

Board of Selectmen

January 21, 2020
Regular Session 7:00pm

Present:

Selectmen: Ms. Karen Johnson, Chairman, Mr. Joe Fisher, Ms. Mary Power
Mr. Tom Mayo, Town Administrator, and Ms. Michelle Monsegur, Assistant Town Administrator.

Call to Order: Ms. Karen Johnson

Approval of Minutes: Mr. Fisher made a motion to approve the minutes of the December 10, 2019 meeting. Ms. Power seconded. All were in favor, 3-0.

Ms. Johnson explained that the Board of Selectmen would begin to announce the affirmation of the Warrant Articles. She added that the Board of Selectmen is one of the Town entities who sponsor a number of Warrant Articles that they will submit to Town Meeting. She said that they would begin the process with tonight's meeting.

Public Comment: none

Submission of Warrant Articles

Mr. Mayo read the list of Warrant Articles proposed by the Board of Selectmen.

- A Hannah Lincoln Whiting Fund
- B Assume Liability for DCR on Rivers, Harbors, Etc.
- C Reports of Various Town Committees
- D Report of the Personnel Board
- E Salaries of Town Officers
- F Budgets
- G Transfer from the Stabilization Fund
- H Disbursement of Electric Light Department Receipts
- I Building Department Revolving Fund
- K Transfer Funds to the Reserve Fund
- L Acceptance of Easements
- O Repair/Reconstruction of Town Pier
- P Water: Modify Size of Citizens Advisory Board
- Q Water: Funding for Water Capital Improvements
- R Water: Local Acceptance of M.G.L. c. 40, § 42A through 42I
- V IT Department Upgrades
- W Design Funds for Senior Center Renovations
- X Town-wide Facilities Study
- Y Acceptance of Solar PILOT agreement 1
- Z Acceptance of Solar PILOT agreement 2
- BB Transfer of Funds to Waterways Fund
- EE Amendments to Harbor By-Law
- GG Discontinuance of Portion of Old Derby Street
- HH Disposition of Portion of Old Derby Street

Vote: Mr. Fisher made a motion to submit the attached list of Warrant Articles by the Board of Selectmen to be inserted into the 2020 Annual Town Meeting Warrant. Ms. Power seconded. All were in favor, 3-0.

Vote: Mr. Fisher made a motion to open the Warrant for the insertion of an additional zoning Warrant Article in the form attached hereto to update the Floodplain Map References (EEE) and to refer said Warrant Article to the Planning Board under M.G.L. c. 41, § 81I and to close the Warrant relative to zoning Warrant Articles. Ms. Power seconded. All were in favor, 3-0.

Vote: Mr. Fisher made a motion to refer Warrant Article GG to the Planning Board under M.G.L. c. 40A, § 5. Ms. Power seconded. All were in favor, 3-0.

Ms. Johnson clarified that the “Discontinuance of a portion of Old Derby Street” would be referred to the Planning Board but that the “Disposition of a portion of Old Derby Street” would fall under the auspices of the Board of Selectmen.

Warrant Article Discussion

Article A: Hannah Lincoln Whiting Fund

The Hannah Lincoln Whiting Fund was established in 1915 pursuant to the will of Ada B.W. Bacon in memory of her mother, “...to be expended in relieving the necessities of the deserving poor or unfortunate of South Hingham...” Grants for the income of the fund are made at the discretion of a committee of three members, one of whom is elected each year by the Town. As of December 31, 2019, the fund assets totaled \$17,456.02 of which \$2,456.02 was available for distribution. The principal of \$15,000 is held in trust and is not available for distribution.

Mr. Mayo added that Ms. Karen Sadlon, 33 South Pleasant Street, is recommended to be re-elected as a member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years.

Ms. Power made a motion to recommend favorable action on Article A. Mr. Fisher seconded. All were in favor, 3-0.

Article B: Assume Liability for DCR

Will the Town, in accordance with, and only to the extent permitted by, Massachusetts General Laws chapter 91, section 29, as amended, assume liability for all damages that may be incurred by work to be performed by the Department of Conservation and Recreation of the Commonwealth of Massachusetts for the improvement, development, maintenance, and protection of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores, and shores along a public beach within the Town, in accordance with section 11 of said chapter 91, and authorize the Board of Selectmen to execute and deliver a bond of indemnity to the Commonwealth of Massachusetts assuming such liability, or act on anything relating thereto?

