

# Board of Selectmen

March 3, 2020

Regular Session

## Present

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

## Call to Order: 7:00PM

Ms. Johnson called the meeting to order.

## Pledge of Allegiance

## Approval of Minutes

Mr. Fisher made a motion to approve the minutes of the February 27, 2020 meeting. Ms. Power seconded. The motion passed 2-0-1 Ms. Johnson abstained.

## Public Comment

None

## Forecast Update

Mr. Mayo said that there were several changes to the Budget Forecast that he wanted to bring to the attention of the Board. He explained that the FY21 Forecast originally had a shortfall of \$1,707,094 but with the new changes to the forecast there is now an excess of \$177,343.

<b>Changes between 1/29/2020 and 3/2/2020 FY21 Forecast</b>	
<b>1/29/2020 Forecast Excess/(Shortfall)</b>	<b>(\$1,707,094)</b>
<b>Adjustments</b>	
Ambulance Fees	\$39,000
Investment income (interest)	\$75,970
Excess Overlay (LP)	\$250,000
Town Budget - Level Services	\$399,896
Town Budget - Town Engineer	\$15,000
Education Budget - Level Services	\$930,743
School Revolving Fund Use (2/24 SC mtg)	\$123,828
Group Insurance	\$50,000
<b>3/2/2020 Forecast Excess/(Shortfall)</b>	<b>\$177,343</b>

Ms. Johnson said that we have to be very careful about what we estimate and make very sure that we put to work every dollar that we can.

Mr. Fisher asked how comfortable Mr. Mayo was with the investment income number in light of the recent reductions in interest rates. Mr. Mayo said that he has spoken with the Town Treasurer who did an analysis of the new rates and projected rates and said that they are both comfortable with this figure.

Ms. Power added that, due to the forecasted changes, the Town and School Department are expected to have sufficient revenue to fund services currently being provided.

Ness Correnti, 17 Ward Street, said she was wondering about the forecasting process and asked why the excess fund balance keeps increasing yearly. She asked why is that happening and wondered if the Town is being too cautious. She said that she would rather the Town use funds as they are collected.

Ms. Johnson said that the Board looks to see if they are over or under-budgeting in some areas. She said that it differs year to year, and she has not seen a pattern of predictability occurring. Ms. Johnson explained that, within the fund balance there are particular amounts that are encumbered for specific purposes, and those funds cannot be used for other purposes.

Ms. Power added that the Town's Financial Policy, developed by the Advisory Committee, speaks to how any excess fund balance may be used and said that the Financial Policy is reviewed every three years.

**FY21 Budgets (Article F) "A Path to a Balanced Budget"**

Mr. Mayo explained that the additional total departmental requests were \$467,082. He said that he analyzed the requests and trimmed the requests to \$399,896. He explained that there were several departmental requests that he did not end up recommending including:

- Police overtime \$20,000
- Fire Department \$5,000
- Senior Center Outreach Coordinator \$42,186

He added that there were a number of Budget reductions including:

- GIS Coordinator \$20,000
- IT Director (transition) \$30,730

There was some discussion of the Deferral of the following new services:

- Harbormaster \$4,000
- Fire promotional expenses \$14,000
- 1.0 FTE Fire Fighter \$74,055
- 1.0 FTE Police Officer \$78,209
- 0.5 FTE Public Information Officer \$44,735
- Legal Services \$25,000
- Police Overtime \$20,000
- Cemetery Maintenance \$1,200

Mr. Mayo explained that total municipal reductions were \$311,929. He went on to say that there were a number of final budget requests above the level service request including the following:

- Procurement position \$21,620
- GIS Coordinator \$1,620
- Uniforms for Building Inspectors \$1,582
- Election expenses \$3,500
- IT Director (transition) \$30,730
- Fire: Emergency Response Expenses \$5,000
- Monument maintenance \$2,000
- Town Hall Custodian \$21,914

Mr. Mayo said that the revised FY21 Municipal budget is \$29,509,072, which is a 3.1% increase over the previous year. He added that Town can sometimes use a Fund Balance to balance the budget, citing the Town's Financial Policy which states:

"When Unassigned Fund Balance exceeds 20% for a sustained period and is projected to remain in the range of 16% to 20% for the next five years, the Advisory Committee should consider recommending that Town Meeting apply such amounts in excess of 20% to items such as unfunded long-term liabilities, long-term and non-recurring capital expenditures, retirement of debt, or targeted tax relief. Excess Unassigned Fund Balance should not be used to fund recurring operating budget items."

