

Select Board

March 22, 2022

Present:

- Select Board: Mr. Joseph Fisher, Mr. Bill Ramsey, and Ms. Liz Klein
- Mr. Tom Mayo, Town Administrator
- Ms. Michelle Monsegur, Assistant Town Administrator for Finance
- Mr. Art Robert, Assistant Town Administrator for Operations

6:33 PM: Call to order

Mr. Fisher 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 the Town of Hingham in accordance with the Open Meeting Law may record this meeting and all communications during this meeting. 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. Fisher asked if any participants were recording the meeting. No one indicated they were recording.

Select Board members participating in the meeting were himself, Mr. Joe Fisher and Ms. Liz Klein
Approval of Minutes

Vote: Ms. Klein made a motion to approve the minutes dated March 8, 2022. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Vote: Mr. Ramsey made a motion to approve the minutes dated March 10, 2022. Ms. Klein seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Massachusetts State Subdivision Agreement for Statewide Opioid Settlements

Town Counsel for Litigation, Mr. Kerry Ryan presented. The Attorney General has requested that all municipalities execute this agreement. A few months ago, the Town of Hingham, and many other town in the State, entered into an agreement with the Attorney General concerning a settlement of the opioid litigation that the Attorney General had pending with McKesson Corporation, Cardinal Health, Amerisource Bergen Corporation, and Johnson & Johnson. That settlement has proceeded and municipalities can now receive payment. The Attorney General has proposed to increase the allocation to municipalities from 15% to 40% of the monies that are coming in from the settlements from the

opioid groups. Mr. Ryan said that Hingham would receive approximately \$50,000 each year for 18 years. The second part of the agreement specifies that these funds shall be used for specific opioid-related items, such as treatment and recovery strategies and support for those at risk of developing opioid problems, harm reduction, and preventing the misuse of opioids and related items. Mr. Fisher clarified that the Town would receive approximately \$1 million over the course of 18 years. Mr. Ryan explained that the Attorney General is requesting approval of the gain from 15% to 40% and confirmation that the Town will use the funds in the manner in which the categories concerning opioid use. Mr. Mayo added that the Town's Social Worker, the Police Department's Mental Health Clinician and the Health Department, along with the Senior Center Outreach Coordinator, the Veterans Services Officer, and the Schools will have intersections with the opioid crisis. He suggested that these groups could work on developing educational, treatment, and referral programs. Mr. Ryan concluded by noting that the Town has not incurred any expense through its participation in this litigation. Mr. Ramsey encouraged using the funds to support treatment programs in Town.

Vote: Ms. Klein made a motion to approve the Massachusetts State Subdivision Agreement for statewide opioid settlements in the form attached hereto and authorize the Town Administrator to sign said agreement on behalf of the Town of Hingham. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Inspector of Animals

Police Chief Jones explained that this is a routine annual reappointment that is required by the State in order to allow the Animal Control Officer to act as the Inspector of Animals and to carry out duties, including the following:

- Kennel inspections
- Domestic animal quarantines (dog bites or animal disease)
- Avian flu
- Barn inspections
- Rabies control

The Board thanked Ms. Badger for the great job she does for the Town.

Mr. Jonathan Asher, 5 Common Street, enthusiastically endorsed Ms. Badger's reappointment and commended her on the work she does to help the Town.

Vote: Mr. Ramsey made a motion to nominate Leslie Badger as the Inspector of Animals for the Town of Hingham. Ms. Klein seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Agreement with The Ockers Company

Mr. Bill Hartigan, IT Director, presented. He said that approximately 30 of the Town's Network Switches are coming to the end of their life. He is requesting to enter into an agreement with The Ockers Company to replace those switches, as well as a bit of fiber optic cable within the Town Hall. He proposed a phased approach and would like to begin with replacement of 12 network switches within the Town Hall Complex. Phase two is proposed for next year and will be addressed at the annual Town Meeting. After obtaining multiple estimates, Mr. Hartigan was confident that the project could stay on budget with the Ockers Company. One advantage of replacing the switches is that they would be supported by the vendor, would receive IT support and cyber security management.

Vote: Ms. Klein made a motion to authorize the Town Administrator to sign the agreement with The Ockers Company to supply the Town with Phase I IT Network Switch Replacements in an amount not to exceed \$74,016.04. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Agreement with NEL Corporation

Mr. Hartigan explained that this agreement is a result of the 2020 Town Meeting approval of Article 25, which provided for raising and appropriating funds to renovate the IT Server Room at Town Hall. The renovation would gut the room, seal up excess doorways, upgrade the electrical, provide battery back-up for the servers, upgrade the air conditioning, enhance the layout of the room and provide proper cable management. The challenge will be maintaining the functionality of the room while the project is underway. Mr. Hartigan noted that all communications, including Public Safety, go through the server room. Ms. Reilly reported that they received four bids with NEL Corporation was the lowest bidder.