Ms. Power made a motion to recommend favorable action of Article B. Mr. Fisher seconded. All were in favor, 3-0.

Article C: Reports of Various Town Committees

To receive the reports of the following: Affordable Housing Trust; Audit Committee; Capital Outlay Committee; Cleaner, Greener Hingham; Commission on Disability Issues; Community Preservation Committee; Conservation Commission; Country Club Management Committee; Council on Aging; Energy Action Committee; Fire Station Building Committee; GAR Hall Trustees; Harbor Development Committee; Hingham Historic Districts Commission; the Historian; Historical Commission; Board of Managers of Lincoln Apartments LLC; Master Plan Committee; Memorial Bell Tower Committee; Open Space Acquisition Committee; Scholarship Fund Committee; 2017 School Building Committee; Wastewater Master Planning Committee; Water Supply Committee; and Water Transition and Evaluation Committee, or act on anything relating thereto.

Mr. Fisher moved to recommend favorable action of Article C. Ms. Power seconded. All were in favor, 3-0.

Article G: Transfer from the Stabilization Fund

Mr. Mayo explained that pursuant to prior Town Meeting votes, the proceeds from the sale of the former school administration building, municipal light plant building, and the former police station were deposited in the Stabilization Fund for future tax reduction. This amount was augmented by the addition of bond premiums associated with the refinancing of excluded debt. This Article would transfer a portion of the Stabilization Fund for the purpose of reducing the Fiscal Year 2021 tax rate.

Ms. Nickerson said that there is about \$2.1 million in the stabilization fund and she recommended the Town appropriate the sum of \$178, 836 from the Stabilization fund for the purpose of reducing the FY 2021 tax rate.

Ms. Power made a motion to recommend favorable action on Article G. Mr. Fisher seconded. All were in favor, 3-0.

Article H: Disbursement of Electric Light Department Receipts

Will the Town appropriate, from the receipts of the Hingham Municipal Lighting Plant, money for the maintenance and operation of the Plant for the 12-month period commencing July 1, 2020, pursuant to sections 57 and 57A of chapter 164 of the Massachusetts General Laws, and provide for the disposition of any surplus receipts, or act on anything relating thereto?

The Hingham Municipal Lighting Plant (“HMLP”) is self-funding; funds collected from billing customers are used to pay all expenses incurred by the Plant. The HMLP Board has an agreement in place whereby it makes a payment in lieu of taxes (“PILOT”) to the Town. The PILOT amount is calculated by multiplying the number of kilowatt hours sold by HMLP in the prior year by \$0.0025, with a minimum payment to the Town of \$450,000. Based on sales for the last several years, it is estimated that this payment will be approximately \$500,000. The Plant’s PILOT to the Town has the effect of reducing the Town’s tax rate.

Mr. Fisher moved to recommend favorable action on Article H. Ms. Power seconded. All were in favor, 3-0.

Article I: Building Department Revolving Fund

Will the Town limit the total amount that may be spent from the Building Department Revolving Fund, established under Article 18 of the General By-laws, to \$350,000.00 during Fiscal Year 2021, or act on anything relating thereto?

Mr. Mayo explained that the Building Department Revolving Fund is credited with all fees from plumbing, gas, and electrical inspections performed by Inspectors. This fund is used to pay wages, salaries and fringe benefits (as applicable) to these Building Department staff members.

Ms. Power made a motion to recommend favorable action of Article I. Mr. Fisher seconded. All were in favor, 3-0.

Article J: Department of Elder Services Revolving Fund

Will the Town limit the total amount that may be spent from the Building Department Revolving Fund, established under Article 18 of the General By-laws, to \$350,000.00 during Fiscal Year 2021, or act on anything relating thereto?

Mr. Mayo explained that the Department of Elder Services Revolving Fund is credited with all fees and charges received from Senior Center programs and pays expenses associated with providing these services and activities for the Town’s senior residents. Mr. Mayo noted that the fund has been increased from \$70,000 to \$80,000 due to an increase in services and classes.

