

Board of Selectmen

March 30, 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

6:00 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 announced that the meeting was being broadcast live by Harbor Media and asked if anyone else was recording or taking photographs. There were no responses.

Board of Selectmen members who were participating remotely were Mary Power, Chair, Joe Fisher, and Bill Ramsey

Approval of minutes

The approval of the minutes was postponed until the next Board of Selectmen meeting.

Discussion and vote to postpone the Town of Hingham Annual Town Meeting under M.G.L. c. 39, § 9 and all other applicable laws

Mr. Mayo shared his recommendations with the Board. He said that this is the same action taken under the same law as last year, to delay Town Meeting. He noted that the legislation implemented by the State last year is still in applicable. He said that the main reason for delaying Town Meeting is so that it can be held outdoors as a safety precaution due to the pandemic. He recommended moving Town Meeting from April 26 to Saturday, May 8, 2021 at 2 PM. He recommended rain dates of April 15 and 16. It was noted that this order would remain in place until the end of the Governor’s State of Emergency, or the end of the calendar year.

Vote: Mr. Ramsey made the following motion - Whereas, the Board of Selectmen has determined that it is in the best interest of the residents of the Town of Hingham to hold the Hingham Annual Town Meeting outdoors and during the day to protect the public health of the inhabitants of the Town of Hingham during the COVID-19 public health emergency.

Now, therefore, the Board of Selectmen hereby votes to delay the Town of Hingham Annual Town Meeting from Monday April 26, 2021 at 7:00 PM until Saturday, May 8, 2021 at 2:00 PM outdoors at

Hingham High School with rain dates of Saturday, May 15, 2021 at 2:00 PM and Sunday, May 16, 2021 at 2:00 PM pursuant to M.G.L. c. 39 § 9.

Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Discussion and vote to postpone the Town of Hingham Election under Chapter 5 of the Acts of 2021 and all other applicable laws

Mr. Mayo explained that, several weeks ago, the Massachusetts Legislature initiated an effort to allow towns to delay elections, understanding and recognizing that towns were going to be delaying Town Meetings. Governor Baker has approved this Legislation.

Ms. Eileen McCracken, Town Clerk, recommended that the Town Elections take place on Saturday, May 22, 2021. She reported that Precincts 1, 2, 4, and 4 would vote at the High School, Precincts 5 and 6 would vote at the Middle School and Precinct 5A would vote at Linden Ponds. Ms. McCracken also noted that mail-in early voting would also be available.

Mr. Fisher asked if delaying the Town elections would have any effect on the Town's budget. Ms. McCracken did not anticipate any, but did expect more mail-in voting than normal. She also advised residents that information on precincts could be found at www.hingna-ma.gov.

Ms. Power extended her thanks to Representative Meschino and Senator Patrick O'Connor's Office, particularly Greg Denton, for their help and support in passing this legislation.

Vote: Mr. Fisher made a motion to postpone and reschedule the Town of Hingham Annual Election from Saturday May 1, 2021 from 8:00 AM to 8:00 PM to Saturday May 22, 2021 from 8:00 AM to 8:00 PM pursuant to Chapter 5 of the Acts of 2021. Mr. Ramsey seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Weir River Water System billing transition discussion

Ms. Power reported that the Board would have a discussing regarding the billing transition of the Weir River Water System from Aquarion to WRWS as a means to inform residents and customers. She welcomed Water Superintendent Russell Tierney. Mr. Tierney explained that the Town took over operations of the water system in August and has since been in the process of transitioning all the billing and customer service to SUEZ, with Aquarion's help. He announced that all billing and customer service would be taken over by the Weir River Water System and SUEZ on April 1, 2021. He said that the new phone number for the water system would be 1-877-253-6665. Customers would use the same number for all communications with the water system. Mr. Tierney heighted the following information:

- Due to an extensive data transfer and start-up of the billing a customer service system, customers will have limited access to their accounts from April 1, 2021 through April 11, 2021.
- Customer service staff will be available beginning April 1, 2021 to answer questions regarding accounts.
- There will be no interruption in water and/or customer service during this time.
- All payments received during this period will post on April 12, 2021.
- The new phone number for the WRWS is 1-877-253-6665. Customers should call this number for any communications.
- The new Customer Service Center will be located at 185 Lincoln Street, Unit 200B, Hingham, MA 02043. The hours of operation will be 8 AM- 4 PM Monday, Wednesday, Thursday and Friday. On Tuesdays, the office will be open from 8 AM through 7 PM. There will also be a mail slot in the door for customers to drop off payments after hours.
- A mailbox will be located at Town Hall for payments as well. The type of mailbox is out of stock now but will be available soon.
- Customers will be issued a new account number, which will be reflected on the first bill received. Direct Debit and Home Banking customers must update this with their bank.
- The phone number also has 24-hour self-service options for the following issues:
 - Make a payment
 - schedule an appointment
 - check account balance
 - last payment received
 - request a copy of a bill
 - register for Direct Debit
 - Leave a meter reading
 - Update account information
 - Report an emergency
- Customers may register at mysuezwater.com to accomplish the following tasks:
 - Manage your account
 - Receive electronic bills
 - Set up automatic payments
 - Store payment methods
 - View your contact information and register to receive alerts
- Mr. Tierney reminded customers to update their bank to reflect their new account number. He reported the following payment options:
 - Pay by check or electronic payment
 - Direct Debit through their bank
 - In person payment at the new local office
 - Credit Card, ACH or ATM (via the ICI Network)