There were some comments and questions from the Board. Ms. Johnson said that our AAA bond rating gives us access to capital markets that other towns don't have access to and it also allows the Town to borrow at a very low interest rate.

Ms. Johnson said that she is concerned about the deferral of the Public Safety Officers because it can take several years to on-board a new Police Officer. Ms. Power asked Mr. Mayo if he was comfortable with the deferral of the two public safety personnel. He said that he has spoken with both Chiefs and, while they feel it would be helpful to add the officers, they understand the reasons for the deferral and are comfortable with the decision.

Ms. Power asked about the deferral of the Public Information Officer and asked who would take on that work. Mr. Mayo said that he and Ms. Monsegru would take on those responsibilities.

She also said that Hingham has an ambulance service that brings in revenue for the Town and deferring this may cost the Town additional revenue. Mr. Mayo said that all these cuts are an attempt at resolving the budget.

Ms. Power acknowledged that deferring these items was not easy and that she appreciated Mr. Mayo's effort toward obtaining a balanced budget. He said that this budget achieved his goal of providing the Town with the services it needs in a financially responsible manner.

Mr. Fisher asked him about the deferral of a Senior Center Outreach Coordinator, adding that this was a position that the folks at the Senior Center had been looking forward to. Mr. Mayo answered that he had initially deferred this request, not because he didn't think it was an important addition to that department but because he needed a better understanding of what the necessary staffing of that department was. He added that it is an important position that he anticipates will be in place in the next year or so. Ms. Power added that the Selectmen have received approximately twenty letters as well as a petition signed by 75-100 people in support of this position. She said that it was hard to say no to a worthy request. Ms. Johnson echoes this sentiment.

### **The School Committee called its meeting to order at 7:30pm.**

#### Questions from the public:

The following residents had questions for the Board:

Kim Johnson, 4 Heather Lane

Leslie Wittman, 1 Rocky Run

Lauren Devalle, 98 Black Rock Road

Megan Buhr, 489 Main Street

John Asker, 5 Common Street

Michelle Ayer, 41 Hemlock Road

Tien-Do Suarez

Raymond Estes, 92 Fort Hill Street

Jen Vangelder, 13 Independence Lane

The questions centered around fund balance, the school budget, ways to increase the Town's revenue, a tax override, the costs related to the Foster School project, potential tax increases due to proposed Capital projects, and school spending of benchmark communities. There was considerable support for the Hingham Public Schools and residents made it clear that they want to make sure the needs of all the students are being met. There was some ensuing discussion amongst the Board.

Ms. Johnson said that an override is something that would need to be discussed with the Town's financial advisors. She said that it is very complex and needs to be carefully thought out. She added that the Selectmen are constantly looking into other revenue opportunities. She said that 8-10% of the tax base in Hingham comes from small businesses that we don't want to over burden by raising the commercial tax rate too much. She added that there have been many discussions about development in South Hingham and how that could add to our revenue.

Ms. Power added that it is challenging to find a good balance between revenue and services while also maintaining the essence of Hingham. She noted there has been opposition to development in areas such as South Hingham. She added that there is more to the school budget than just what was talked about in the meeting. The School's \$56 million budget did not account for things like capital and employee benefits and suggested that support for the schools in Hingham is very significant. Ms. Power said that \$.65 of every dollar spent in Hingham goes toward the schools. She stated that the municipal budget has been growing, on average, by 2.8% per year but that the schools' budget has been growing by 4.4% each year, adding that nearly 2/3 of everything the Town has is going towards our public education. Ms. Power stated that in previous conversations, the Board has focused on tackling big capital projects first, and has discussed the need for the Town to live within its means. There was some additional discussion amongst the Board. Ms. Johnson said that what the Board of Selectmen will vote on today is their recommendation to be presented to the Advisory Committee. The Advisory Committee will then decide which recommendations it will then present to Town Meeting. Ms. Johnson added that her vote would show support for Mr. Mayo's recommendations.

Ms. Power said that this Board has supported Hingham Public Schools in a number of ways; she provided numerous examples

She also stated that in budget hearings, she asked if the schools are scaling back or trying to offer services in a different way in order to save money – and that the answer was “no”.. Ms. Power stated that before she would be willing to consider an override, she would need to be able to tell citizens that we have looked at every dollar and looked at ways to change things. Ms. Power stated that she cannot

say that about the school budget at this time, She stated that she respectfully disagrees with the School Department's position that its revolving accounts that cannot further be utilized.

