

Board of Selectmen

March 9, 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, besides Harbor Media, was recording the meeting. There were no responses.

Ms. Power also announced that the Board of Selectmen members who were participating remotely this evening were herself, Mary Power, Chair, Joe Fisher, and Bill Ramsey.”

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

To authorize the Chair to sign the Housing Choice Designation Application

Ms. Power welcomed Ms. Emily Wentworth, Senior Planner. Ms. Wentworth explained that she was here to request that the Board authorize the Chair to execute a Housing Choice Designation application. She further explained that the Housing Choice Initiative recognizes municipalities who have achieved certain levels of housing growth. Eligibility to become designated as a “High Production Housing Choice Community” is set at 500 units or 5% housing growth over a 5-year period. She said that the designation is not just honorary. There are incentives or rewards available to Housing Choice Communities, including exclusive access to Housing Choice Capital Grants and priority consideration for other State Funding Programs. She added that access to these grant opportunities lasts for a 2-year period. Ms. Wentworth said that the Town of Hingham was initially designated a Housing Choice Community in 2019 and is now eligible for re-designation because the Building Department issued building permits for 643 new housing units between January 1, 2016-December 31, 2020, which equates to a 7.2% increase over

the number of housing units reported on the last census in 2010. She noted that the application is due on Thursday, March 11, 2021 and is complete and ready to submit, if the Board approves the request.

Mr. Fisher asked if there would be any financial implications for the Town if the Board approves the request. Ms. Wentworth noted that the program requires that the Town commit to completing an ADA self-evaluation and transition plan, which would need to be completed within five years. She added that there are funding opportunities that can help the Town complete that effort. All Board members were in favor.

Vote: Mr. Ramsey made a motion to authorize the Chair to execute and submit to the Department of Housing and Community Development an application to become designated as a Housing Choice Community. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

2021 Annual Town Meeting Warrant Article Discussion

Article AA: Rockwood Road Transfer

Ms. Wentworth reported that this Article would authorize, but not require, the Board of Selectmen to transfer a parcel of land at 32 Rockwood Road to the Hingham Affordable Housing Trust. She added that, an abutter to the property had raised some questions; specifically regarding the location of his shed that may encroach on the property, which is the subject of the Warrant Article. The resident suggested there may be an easement and raised some potential title questions. She noted that the resident has been very helpful in providing information to the Town and invited Ms. Wentworth to have a site visit to his property. Based on the materials submitted, she was able to confirm that the resident's shed does encroach on the property but there does not appear to be an easement that would allow such encroachment. She also said that the title work that she was provided continues to support the Town's review that the lot is buildable. She asked the Board if they want to explore the opportunity that the property could be transferred to the Affordable Housing Trust. She added that, if Town Meeting would approve the Article, the Trust would do further site exploration including soil evaluations to see if wastewater could be disposed of on-site. After such testing, the Trust would appear again before the Board of Selectmen for further public discussion about the opportunity.

Mr. Mayo recommended that the Article be deferred until next year when the Town would have a better idea if the lot would be buildable or not and then transfer the property next year, if the Board would choose to do so. He felt that this would give the Town more time for evaluation of the lot. Ms. Power thanked Ms. Wentworth for her help on this issue. There was additional discussion amongst Board members regarding site work that would be needed. Ms. Wentworth estimated that site work to assess buildability would cost approximately \$2,000+. Mr. Mayo noted that, if the parcel does not end up being transferred this year, then they would not be able to have the Trust pay for that work. Ms. Power commented that she would prefer to hold off on this Article until next year. She was concerned that there could be questions that the Town would not have answers to and added that site work could uncover other options. She saw many of the same issues and concerns that were expressed by the

Board during its discussion of the HMLP Article, noting that they both centered on a Board authorization of a transfer of property. Ms. Power said that her concerns would not allow her to vote favorably at this time. Mr. Ramsey and Mr. Fisher agreed with Ms. Power.