Ms. Power made a motion to recommend favorable action of Article J. Mr. Fisher seconded. All were in favor, 3-0.

Article L: Acceptance of Easements

Will the Town authorize, but not require, the Board of Selectmen to accept grants of easements for streets, water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board deems in the best interest of the Town, or act on anything relating thereto?

Mr. Mayo explained that the Town benefits from many easements over private property throughout Hingham. From time to time, the Town, particularly its Department of Public Works, requires new easements in order to complete roadway and other public works projects. At times, the Town receives requests from private property owners to relocate easements held by the Town on their property. Under Massachusetts law, Town Meeting approval is required for the Board of Selectmen to accept such easements.

This Article would allow the Board of Selectmen to accept such easements during the coming year and thus to avoid potentially expensive delays and inconvenience to projects that benefit the Town. This Article is intended solely to cover easements voluntarily granted to the Town and would not allow the Board of Selectmen to accept easements that require funds to acquire them. Furthermore, the authority conferred by this Article is not unlimited in time; it is limited to the coming year. If continuing authority is required, the next Annual Town Meeting may be asked to approve it.

Mr. Fisher made a motion to recommend favorable action on Article L. Ms. Power seconded. All were in favor, 3-0.

Article U: COLA Adjustment for Retirees

Will the Town accept the provisions of Chapter 32, Section 103 (j), so as to increase the maximum base on which the COLA (Cost-of-Living Adjustment) is calculated to \$14,000, or act on anything relating thereto?

Ms. Sue Nickerson explained that cost-of-living adjustments are granted to Hingham benefit recipients by vote of the Hingham Retirement Board (HRB). COLAs are calculated by applying a percentage to an approved base amount. Annually, the State Public Employee Retirement Administration Commission (PERAC) files with the Legislature a report detailing the increase or decrease in the Consumer Price Index (CPI). The HRB then votes on whether to grant a COLA based on the increase in the CPI or 3%, whichever is less. From 1998 to 2014, the COLA base amount for Hingham has remained at \$12,000, in 2015 the town approved an increase of the COLA base to \$13,000 thereby allowing a maximum annual COLA payment of \$390 per beneficiary. On a historical note, only four times since 1971 has the HRB declined to vote a COLA.

A local option is available to raise the maximum base amount on which the COLA is calculated. The HRB may (subject to Town Meeting approval) increase the maximum base amount in multiples of \$1,000. Currently, the COLA percentage is applied to a retiree's retirement allowance up to \$13,000.

A survey of FY 2020 COLA bases, encompassing 104 Massachusetts retirement systems, indicates there are 27 with a \$12,000 base, 24 with a \$13,000 base (including Hingham), 29 with a \$14,000 base, 8 with a \$15,000 base, 7 with a \$16,000 base, 4 with a \$17,000 base, and 5 with an \$18,000 base.

COLAs are effective on a fiscal year basis (e.g., the COLA for "2020," was effective for the fiscal year beginning July 1, 2019). If the HRB grants a 3% COLA, effective July 1, 2020, with the current base of \$13,000, the allowance for a benefit recipient may increase by a maximum of \$390 per year, or \$32.50 per month. By voting to increase the base to \$14,000, the HRB has the discretion to grant up to a 3% increase in the allowance or an annual increase of \$420 for each eligible retiree and survivor of the Hingham Retirement System. This translates to a maximum additional per person amount of \$35.00 per month.

The Town's actuarial consultants (KMS Actuaries of Manchester, NH) have analyzed the impact on the Hingham Retirement System's liabilities and funding if an increase in the base to \$14,000 is approved by Town Meeting. Using the most recently completed January 1, 2018 fund valuation, the change in the accrued liability is expected to increase by \$747,100. The impact in the appropriations for fiscal years 2021 is an increase of \$93,600. If the new COLA base of \$14,000 is approved at Town Meeting, the appropriations increase of \$93,600 for fiscal year 2021 will have to be transferred from available funds to meet the fiscal year 2021 obligation. The fiscal year 2022 obligation would be appropriately accounted for in the budget for fiscal year 2022. Ms. Nickerson added that the Town has not increased the COLA since 2015.