Mr. Fisher said that he supports the Town Administrator's recommendations, which would be to add \$102,311 to the school budget. He encouraged the School Committee to look into ways that it can find additional dollars from its own budget.

There was further discussion about revolving funds and how money could be reallocated, including the question of what is prudent to carry in these revolving funds and how best to support the level services budget or other projects by using some of this money. The Board suggested that the School Department evaluate how much money is in its revolving funds and if some of this could be used to support the level services budget so that they do not have to use tax levy thus freeing up that money for other things in their budget. Ms. Power added that she feels that \$800,000 food services revolving fund budget could fund the \$60,000 in group insurance for employees, and asked whether Mr. Fisher and Ms. Johnson would support decreasing the group insurance budget by that amount. Mr. Fisher and Ms. Johnson stated their preference to refer that question to the Advisory Committee for its determination.

**Vote:** Ms. Power moved to recommend to the Advisory Committee the FY2021 budget as presented, with the Town Administrator's additional requests, for a total amount of \$112,763,027. Mr. Fisher seconded. All were in favor, 3-0

**Vote:** Ms. Power moved to approved the Capital Outlay budget as recommended by the Capital Outlay Committee in the amount of \$2,487,066. Mr. Fisher seconded. All were in favor, 3-0.

### **Warrant Articles**

#### **Article O: Repair/Reconstruction of Town Pier**

*Will the Town raise and appropriate, borrow or transfer from available funds, a sum of money to be expended by the Board of Selectmen for the repair/reconstruction of the Town Pier, including the addition of resiliency measures to address sea level rise, or act on anything relating thereto?*

Bill Reardon, Chairman of the Harbor Development Committee, along with Eric Glass and Dan Gagney from Beals and Thomas, spoke about the resiliency and reconstruction work of Town Pier. He said that Beals and Thomas has been their engineering consultants on this project. Mr. Reardon discussed a chronology of the Harbor Development Committee's work on this project over the last five years. He said that they have come to the meeting tonight in hopes of actually beginning construction on one of the three Town Piers. He said that the process started about five years ago with the Klienfelder Study of sea level rise and the resiliency necessary to address some of the vulnerabilities that flooding and major storm surge could have on the Town. He said that they have been working with Beals and Thomas and others to gather data and to begin work on designs that would address both reconstructing the walls of Hingham's piers that are beginning to fail while also addressing sea level rise and the impact storm surge could have on the Town. He explained that the three locations they would like to address are Town Pier, Veteran's Park and Barnes Wharf.

Mr. Reardon said that the Harbor Development Committee had decided some time ago that it was more fiscally prudent and easier from a design and permitting perspective, to start with one wharf at a time. Since then Beals and Thomas has been working hard to get all permits into place as well as a revisiting the decisions they made 2 years ago still were the correct decisions, including the height of the wharf.

He spoke about some of the proposed improvements at Iron Horse Park and the Town Pier, including the relocation of parking which will increase the open space of the park as well as additional safety measures along the edge.

Eric Glass, Principal, Beals and Thomas spoke about the modularity of the design which would account for sea-level rise and said that the current proposed design would fully account for this rise. He also spoke about cost estimates, which have increased significantly since the previous estimate in 2018. The new estimate includes site and parking are improvements, drainage improvements, construction phase management and oversight and was able to benchmark this estimate against a similar project in Duxbury, MA. The current estimate by Beals and Thomas is \$5.46 million.

Mr. Fisher said that Mr. Reardon and his team has put in a huge amount of work and he thanked him for their effort. He asked if the specs we had for the projects would facilitate or hinder the Town's ability to apply for grants to help fund the project and if they were comfortable moving forward with a planned height that would be below the hundred-year flood level. Mr. Glass responded that MVP Grants are

approved based on whether the project complies with a current climate change study. Since Hingham conducted a climate change study in 2015 and because the current proposed design for the pier complies with this study, he feels that the project would likely be eligible for grants. Mr. Reardon said that some other communities chose the hundred-year flood level height, saying that what might be appropriate for one community may not be for another. He didn't recommend going for the 100-year flood line because Hingham is an inner harbor, saying that the difference between their choice of adding 4 feet would be an additional 4 feet bringing the pier to 8 feet.

Mr. Fisher said that he is concerned that the change in the proposed budget is significant, 40% overall. Ms. Power asked how much of the change in the cost estimate was due to inflation and how much was due to change in the design. Mr. Glass said that inflation was not a significant reason for the increased cost. Ms. Power said that it would be helpful for Beals and Thomas to provide the Board with more details to explain the change in the cost from the previous estimate.