Vote: Mr. Ramsey made a motion of no action of Article AA. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Article U: Plymouth River School Window Authorization to Borrow

Mr. John Ferris, Business Manager for Hingham Public Schools, presented. Mr. Ferris said that they have made contact with the new Operation Project Manager (OPM) and the architects. Mr. Ferris reported that they would take their first visit to the site on March 10, 2021. Mr. Fisher noted that one of the recent 40B projects paid a sum of \$1 million to the Town to advance this specific project. He wanted to note for the public that the funding was coming from that payment to the Town. Mr. Ferris added that the MSBA grant would be within the 33% range.

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

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

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

Mr. Paul Healy, 209 Main Street, member of the Public Safety Building Committee, presented. He said that they are looking for design funds for a Public Safety Facility to be built at 335 Lincoln Street. As required by State Statute, he said that they also need to hire an Owner Project Manager (OPM). He said that the OPM is a very important component of the project. He said that the Public Safety Building Committee has been and will continue to meet and work with the selected architects, Kaestle Boos, to come up with a design proposal. He said that they plan to work closely with the Police and Fire Chiefs to come up with a design plan that incorporates the needs of both departments. The funding that is being requests is \$1.2 million for the services of Kaestle Boos and \$400,000 for the Owner Project Manager. He said that they aim to build a facility to meets all the specialized code requirements and one with the flexibility to be modified depending on future needs of the Town. Ms. Power clarified that this plan is a reduced scope compared to the recommendation previously made several months ago. Originally, the Town was requesting design and construction documents and now is only requesting funds for design plans at this time.

Mr. Fisher asked why the Town is requesting funds for an OPM if no construction is yet taking place. Mr. Mayo noted that approximately 80% of the OPM's work will be done during the construction phase, but one is needed now to evaluate the design process. He felt that it was important to have the same OPM during both the design and construction phases, adding that most of the requested funds would not be used until the construction phase. Mr. Fisher commented that, at the Special Town Meeting in the fall,

there were comments from residents to hold off on this project until other projects around Town had been completed. He said that he has always been in favor of moving forward on this project and that holding off at this stage would delay the expansion of the Senior Center and would not save the Town any substantial money. Mr. Ramsey commented that he was comfortable with this project moving on a parallel plane with the Foster School project.

With respect to funding, Mr. Mayo said that the Town has “Restricted Fund Balance” outside of the General Fund Balance of \$1.25 million from the sale of the Hersey House many years ago. He said that those funds are available. Since \$1.6 million is needed for the Public Safety Project design funds, \$350,000 would come from the General Fund Balance. He also said that John Coughlin, Town Counsel, has determined that the proceeds from the sale of the Hersey House are available for use for this purpose, contingent on prior authorization from Town Meeting. He noted that the funding of this Article directly affects the Senior Center and the Police Department. Use of the funds from the sale of the Hersey House for the new Joint Public Safety Facility would be in keeping with the original intent of those funds, which was for remodeling Town Hall and the Senior Center.

Ms. Power and Mr. Mayo noted that the construction funding for this project would not be requested before the Foster School project.

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

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Article BB: Citizen's Petition: Amend General By-laws Article 2 and 3

Ms. Power announced that the petitioner, Mr. Tom Patch, had joined the Board. She also announced that Mr. Ramsey had asked to continue the hearing from the Board’s previous meeting so that he could gather more information. He said that he thinks this is a very well-meaning petition and had done some additional research. He was able to verify that the Senior Center sometimes has 200+/- volunteers. He also said that he had spoken with the Town Clerk about how the names of the deceased are assembled for Town Meeting recognition. She told him that the Moderator gives to her the list of Town employees who have passed away, whom she believes gets it from the Retirement Board. She assembles the list of Veterans Names by herself with help from Veterans’ Services. Mr. Ramsey had some concerns that the Town may miss some names. He recommended that the new Town Clerk create a database for these names in hopes of recognizing deceased volunteers in the future.

