the OPM

He added that, if Town Meeting approves the request, the next step in the process would be to request funding for the construction documents at Town Meeting in April 2022 and then ask for funding for the construction itself at a Special Town Meeting in November 2022. Ms. Power added that this project would be put forth to Town Meeting on the same schedule as the Foster School project.

Mr. Fisher felt that the project's path forward made sense. The members of the board thanked Mr. Garrity and his committee for the extensive work they have done regarding the project. Ms. Power proposed that the Board of Selectmen would not vote on this Warrant Article at this time but would vote at a subsequent meeting. Mr. Ramsey and Mr. Fisher agreed.

#### **Discussion of FY22 Forecast and Financial Planning**

Mr. Mayo gave an overview of the FY22 Financial Forecast. He reported a reduction in the deficit from \$7 million to \$4.5 million and added that some revenues and expenses are still changing. He expected discussions to be finalized in the next few weeks that will prompt a new release of the forecast. He noted that the lower deficit was a result of the use of \$2.5 million in Fund Balance.

If the Town increases taxes this year, Ms. Power anticipated that taxpayers would ask about the likelihood of future tax increases over the next few years. She went through a presentation on Forecast sensitivity. She explained the different sources of funds (tax levy, local receipts, etc.) and the uses for them (the operating budget, Capital Outlay, etc.). She proceeded with three examples of ways to balance the budget. She explained that, while the Town could balance the FY22 budget by using Fund Balance, the deficit would keep growing each year. She noted that the School Department is looking to hire 32 permanent teachers, which, per the Town's Financial Policy, could not be paid for using Fund Balance. The Financial Policy states that Fund Balance can only be used to pay for one-time expenses.

Ms. Power also went through the effects of a permanent tax increase via an override of \$4,550,531. She said that an override would improve the forecast and would help to balance the budget for the next five years. She also entertained a scenario where some of the budgets grow at a rate faster than the predicted yearly increase of 2%. She explained the effects of a structural deficit. There was additional discussion of the effect on the budget from the Foster School project.

Mr. Fisher noted that increasing new growth would be a good way to help balance the budget and asked how the Town could increase the tax base. Ms. Power suggested that one of the Town's best opportunities for new growth could come from South Hingham. Mr. Mayo added that, because the Town has reached the 10% affordable housing mandated by the State, some large building opportunities might be less likely to emerge, as builders may prefer to go to communities where they do not have to comply with local Zoning. Ms. Power added that there might not be enough new growth potential in Hingham to balance the budget without an override.

Mr. Jonathan Asher, 5 Common Street, and Mr. Jim Taylor, 3 Grist Mill Lane, presented a detailed view of the financial planning model that was built at the request of the Advisory Committee in 2017. The model was updated and enhanced to address both debt exclusions for Capital project borrowing and potential impacts on property taxes of an operating override. He walked the public through four financial planning scenarios. Ms. Power stated her hope that the Town would not advance a tax policy that would create opposition or one that would cause the Foster School project not to move forward.

Mr. Jonathan Ross, 125 Wompatuck Road, asked a question regarding the 2% increase per year for the School Budget. He noted that the School Budget usually grows by about 4% each year. Ms. Power suggested that a growth rate of 4% per year would be a sustainability issue and suggested that the costs could be controllable.

Mr. Matt Purtell, 41 Main Street, asked about fund balance and the possibility of using some of it to help with the Schools recovery fund. Ms. Power directed him to Hingham's Financial Policy

Ms. Jen Murphy, 29 Bradley Hill Road, asked how Hingham's property tax rate compares to some peer communities. Ms. Power explained that the tax rate is a function of the tax levy as well as assessed home values. She noted that Hingham differs from some peer communities in that 89% of the tax levy comes from residential taxes. She cited Needham as an example, where the commercial base is much more developed.

Mr. Matt Cosman, 12 Summit Drive, asked about the benefits of Hingham's bond rating. Ms. Power explained that a Aaa bond rating gives the Town access to the most competitive rates in the market. A Aaaa bond rating also makes Hingham attractive to new businesses.

Mr. Dave Beaulieu, 18 Mast Hill Road, asked for clarification on property tax rates. Ms. Power directed him to the "Inside Town Finances: Property Taxes" presentation located at [www.hingham-ma.gov](http://www.hingham-ma.gov).

Ms. Maura Gallagher, 7 Mast Hill Road, asked if the Town has considered creating separate tax rates for residential and commercial properties. Ms. Power noted that there is an annual assessment of the tax rates. She also explained that a large increase would be detrimental to Hingham, small businesses. Mr.

Mayo added that Hingham is looking to encourage new growth and the current commercial tax rate makes Hingham attractive to businesses.