Ms. Power made a motion to recommend favorable action of Article U. Mr. Fisher seconded. All were in favor, 3-0.

Disbursement of Water Company Receipts

Mr. Fisher made a motion to submit as a Warrant Article by the Board of Selectmen to be inserted in the annual 2020 Town Warrant, an Article titled Disbursement of the Weir River Water System Receipts. Ms. Power seconded. All were in favor, 3-0.

Votes:

Ms. Power thanked the Personnel Board, Ms. Monsegur and the Union for working collaboratively on the DPW Supervisors' Contracts and she stated that this contract is sustainable within the Town's budget.

Vote: Ms. Power made a motion to sign the contract with the Teamsters Local 25 – DPW Supervisors effective July 1, 2019 through June 30, 2020. Mr. Fisher seconded. All were in favor, 3-0.

Vote: Mr. Fisher made a motion to sign the contract with the Teamsters Local 25 – DPW Supervisors effective July 1, 2020 through June 30, 2023. Ms. Power seconded. All were in favor, 3-0.

Ms. Johnson confirmed with Chief Olsson that the terms of the Police Superior Officers contract have been mutually agreed upon by the Police and the Union.

Vote: Ms. Power made a motion to sign the contract with the Police Superior Officers Union, MCOP, Local 405 effective July 1, 2019 through June 30, 2020. Mr. Fisher seconded. All were in favor, 3-0.

Vote: Mr. Fisher made a motion to approve the issuance of a Special (One Day) All Alcoholic Beverages license to Mary Ann Blackmur on behalf of Hingham Community Center for an Evening of Tastings to be held at the Hingham Community Center on February 7, 2020 from 7 pm to 10 pm. Ms. Power seconded. All were in favor, 3-0.

Vote: Mr. Fisher made a motion to approve the issuance of a Special (One Day) Wine and Malt Beverages license to Stephanie Stratton on behalf of Hingham Youth Hockey for the Hingham Youth Hockey Social to be held at the Hingham Community Center on February 1, 2020 from 7 pm to 11 pm. Ms. Power seconded. All were in favor, 3-0.

Selectmen/Town Administrator Reports

Ms. Monsegur: nothing to report

Mr. Mayo said that Ms. Mary Savage-Dunham of the Planning Board has created small cards with instructions on how to participate in the Hingham Master Plan Visioning Survey. He said that the cards are available in the Planning Department Office and in the Selectmen's Office.

Mr. Fisher reported that there was a loss of heat this past Saturday night at the Lincoln School Apartments. He stated that the Town Administrator rallied with the Fire Department and the Police Department to assess the situation. Mr. Mayo reported that three of the four heating units failed over the weekend in the cold and snow. He stated that, during the repairs, the temperature in the building was constantly being monitored and stated that it did not fall below code. He said that they did have a contingency plan in place at the Senior Center just in case and they were ready in case it was needed as a warming center.

Ms. Power thanked Mr. Mayo, Ms. Monsegur, Ms. Perfetti, and Ms. Gaul for their work in assembling the warrant books.

The Board all got invitations to Lincoln Day, February 15.

Ms. Power noted the passing of Joan Newell, long-time member of the community who volunteered in a number of capacities, most notably at the Hingham Public Library. She acknowledged her service to the Town and added that she was a warm, gracious, engaged, and smart woman. She said it was an honor to have known her and she offered the Board's condolences to her family.

Ms. Johnson said that she had the opportunity to attend the Annual Veteran's Appreciation Night sponsored by the Hingham Wrestling Team. She added that there was a moment of silence for Mr. John McHugh who passed recently away. She added that the event draws attention to the service and sacrifice of Hingham's veterans. She said that the Veterans Appreciation Club at the High School solicits contributions for the Corp. Christopher Orlando Scholarship, for which they raised \$500. She said that that scholarship is given annually to a resident of Hingham who intends to pursue the military, Fire, Police or the trades as their future path. She said that the event was an example fine community spirit.

Ms. Power made a motion to adjourn. Mr. Fisher seconded. All were in favor, 3-0.

Meeting adjourned at: 7:44pm

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