A copy of Mr. Tierney's presentation is available at www.weirriverwater.com. Mr. Fisher clarified that if customers have a bill that says pay to Aquarion, they should follow the instructions on the bill. Ms. Power noted that electronic payments would not have an additional service charge

A one-year contract extension with Sealcoating, Inc. d/b/a Indus, for Roadway Management Construction Services (Micro-Surfacing & Random-Crack Sealing by Fiber Reinforced Method)

Town Engineer, J.R. Frey, reported that this is a contract to continue several components of the Town's Road maintenance and Reconstruction process during the annual road improvements. He noted that this contract would cover the road maintenance aspects of that process including crack sealing and micro surfacing treatment that is done subsequent to normal asphalt paving. Mr. Frey said that this would be the last extension to the contract that was previously bid in 2019. Ms. Power added that, in order to assure the best use of taxpayer dollars, the Board issues new requests for proposals every few years.

Mr. Fisher asked about the quality of Sealcoating, Inc.'s work as well as its pricing. Mr. Frey reported that Sealcoating, Inc. has been very responsive to the Town's requests and has worked very well with the Town. He added that the micro surfacing used has a proprietary element that provides a lot of durability to Hingham's roads. He also said that the quality of the company's work is very high and comes in at or under budget every year. He said that the amount of the bid was approximately \$637,000 but that the Town usually does between \$200,000 and \$300,000 worth of work with them in a typical year. He anticipated that the cost would be way under the bid amount of \$637,000. He expected a new bid to go out in January of 2022. He added that the contract is typically set up as a one-year contract with the opportunity for two one-year extensions.

Vote: Mr. Ramsey made a motion to sign a one-year contract extension with Sealcoating, Inc. d/b/a Indus. for Roadway Management Construction Services (Micro-Surfacing & Random-Crack Sealing by Fiber Reinforced Method) in an amount not to exceed \$637,579.40. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Modification to Outdoor Table Service (OTS) Permit granted to 99 Restaurants of Boston, LLC dba 99 Restaurant & Pub to modify the OTS Premises as shown on the modified plan submitted on March 9, 2020

Ms. Monsegur stated that the original OTS plan for the 99 Restaurant that was approved last year included blocking off six parking spaces to accommodate for outdoor tables. Because their take-out business is thriving, they are requesting to move the outdoor tables so that they can use these six parking spaces for vehicles. The restaurant proposed opening up these parking spaces and using more substantial jersey barriers to mark off the outdoor seating area. Ms. Monsegur reported that the Restaurant Reopening Group has reviewed and approved their request. There has been no other changes to their plan. She also noted that there are no abutters and there have been no complaints about their current plan. Mr. Ramsey was supportive of the new plan. He also said that a number of restaurant owners who hope to extend their outdoor seating permits have contacted him. Mr. Fisher asked about the safety of the new barriers. Police Chief Jones noted that he had no safety concerns with the proposed plan and added that the Police have not received any complaints regarding their outdoor seating. Ms. Power commented that the lingering effect of Covid will remain after the lifting of the State of Emergency and helping to maintain the vitality of Hingham's restaurants is very important.

Vote: Mr. Fisher made a motion to approve modification of the Outdoor Table Service (OTS) Permit, dated June 18, 2020, as extended October 20, 2020, issued to 99 Restaurants of Boston, LLC dba 99

Restaurant & Pub to replace the plan of the OTS Premises with the plan submitted March 9, 2020. Mr. Ramsey seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

To sign the engagement letter with Tarlow Breed Hart & Rogers, P.C. for legal services

Mr. Mayo said that this is a request from Town Counsel that they be able to confer with Tarlow Breed Hart & Rogers on legal issues, as they were during the Water System transition. He said that Counsel found it very helpful at that time. He also said that signing the engagement letter would not commit any Town funds.

Vote: Ms. Power made a motion to authorize the Town Administrator to sign the engagement letter with Tarlow, Breed, Hart & Rogers, P.C. for legal services. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Inside Town Finances: Volume 11 – Hingham’s Bond Rating

Ms. Power presented the eleventh in a series of presentations on Town Finances: Hingham’s Bond Rating. The entire presentation can be found online at www.hingham-ma.gov.