Vote: Mr. Ramsey made a motion to recommend no action of Article BB. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Letter of Support for Executive Office of Energy and Environmental Affairs grant application for the Town Pier Repair and Resiliency Project

Town Engineer J.R. Frey explained that he was looking for a letter of support from the Board that demonstrates the Town's commitment to improving the safety and accessibility of the water along Town Pier. This letter would also show support for protecting the Town by improving resiliency and fully addressing the condition of the inner harbor wharves, both now and in the future. He would like a letter addressed to the Executive Office of the Environment in support of a grant award for up to \$3 million, which would significantly assist in the repair, rehabilitation, improvements and resiliency of Town Pier.

Mr. Fisher asked what kind of funding opportunities were available. Mr. Frey said that they are pursuing, among others, a funding opportunity through the Governor's Office for up to \$3 million for sea wall repair and resiliency improvements. He noted that they are also looking at funding opportunities through the Municipal Vulnerability Program (MVP) for \$90-\$100,000, to improve access for people along the harbor front. They are also looking at a FEMA grant of \$5-\$10 million per application, which they will continue to pursue next year. He added that they would be looking to repair two more wharves in the future, which would provide additional grant opportunities. The Board thanked Mr. Frey for applying for the grant.

Vote: Mr. Ramsey made a motion to authorize the Chair to sign the letter of support to the Executive Office of Energy and Environmental Affairs for the Town Pier Repair and Resiliency Project grant application. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

FY22 Financial Forecast Update

Mr. Mayo presented an update on the financial forecast. He reported total shortfall of \$274,197. In addition, he reported that MA General Law requires the Town to go to Town Meeting with a balanced budget, so he has removed all the additional requests from the budget, but has not removed them for consideration. Ms. Monsegur explained to the Board some of the changes to the forecast since their last discussion. (Forecast Reconciliation, version 1.2:2/22/21) Ms. Monsegur reported a formula error in the previous spreadsheet. In the past, the Recreation Department has had a small salary line, but due to an additional request for the Field Maintenance Program, that was recalculated. Mr. Mayo explained that the last presentation of the forecast saw a \$4.5 million deficit. The correction brought the deficit to \$4.72 million. Mr. Mayo reported the additional changes to the forecast, as follows:

- Senior Means Tested Circuit Breaker tax exemption projected cost of \$500,000 has been changed to \$400,000
- He recommended the acceleration of some Capital purchases for next year, using Fund Balance this year. Purchases include a new ambulance (\$404,000)
- A reduction in the education level services, as requested by Dr. Austin, by \$490,737.
- Non-excluded Debt Capacity of \$200,000 would be applied to the forecast.
- The Group Insurance increase has dropped to just over 5%, down from the projected 10%, reducing this expense by \$375,800.
- He announced the possibility of \$50,000 in Legal services reductions

- He also announced removing all additional expense requests from the municipal side, the education side and the Capital Outlay, in order to balance the budget. He announced that this resulted in a surplus of \$274, 198.

Mr. Mayo noted that the proposed fees for the Transfer Station are projected to result in \$150,000 additional revenue for the Town. He had not added it to the forecast because the Board has not voted to institute those changes yet. He also reported that the Assessor has available Overlay, funds traditionally used for allocating abatements to residents. He recommended releasing a minimum of \$200,000 from that Overlay account back into the budget process to offset costs. He said that, once these funds are applied back into the forecast, then additional requests would be reconsidered.

Ms. Power added to the discussion with an additional forecast presentation. She noted that a tax override would require a ballot vote at Town Meeting since override revenue dollars are not considered “available” at the time of a Town Meeting. She also commented that they have been trying produce a FY22 balanced “base” budget that would not require service reductions. She noted that they began with a \$7.0 million deficit and have reduced that to a \$4.6 million deficit by February 21, 2021. She said that, while they have discovered that the available revenue can support a level services budget, it could not support any of the additional requests. She noted that the Board is awaiting additional revenue information from new Transfer Station fees and from the American Rescue Plan, which could be available to fund some or all of these requests. She listed the following items that are not currently not contained in the level services budget:

