

## **Advisory Committee Meeting Minutes**

**Date: March 20, 2019**

**Place: Town Hall**

In attendance: Committee Members Donna Smallwood, Victor Baltera, Bob Curley, Eric Haskell, Dave Anderson, Libby Claypoole, Evan Sheehan, Eryn Kelley, Julie Strehle, George Danis, Andy McElaney, Davalene Cooper, Ed Gaydos, Nancy MacDonald and Town Accountant Sue Nickerson

Absent: Tom Belyea

Chairman Smallwood called the meeting to order at 7:31 pm. This meeting was recorded by Harbor Media (HCAM) in its entirety.

*Questions from the Public regarding items not on the Agenda – None*

### *Warrant Article Hearing and Votes*

- Article D – Report of the Personnel Board – Andy McElaney provided an overview of this perennial Article. The report of the Personnel Board is now on file with the Town Clerk. Mr. McElaney provided a Comment and a recommendation in favor of this Article. The Article was approved by a vote of 12-0-0. Mr. Sheehan arrived after this vote.
- Article MM – Water Company Acquisition – Victor Baltera introduced this Article and provided an overview. This Article seeks a Town vote to approve the purchase of the water company presently owned and operated by Aquarion and to appropriate through borrowing the funds necessary for the purchase. Hingham is one of only 14 Massachusetts municipalities which is served by a private water company. The Water Company Acquisition Study Committee has analyzed this purchase since 2012 and unanimously concluded that purchase by the Town was both feasible and advisable. The Board of Selectmen voted unanimously in favor of this Article. The estimated acquisition cost as of the date of Town Meeting is \$107,800,000 which is subject to adjustment. The Selectmen are seeking authorization to borrow up to \$114,000,000 to cover the acquisition cost, repayment of litigation and other costs related to the acquisition, \$2.7

million for first year capital improvements, and \$2 million to address contingencies.

In conjunction with the discussion of the water company Articles, Eric Haskell presented information and a PowerPoint presentation concerning the possibility of submitting the water company purchase to the voters for confirmation at the ballot in a Town election in addition to its consideration at Town Meeting. Mr. Haskell favored the use of this approach but opted not to submit a motion to the Advisory Committee to adopt such a procedure where such a motion would be contrary to the opinion of Town counsel. Davalene Cooper and Ed Gaydos spoke of the importance of voters hearing the discussion at Town Meeting in order to fully understand the issues. Dave Anderson also made some remarks in response to the public comments made by Aquarion CEO Charles Firlotte at the 3/18/19 Advisory Committee hearing.

Members of the Advisory Committee had a lengthy discussion of the issues raised by the proponents and opponents of this Article. Each member expressed the reasons for his or her position. Mr. Baltera provided a draft Comment and Recommendation for favorable action on this Article. The Advisory Committee voted 11-2-0 in favor of Article MM. Libby Claypoole and Eric Haskell were recorded in opposition.

- Article NN – Board of Water Commissioners – Bob Curley introduced this Article and provided an overview. This Article would authorize the Board of Selectmen to act as water commissioners in the event of the purchase of the water company. The Article also expressly addresses the authority of the Board of Selectmen to hire a Water Superintendent. The prevalent mode of management of municipal water companies is through the executive branch of government, namely, a mayor or board of selectmen. The governance structure contemplated by the Town also includes a Citizens Advisory Board with representatives of Hingham, Hull and Cohasset, along with and a Transition and Evaluation Committee. Mr.

Curley provided a draft Comment and Recommendation for favorable action on this Article. The Advisory Committee voted 11-2 in favor of Article NN. Libby Claypoole and Eric Haskell were recorded in opposition.

- Article OO - Water System Enterprise Fund – Bob Curley introduced this Article and provided an overview. In the event of the purchase of the water company, this Article would establish an Enterprise Fund pursuant to M.G.L. C. 44 s.53F1/2 so that all receipts, revenues and funds and all expenses of the operation of the water system would be accounted for separately. This Article also approves an initial budget. Mr. Curley provided a draft Comment and Recommendation for favorable action. The Advisory Committee voted 11-2-0 in favor of Article OO. Libby Claypoole and Eric Haskell were recorded in opposition.
- Article PP – Water Company Acquisition – Transition Costs – Libby Claypoole introduced this Article and provided an overview. This Article would appropriate a sum not to exceed \$250,000 to provide funds for costs to be incurred in the transition period in the event the Town purchases the water company. Such costs would include salary and benefits for the Water Superintendent. Ms. Claypoole provided a Comment and a draft Recommendation. The Advisory Committee voted 11-2-0 in favor of Article PP. Libby Claypoole and Eric Haskell were recorded in opposition.

### *Liaison Updates*

Dave Anderson reported that the School Committee voted a budget of \$54,319,826 on 3/11/19 which conforms with the School budget recommended by the Advisory Committee. Davalene Cooper reported on the Hingham Affordable Housing Trust's effort to secure an additional affordable housing unit in Town.

### *Advisory Committee Housekeeping Items*

The next regular meeting of the Advisory Committee will be on 4/9/19.

*Matters not anticipated within 48 hours:* None

Adjourn – 10:17 pm

Respectfully submitted,

Bob Curley, Secretary

List of Documents Distributed at this Meeting:

Agenda

Article D – Report of the Personnel Board

Report of Personnel Board

Draft Comments and Recommendations on Articles MM, NN, OO, & PP

Water Utility Purchase: Ballot Confirmation PowerPoint slides (Haskell)

AdCom approved on 4/9/2019 by a vote of 11-0-1