

**Town of Hingham
Naming By-Law Committee
Meeting Minutes**

Date: January 20, 2023

Place: on Zoom

In attendance: committee members Philip Edmundson (chair), Victor Baltera, Tom O'Reilly

absent: Wendy Ellison, Christine Falvey,

Chair Edmundson called the meeting to order at 4:43 PM 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. "

Mr. Edmundson stated that the deadline to submit our proposed by-law amendments for the Town meeting warrant was midnight tonight. We need to review Town Counsel's revisions to the committee's latest draft and vote on a final proposal. He then described the Select Board meeting that he attended on January 18 to review Town Counsel's revisions, which incorporated changes proposed by individual Select Board members. Discussion at that meeting focused, in particular, on a proposed change of the threshold for "areas" from 25% (in the existing by-law and committee draft) to 50%. Mr. Edmundson advised the committee that Town Manager Thomas Mayo informed Mr. Edmundson that Select Board member Liz Klein was fine with the 25% threshold but that Select Board member Joe Fisher favored a 50% cut-off. Mr. Edmundson subsequently discussed Town Counsel's revised draft with Tom Mayo who noted the Select Board might not support the amended by-law without its desired changes. Mr. O'Reilly and Mr. Baltera both observed that the Select Board was free to submit its own proposal if it wanted, but that was not a reason for the committee to change its recommendation.

The committee then discussed Town Counsel's revised draft. It was noted that the revision changed the format of the existing by-law and cleaned up some of the language. The committee reviewed specific changes and went section by section through the revision. Mr. Edmundson noted questions that had been raised by Ms. Falvey.

The committee did not support the change in threshold to 50%.

The committee proposed to remove the reference to local, national or global significance from the definition of "Name". This would allow naming for a private donor without the need for a connection to a significant person, place, or event. Mr. Baltera pointed out that Town Counsel's proposed definition of Name is limited to individuals, entities, locations and events. Thus, calling a building by, for example, a color or number would not be subject to the Naming by-law requirements.

Mr. O'Reilly opposed the revised version's change of "widely advertised" to duly advertised. Mr. Baltera noted that the revised version left the issue of widely advertised to be addressed by a policy of the Select Board. Mr. O'Reilly believed that wide publicity of naming proposals is so important that it needs to be in the text of the by-law. It was agreed to retain the committee's version with "widely advertised."

The committee corrected some missing capitalizations of defined terms and replaced references to “and/or” with “or”. Redundant language in section 1 (purpose) was deleted.

Town Counsel’s revision adds “officers” to the entities (boards, committees, departments) authorized to advise the Select Board on naming proposals and to name individual rooms, areas, and subareas. The committee believes this is not appropriate. Mr. O’Reilly stated his view that naming should be a community-based decision and not left to a single individual.

Town Counsel’s revised draft provides that naming of individual rooms, areas and subareas and the installation of benches, inscribed bricks, and the like is left to the approval of the entity with jurisdiction over the asset but is subject to Select Board approval. This provision for Select Board approval would replace language in the existing by-law that provides for an appeal of such naming decisions to the Select Board. The committee prefers the existing approach. It was noted that requirement for Select Board approval would add a layer of bureaucracy, and it was better to leave Select Board review for controversial situations where someone appealed.

The meeting was interrupted by a so-called Zoom bomb attack at approximately 5:35 PM and reconvened at 5:50 PM.

Town Counsel’s revision allows entities with jurisdiction over a Town asset to authorize temporary signs for public fundraising with the approval of the Select Board. The committee felt that, in this instance, Select Board approval is appropriate. It was also noted that the signs must comply with zoning requirements.

The meeting recessed at 6:15 PM so Mr. Edmundson could mark-up Town Counsel’s revision with the committee’s changes. The meeting reconvened at 6:22 PM and discussed Mr. Edmundson’s mark-up. Several typographical changes were noted. Mr. Edmundson made the edits and circulated the corrected document.

It was moved and seconded to submit to the Select Board a warrant article in the form of the document circulated by Mr. Edmundson entitled “Hingham Naming By-Law Committee Recommended Revised Article 40 Approved 1/20/23”.

The committee voted in favor of the motion 3-0 on a roll call vote as follows:

Mr. Edmundson	Yes
Mr. Baltera	Yes
Mr. O’Reilly	Yes

The meeting adjourned at 6:56 PM.

Documents:

Town Counsel’s redlined draft warrant article amending Article 40 with notation “comments 1/6/2023”, together with email chain explaining changes

Redline of Town Counsel’s draft showing committee’s changes

Document entitled “Hingham Naming By-Law Committee Recommended Revised Article 40 Approved 1/20/23”.