Ms. Power asked how long we would wait to see if we qualify for MVP or Seaport Bond Council for funding. Mr. Reardon suggested that the Town would apply to both MVP and the Seaport Bond Council for grants. Mr. Reardon said that we would have an answer from MVP before we start the budget. Mr. Glass added that MVP required a 25% match from the Town and that the Seaport Bond Council has already awarded all of its grants for 2020 so the Town would apply for FY2021 funding. Ms. Power also asked whether Town Meeting approval to fund 100% of the project cost could impact Hingham's ability to receive grant funding.

Mr. Fisher asked if other communities have received these grants and was wondering if there was a model that was out there that was working? Mr. Glass spoke to grants received in the past few years, stating that there was more grant money issued for studies rather than shovel-ready projects.

Ms. Johnson asked whether it is worth looking again at the types of materials and also the modulation and whether it's worth the cost. Mr. Reardon said that they looked at the materials being used for a similar project in Duxbury and they concluded that using concrete rather than the more aesthetically appealing granite would not significantly reduce the cost. Mr. Glass also added that the granite would have a much longer life span than the concrete.

Ms. Johnson said that she is not ready to vote this tonight and hopes that the Board will be ready to vote on this project at its meeting next Monday.

**Article GG/HH: Discontinuance and Disposition of a Portion of Old Derby Street**

*Article GG: Will the Town, pursuant to M.G.L. Chapter 82, Section 21, discontinue all or portions of that portion of the public way known as Old Derby Street as shown on a plan entitled "Old Derby Street Partial Discontinuance Plan", Progress Print, dated January 16, 2020, prepared by CHA Companies (the "Plan"), such portions being shown on the Plan as (a) "Portion A of 1929 Old Derby Street Town Layout #2604 To Be Discontinued" containing 5,501 square feet, and (b) "Portion B of 1929 Old Derby Street Town Layout #2604 To Be Discontinued" containing 3,445 square feet, or act on anything relating thereto?*

**Article HH: Discontinuance and Disposition of Old Derby Street**

*Will the Town authorize, but not require, the Board of Selectmen, pursuant and subject to M.G.L. Chapter 40, Sections 3, 15 and 15A, as applicable, and Article 5, Section 4A of the Town of Hingham General Bylaws, to dispose of all or any portion of a parcel of land, currently a portion of Old Derby Street to be discontinued, as shown on a plan entitled "Old Derby Street Partial Discontinuance Plan", Progress Print, dated January 16, 2020, prepared by CHA Companies (the "Plan"), for a minimum of \$1.00 and on such other terms and conditions as the Board of Selectmen deem in the best interests of the Town, for any use permitted or allowed in the Industrial Park Zoning District, or act on anything relating thereto?*

Ms. Johnson invited Susan Murphy, Real Estate Counsel for the Town, to explain Article GG/HH. Ms. Murphy said that during the Derby Street road construction project, one of the improvements that was added to the project for safety purposes was to install a traffic light where the two legs of Old Derby Street meet Derby Street. She added that, in the 1950's when Derby Street was configured the way it is now, the two legs of Old Derby Street had been off-center from one another. She said that this has been very dangerous, particularly for cars trying to turn left. She said that, since massDOT was looking to improve that corridor, they included Old Derby Street in the project. She added that part of the project involved the taking of a piece of land from the Descenza Diamonds parcel in order to line up the two ends of Old Derby Street to make it a 4-way intersection with a light. The parcel that was taken would have to be maintained by the Town. She said that there had been very careful thought about

maintaining appropriate and safe access to Best Chevrolet. She added that, as a result, there are now two portions of Old Derby Street, A & B, that have no beneficial use to the Town as public ways. She explained that tonight's vote would be to discontinue portions A and B of Old Derby Street and to declare it "surplus" so that Town Meeting could vote for the land to be acquired by another party

**Vote:** Mr. Fisher made a motion to recommend favorable action on Article GG/HH. Ms. Power seconded. All were in favor, 3-0.

**Vote:** Mr. Fisher made a motion to declare the portions of Old Derby Street to be discontinued, pursuant to Article GG and HH, as surplus property. Ms. Power seconded. All were in favor, 3-0.