- Municipal requests of \$784,204
- Education requests of \$1,664,168
- Capital requests of \$500,000
- Benefits for new positions of \$200,000

She reported that the Town is still approximately \$2.9 million short of funding all of the budget requests. She stated the Town has three options for moving forward: reducing spending, proposing an override, or applying additional one-time money (Fund Balance, American Rescue Plan or other). She reported that, based on the Ad Com Financial Model, the tax increase for average assessed value home will be approximately \$302 next year based on Proposition 2 1/2.. An override of \$2.9 million would increase by an additional \$333 next year, resulting in a tax increase for the average assessed value home (\$875,000) of \$635.

Ms. Power further discussed a 5-year Forecast Sensitivity Model and effects of the use of one-time money on future budgets. She noted that the Board is trying to be mindful of the cumulative impact of actions they take on the citizens. She noted that the Education budget is the fastest growing budget, sometimes growing 2x faster than revenue, for which she suggested additional examination.

Ms. Power concluded with the following next steps:

- Update the forecast for additional news
- Monitor the status and detail of the American Rescue Plan
- Continue to look for opportunities to reduce budget requests through additional savings and additional revenue

Ms. Power wanted residents to know that the Town's appointed and elected leaders are committed to working together in the best interest of the residents.

Mr. Fisher commented that he views one-time funds coming from the American Rescue Plan as nonrecurring money that should not be depended upon as an ongoing method to balance the budget. Ms. Power hopes to look into the flexibility of using any such funds over time. Mr. Ramsey asked if there was a timeframe or dollar amount for the Rescue funds. Mr. Mayo referenced a letter from Representative Lynch's office, which suggested the possibility of municipal funding of approximately \$2.4 million. They have not yet received any information on authorized uses for that money or a timeframe. He suggested that there could be the possibility of additional funding for the Schools from the American Rescue Plan, but did not have any additional information at this time.

There were some questions and comments from residents, including:

- Kaia Ficus, 2 Bishops Lane
- Sue Garland, 18 Marry Knoll Drive
- Greg Corbett, 7 Winter Street
- Priya Howell, 26 Del Prete Drive

Topics discussed included fully funding the School Budget, effects of an override, and the use of one-time funds. Additionally, Ms. Power thanked the large number of residents who tuned in to the meeting and encouraged additional resident engagement.

Discussion of Senior Means-Tested Property Tax Exemption

Ms. Monsegur presented. Highlights from the discussion include a brief overview of the project including the following:

- The tax relief was approved by Annual Town Meeting 2019
- Special legislation was signed by Governor Baker on January 15, 2021.
- It would provide targeted tax relief for long-time senior homeowners who meet certain income and asset criteria.
- The tax exemption was based in part on Senior Circuit Breaker Tax Credit.
- Board of Selectmen annually set amount of exemption to 50-100% of the Senior Circuit Breaker Tax Credit
- The maximum credit for 2020 tax year is \$1,150.

Ms. Monsegur advised that eligibility for the exemption includes the following:

- The resident must have owned and occupied a home in Hingham for 10+ consecutive years.
- At least one owner is age 65+, joint owner must be age 60+
- The resident must have claimed a Senior Circuit Breaker Tax Credit in the prior year.
- For tax year 2020, their total Massachusetts income doesn't exceed:
 - \$61,000 for a single individual who is not the head of a household
 - \$76,000 for a head of household
 - \$92,000 for married couples filing a joint return

She noted that the Board of Assessors sets the asset criteria and the exemption cannot reduce a property tax bill by more than 50%.

Ms. Monsegur reported the following implementation timeline for residents to file an exemption:

- May 1, 2021: Applications will be available through the Assessor's Office. The Town will advertise the exemption through multiple channels
- September 1, 2021: The deadline for filing an exemption.
- October 15, 2021: The Assessor's Office will review and approve exemption requests and will report figures to the Board of Selectmen.
- December 2021: The exemption will be credited on actual tax bills sent out in December of 2021.