COVID-19 Update

Mr. Mayo gave the following update on the ongoing COVID-19 pandemic:

“COVID-19 Data

As of yesterday, confirmed COVID-19 cases in Massachusetts totaled 594,242. There have been 81 new cases of COVID-19 in Hingham over the past 14 days, and a total of 1,738 cases in Hingham since the start of the pandemic. 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 was 24.1 per 100,000 residents, and our percent positivity rate was 2.54% for the previous 14 days. CDC Director Dr. Rochelle Walensky expressed serious concern yesterday about the number of new COVID-19 cases, hospitalizations, and deaths rising across the country. She cautioned that these “continuing concerning trends” reflect a trajectory similar to some European countries that have experienced a “consistent and worrying spike in cases.” She advised Americans to recommit to public health prevention strategies and to “hold on a little while longer” and “get vaccinated when you can.”

Vaccine Rollout

According to DPH’s [daily COVID-19 vaccine report](#), over 1.27 million people in Massachusetts have been fully vaccinated as of yesterday. As we mentioned last week, DPH has started to report vaccination rates by community on a weekly basis. As of March 25, approximately 19.2% of Hingham residents have

been fully vaccinated. As of March 22nd, residents age 60+ and [certain workers](#) – including workers in restaurants, grocery stores, retail, transportation, public works, and utilities – became eligible for the vaccine. As of next Monday, April 5th, residents age 55+ and residents with [one certain medical condition](#) become eligible. Two weeks later, on Monday, April 19th, the general public ages 16+ become eligible for the vaccine in Massachusetts.”

7:00 PM: The Chair stated that the Board would recess and reconvene at 7:05 PM

7:05 PM: Public hearing on the Transfer of the Restaurant Common Victualler All Alcoholic Beverages License and Pledge of License from Legal Sea Foods, LLC d/b/a Legal C Bar to LSF Hingham, LLC d/b/a Legal C Bar

Ms. Monsecur stated that this request is for a transfer of license and a pledge of license resulting from a new owner of the Legal Seafood restaurants. Ms. Monsecur noted that all the paperwork was in order and explained that there would be no change of management at the Hingham location.

Vote: Mr. Ramsey made a motion to approve the transfer of Restaurant Common Victualler All Alcoholic Beverages License from Legal Sea Foods, LLC d/b/a Legal C Bar to LSF Hingham, LLC d/b/a Legal C Bar, Mark J. Hayward, Manager subject to the approval of the Massachusetts Alcoholic Beverages Control Commission. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Vote: Ms. Power made a motion to approve the request of LSF Hingham, LLC d/b/a Legal C Bar for a Pledge of License to Northern Bank & Trust Company subject to the approval of the Massachusetts Alcoholic Beverages Control Commission. Mr. Fisher seconded.

Roll Call Vote:

Mr. Fisher: yes

Mr. Ramsey: yes

Ms. Power: yes

Police Sergeant Interviews

- James Brady
- Brian Fernandes
- Katelin McGillicuddy
- Ryan Ross
- Jeremiah Sullivan
- Philip Tracey

The candidates had the opportunity to introduce themselves to the Board. The Board of Selectmen asked each candidate a number of questions in the following areas:

- Their approach to being in a supervisory role
- How they would differentiate between a teachable moment and a need for discipline.

- How they would handle disputes amongst officers
- The steps they would take to establish credibility with their peers
- Changes they would make to increase moral in the Police Department
- Examples of stressful situations where they remained calm
- What they have done to increase their skills and knowledge as it relates to Policing
- Training of new officers in the age of police reform
- Ways they stay updated on new laws, regulations, police methods, procedures and techniques
- What distinguishes them from the other candidates
- Where they see themselves in five years and the steps they plan to get there

Ms. Power said that she was impressed with the character, skill, and the commitment of the Sergeant candidates and noted that it would be a very difficult decision. She expressed a sense of pride in the Police Department in her role as Selectman as well as a citizen. She credited this to Chief Jones' leadership as well as past leadership. Mr. Fisher noted that the quality of the candidates was a compliment to the Police Department. Mr. Ramsey echoed the comments of the other Board members and was impressed with the caliber of the candidates. Ms. Power explained to the public that Chief Jones would make his Sergeant recommendations at an upcoming Board of Selectmen's meeting. She explained that the Board would not be making their decisions tonight so as to allow for time to reflect on the interviews and to give the public time to express their views.

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 reported that on March 29, 2021 the MBTA Fiscal and Management Control Board met to discuss the future of the ferry and the Greenbush rail line. It was announced that the MBTA would receive approximately \$845 million in Federal stimulus money in addition to the \$1.1 billion in previous Federal aid that was received. The Board voted to resume, at an unspecified future date, full subway and bus service, weekend commuter rail service where it was cut, and ferry service that had been cut, with the resumption to be implemented as soon as possible.

Mr. Ramsey reported that March 29 was National Vietnam War Veterans Day. He said that Hingham has quite a few Vietnam veterans in Town and he thanked them for their service.

Ms. Power noted that as the weather gets nicer and the days grow longer, residents are able to take advantage of the town's outdoor spaces. She said that the Board has received correspondence regarding trash in the Square. She reported that the Board is working with the building owners, tenants, downtown merchants, the Downtown Association and the Public Works on a solution. She encouraged

citizens to use good judgement when disposing of trash in public areas. She urged everyone to do their part to help keep the Town clean.

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 9:06 PM.

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