#### **Article KK: Climate Action Planning**

*Will the Town, in recognition of the impacts that a changing climate can have on a coastal community like Hingham, vote to create a climate action plan with the goals of reducing greenhouse gas emissions within all of Hingham by 80% to 100% on or before 2050? In creating such a plan, will the Town vote to create a Climate Action Planning Committee, with such committee consisting of 11 members determined as follows: one member of the Energy Action Committee, who shall serve as Chairman of the Climate Action Planning Committee; three members of the Board of Selectmen or its designees; one member of the School Committee or its designee; one member of the Hingham Municipal Light Plant; one member of the Planning Board or its designee; and four residents, two selected by the Board of Selectmen and two selected by the Moderator?*

Michael Reeve, member of the Climate Action Committee, 51 Howland Lane, addressed the audience. He said that they have worked under the direction of the Board of Selectmen for the last few months in putting together their Warrant Article. He said that they had a meeting last night and they had a split decision to removing their Warrant Article so the Committee decided to move it along. He called for Hingham to be a leader in formulating a climate action plan. Mr. Fisher said that the next step is to figure out how best to move forward.

Ms. Johnson said that there have been some discussions, but the next steps are to formulate specific items and costs to present to Town Meeting. She said that her goal has been to position this initiative for success. She said that while she agrees with the initiative, she also disagrees with some of the procedures put forth in the article. She added that the Board was hoping that it would write the Warrant Article together with the Climate Action Committee. She suggested that the Board consider creating a smaller task force of members of the Energy Action Committee who would work under the direction of the Town Administrator's office in an attempt to position the group for success at Town Meeting.

Ms. Power asked about grants from MAPC (Metropolitan Area Planning Council). Mr. Mayo said that the Town uses MAPC for a number of projects and he feels that a task force could meet with them to apply for a grant for an Energy Action Plan.

Ms. Power also suggested that it might be easier to work with a smaller committee but she added that she didn't know enough about the scope of the work to recommend a membership number for the committee. There was some ensuing discussion the timing of creating the task force. Ms. Power suggested that if Article KK goes forward as is, she feel that there is potential for it to fail.

Ms. Power advised that once a committee is formed at Town Meeting, the committee cannot be changed without again going through Town Meeting, so she thinks it's best to do this outside of Town Meeting. She thought that forming a committee at Town Meeting could impede efforts going forward as the committee and its goals evolve. Ms. Johnson suggested that, in the future, the task force may want to create various sub-committees that would focus on specific topics or locations.

Ms. Johnson said that she plans to vote "no action" with respect to the Warrant Article as presented but she would like to consider a task force that would work with the Town Administrator's office. Mr. Fisher expressed recognition that climate action is an urgent matter and stated that the Board is trying to figure out the best way to move forward.

Elliott Place, 91 Kimball Beach Road, said that he has been engaged in this effort for many years. He said that his concern is the urgency of the issue.

Ms. Johnson gave a few examples of task forces that have had success including the Fields Study task force and the Cleaner Greener task force, adding that the Board of Selectmen view this as a priority for the Town and for the staff of the Town Administrator's office.

Laura Burns, 479 Main Street, made some comments about the proposed task force. She also emphasized the tremendous amount of public support needed for their initiatives as well as the resources that are available through involvement from the community. She strongly encouraged the Board to conduct the meetings of the proposed task force under the open meeting law in an attempt to engage the public.

**Vote:** Ms. Power made a motion for no action of Article KK. Mr. Fisher seconded. All were in favor, 3-0.

**One Day Liquor Licenses:**

**Vote:** Mr. Fisher made a motion to approve the issuance of a Special (One Day) Wine and Malt Beverages license to Raymond Estes on behalf of Hingham Sports Partnership, Inc. for Comedy Night 2020 to be held at Loring Theater on March 22, 2020 from 6 pm to 8:30 pm. Ms. Power seconded. All were in favor, 3-0.

**Vote:** Ms. Power made a motion to approve the issuance of a Special (One Day) Wine and Malt Beverages license to Lori Lerner for the Malawi Art Fundraiser to be held at Ames Chapel on March 28, 2020 from 6 pm to 8:30 pm. Mr. Fisher seconded. All were in favor, 3-0.

**Selectmen and Town Administrator Reports**

Ms. Monsegur: Nothing to report

Mr. Mayo read a report from the Hingham Health Department regarding the Corona virus.

Mr. Fisher: Nothing to report

Ms. Power made some comments that stressed the importance of communication and cooperation with regard to Town Meeting issues.

Ms. Johnson said that she voted today at the middle school and she thanked Eileen McCracken and the Town Clerk's Office for making it such an enjoyable experience.

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

**Meeting adjourned at 10:57PM**

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