Ms. Power added that this tax exemption would be funded through Overlay, and that Town Counsel, John Coughlin, has recommended that the Board vote on taking this action. Mr. Fisher asked about the projected revenue impact. Ms. Monsegur reported that, based on numbers from the Internal Revenue, there would be approximately 500 people in Hingham who receive the Circuit Breaker Tax Credit every year. The IRS said that 25% of those residents are renters, therefore eligible for the Circuit Breaker, but not for the property tax exemption. The IRS also reported that, in 2018, Hingham residents received 90% of the maximum credit. Using those figures, Ms. Monsegur projected a cost to the Town of approximately \$400,000, which would be budgeted in the Overlay account, funding it through Excess Levy Capacity.

Inside Town Finances: Volume 10, Five-Year Forecast

Ms. Power presented the tenth in a series of presentations on Town Finances: the Five-Year Forecast. The entire presentation can be found online at www.hingham-ma.gov.

Mr. Jonathan Ross, 125 Wompatuck Road, asked if Enterprise Fund expenses were included in the overall expenses used for calculation on the Fund Balance limits. Ms. Power said that they are now. She added that the numerator is the fund balance and the denominator is the total annual expenditures, which included the Country Club and the Sewer. She also noted that the Advisory Committee plans to review this while also reviewing the Financial Policy this year because the addition of the water company would add about \$12 million to the denominator.

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 88 new cases of COVID-19 in Hingham over the past 14 days, and a total of 1,611 cases in Hingham since the start of the pandemic. The average daily incidence rate for the Town of Hingham was 26.2 per 100,000 residents, and our percent positivity rate was 2.46% for the previous 14 days. As of today, confirmed COVID-19 cases in Massachusetts totaled 559,975. Public health metrics have been trending in a positive direction statewide, including drops in average daily COVID-19 cases and

hospitalization rates. However, we are seeing a slight uptick in cases following February school vacation, so please continue to exercise caution.

Vaccine Rollout

According to DPH's [daily COVID-19 vaccine report](#), over 758,000 people in Massachusetts have been fully vaccinated as of today. 86% 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. In addition, beginning this Thursday, March 11th, K-12 and early childhood educators, child care workers, and K-12 school staff will become eligible to schedule COVID-19 vaccine appointments. The state recently updated its [travel guidance](#) with respect to individuals who have been fully vaccinated as follows:

- If you have gotten two doses of the Moderna or Pfizer COVID-19 vaccines or one dose of the Janssen (Johnson & Johnson) vaccine more than 14 days ago and do not have symptoms, you do not need to have a negative test before traveling to Massachusetts or quarantine when you arrive. If asked, you must show documentation of your vaccination, including the date(s) given.
- If you are vaccinated and have symptoms of COVID-19, you must continue to follow the Governor's Travel Order and related testing and quarantine requirements.

In addition, if you were fully vaccinated more than 14 days ago, you are not required to quarantine if you are identified as a close contact of someone with COVID-19. However, you should continue to wear a mask. While experts learn more about the protection that COVID-19 vaccines provide under real-life conditions, it will be important for everyone to continue using all the tools available to us to help stop this pandemic, like covering your mouth and nose with a mask, washing hands often, and staying at least 6 feet away from others.

Reopening Plans

The Town continues to closely monitor public health data and assess 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.

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 and Town Administrator Reports.

Mr. Fisher reminded the public that daylight savings time begins this weekend.

Mr. Ramsey reported that this past Friday night the High School Football team has their first game of the season against Marshfield at 7 pm.

Ms. Power announced that the next meeting of the Board of Selectmen is scheduled for Tuesday, March 16, 2021. She advised the public that public meeting agendas are required by law to be posted 48 business hours prior to a public meeting and that the Board of Selectmen typically post their agendas on Friday afternoons. She also thanked Town Accountant Sue Nickerson for her invaluable help on all the budget materials that have been presented this budget season.

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

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

The meeting adjourned at 9:24 PM.

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