### **Town Administrator's FY22 Budget Recommendations**

Mr. Mayo and Ms. Monsegur presented the Town Administrator's additional budget recommendations, in excess of the level services budget, as follows:

- FT Asst. Town Administrator (Selectmen) \$137,000
- FT Mental Health Clinician (Police) \$54,096
- FT Senior Planner (Community Planning) \$63,403
- FT Transfer Station Heavy Equipment Operator (DPW) \$51,980
- Field Maintenance Program (Recreation) \$241,180
- Contracted Communications Consultant (Selectmen) \$35,000
- Address Legal structural deficit (Legal Services) \$138,372
- Address Snow & Ice structural deficit (DPW) \$63,173
- Total \$784,203

Mr. Fisher was in favor of the above recommendations. He felt that the Community Planner position would be critical to new growth in Hingham. Mr. Ramsey felt that the addition of an Assistant Town Administrator would benefit the whole Town of Hingham. Police Chief Jones spoke to the importance of the Mental Health Clinician and the benefits to his department.

### **Inside Town Finances: Volume 8 "Municipal Finances"**

Ms. Power presented the eighth in a series of presentations on Town Finances, Municipal Finances. The entire presentation can be found online at [www.hingham-ma.gov](http://www.hingham-ma.gov). Ms. Power concluded by saying that she hopes the series will help inform residents in municipal finances as Town Meeting approaches.

### **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. There have been 82 new cases of COVID-19 in Hingham over the past 14 days, and a total of 1,566 cases in Hingham since the start of the pandemic. The average daily incidence rate for the Town of Hingham was 24.4 per 100,000 residents, and our percent positivity rate was 2.18 for the previous 14 days. As of today, confirmed COVID-19 cases in Massachusetts totaled 551,667. Public health metrics have been trending in a positive direction statewide, including drops in average daily COVID-19 cases and hospitalization rates.

#### Vaccine Rollout

According to DPH's [daily COVID-19 vaccine report](#), a total of 1.25 million first doses and over 565,000 second doses have been administered in Massachusetts as of today. 88% of the total doses shipped to our state have been reported as administered. At this time, all Phase 1 priority groups as well as the first two priority groups in Phase 2 are eligible to receive the vaccine in Massachusetts. Eligible Phase 2 individuals include people age 65+, individuals with two or more [certain medical conditions](#), and

residents and staff of low-income and affordable senior housing. The State's Vaccine Finder website ([vaxfinder.mass.gov](http://vaxfinder.mass.gov)) allows residents to search for vaccine sites and schedule appointments. Residents can also call the State at 2-1-1 for assistance with vaccine information and appointments.

### State Reopening Plans

Last week, Governor Baker announced that Massachusetts would advance to Phase III, Step 2 of the state's reopening plan as of yesterday. He also announced that the state would transition to Phase IV, Step 1 on Monday, March 22, provided public health metrics continue to improve. Beginning yesterday, the following changes, among others, went into effect:

- There will be no capacity limits at restaurants, but six feet of distancing, six people per table maximum, and a 90-minute maximum dining length per party will still be followed.
- There will be a 50% capacity limit at fitness centers, close contact personal services, places of worship, office spaces, museums/cultural/historic facilities, and other venues.
- Fitting rooms can reopen in retail locations.

Beginning March 22, gathering limits for event venues and public settings are set to increase to 100 people indoors and 150 people outdoors. Outdoor gatherings at private residences and in private backyards will remain at a maximum of 25 people, with indoor house gatherings remaining at 10 people.

In addition:

- Dance floors will be permitted at weddings and other events only;
- Overnight summer camps will be allowed to operate this coming summer; and
- Exhibition and convention halls may also begin to operate, following gatherings limits and event protocols.

More details about when and how different sectors/venues will reopen can be found on the State website at [mass.gov](http://mass.gov). The Town is continuing to closely monitor public health data and we are assessing our plans to reopen public buildings. We are working on plans to gradually reopen municipal facilities, including Town Hall and Town offices, the Hingham Public Library, expanded Recreation programs, and the Senior Center. Our top priority remains the health and safety of our residents, Town employees, and business owners, and we will continue to keep the public informed of our plans as they progress. A lot of good news has been reported here tonight and we are encouraged by the drop in cases, lower hospitalization rates, and the Governor's reopening plans.

While we are all looking forward to getting back to a more normal life, as CDC Director Rochelle Walensky reported last night, we have to proceed with caution so that we don't erase the progress we've made. We still need to continue with COVID-19 protocols, such as wearing masks, maintaining social distancing, washing hands frequently, and staying home if we feel ill.

### **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**

Mr. Mayo reported that he and Ms. Monsegur have been attending the shift changes at the Police Department for the past week as a show of their support and faith in the Police Chief as well as Hingham's dedicated Police Department.

Ms. Power announced that the next meeting of the Board of Selectmen is scheduled for Thursday, March 4, 2021 at 7 pm.

**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 10:45 PM.**

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