Vote: Mr. Ramsey made a motion to authorize the Town Administrator to sign the agreement with NEL Corporation for the IT Server room Upgrade at Town Hall in an amount not to exceed \$209,000.00. Ms. Klein seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Agreement with Beals and Thomas

Town Engineer J.R. Frey presented. Mr. Marco Boer, 33 Elm Street, explained that the Harbor Development Committee has been working to make sure that the Town take advantage of the harbor. Mr. Boer noted that the 2013 Hingham Master Plan identified the harbor as one of Hingham's greatest assets. The Harbor Development Committee hopes that the proposed Master Plan for Hingham Harbor would be a vision of maximizing use of the harbor which could include unified seating in the harbor, a

playground, wayfinding signage, landscaping and hardscaping. A second part of the Mast Plan would include the management of activities at the harbor including use of the new beach house, movie nights, etc. as well as things like more frequent garbage pick-up. After significant reference check, including with the Town of Cohasset, Beals and Thomas received very advantageous reference checks. Mr. Alan Perrault of the Trustees of the Bathing Beach noted that Beals and Thomas have had a great deal of success with projects in Worcester. Town Engineer, J.R. Frey, emphasized that, while the contract runs through August of 2022, the Town does not want to rush the work and would plan to request an extension to the agreement if needed.

Mr. Jim Ippolitto, asked if there has been any discussion to move the “Iron Horse” Victory Statue. Mr. Boer said that there have been some discussions to relocate it to a unified Veterans area in the harbor

Vote: Ms. Klein made a motion to authorize the Town Administrator to sign the agreement with Beals and Thomas, Inc. for a 2022 Master Plan for Hingham Harbor in an amount not to exceed \$60,000.00. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

A Fork in the Road, LLC d/b/a The Square Café

Ms. Carol Draheim said that she and her husband are the owners of the Square Café. She gave a short history of their request for outdoor table service at the restaurant as it began during the COVID-19 pandemic. She said that their outdoor service has been extremely well received by the community and she feels that it has benefitted not only the restaurant but also their peer businesses in the downtown area. She shared some slides that depicted the layout of the patio and said that the walkways would remain accessible based upon guidelines they have gone over with the Planning and Zoning Departments. The current Jersey barriers would remain in place until a more aesthetic solution could be made. They are requesting an additional 30 seats outside beyond what they are already permitted to have on the interior of the restaurant. Their site plan approval is subject to certain conditions. The Planning and Zoning Boards have both voted to grant special permits to the restaurant for the use of the patio, also subject to certain conditions. These conditions primarily involve parking, the removal of trash, noise, and hours of operation. Ms. Wentworth noted that the Town has submitted a grant application through the MassDOT Shared Streets Program to design and install crash-rated safety bollards as a more permanent solution to the current Jersey barriers in place to protect the outdoor dining area. Mr. Fisher asked what the impact has been on the abutting businesses and neighbors. Ms. Wentworth said that the overwhelming response has been positive. She also said that they have received letters of support from direct abutters and approximately 100 letters of support from customers of the restaurant. It was noted by Ms. Draheim and Police Chief Jones that there have not been any complaints regarding parking or anything related to the patio. Mr. Ramsey said that the patio was a wonderful addition to the downtown.

Vote: Mr. Ramsey made a motion to approve the request of a Fork in the Road, LLC d/b/a The Square Café, 150 North Street, for an Alteration of Licensed Premises in accordance with the Application for

Alteration of Premises Information filed with the Town of Hingham on November 5, 2021. Ms. Klein seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

National Grid – Gas Main Replacement on Planters Field Lane

Mr. J. R. Frey reported that National Grid has requested to install gas main in Planter's Field Lane and in the adjacent Nokomis Road. He said that National Grid would notify residents in the area of the work. The Hingham Police Department to assist with traffic flow during the work and would work to minimize disruption in the area. The work would take approximately 10 weeks. National Grid is conducting this work in anticipation of the Town's paving of these two roads. In addition, there are plans for additional utility work planned for these two roads prior to the paving. The neighbors will be notified by mail two weeks prior to the beginning of construction. National Grid will deliver door-hangers and they plan to have a telephone hotline for questions. Hours of construction are planned for 7:30 am to 3:30 pm. Ms. Klein asked how the work would affect the Foster School drop off or pick up. Mr. Frey said that he would be in touch with the School Department to address those issues.

Vote: Ms. Klein made a motion to approve the request of National Grid to install and maintain approximately 535 feet of 4-inch gas main in Planters Field Lane. The gas main in Planters Field Ln. will originate at the intersection of Planters Field Ln. and Downer Ave., connecting into the existing 4-inch gas main and continuing northwesterly in Planters Field Ln., to its connection to an existing 3-inch gas main at 21 Planters Field Ln.; This gas main will replace existing 3-inch coated steel (1956). The age of the abandoned main is 66 years old. This approval is subject to the stipulations of the Department of Public Works as outlined in the letter dated February 25, 2022. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

National Grid – Gas Main Replacement on Wompatuck Road, Nokomis Road, and 1 Beach Lane

Mr. Frey anticipated that the work would not begin until May 2022, after the WRWS water main work is completed in May. He did not anticipate that there would be a significant amount of overlap with the school year.

Mr. Kevin DeJong, 164 Wompatuck Road, asked about potential service outages and the possibility of the need to access any of the abutting properties. Mr. Frey advised that there could be a service outage of a few hours during the work. He did not anticipate that the work would require access to or disruption to any abutting properties.

Mr. David Page, 12 Beach Lane, asked about access to Beach Lane during the construction period. Mr. Frey advised that access would be provided to residents and Police detail officers would coordinate emergency access. He advised residents to contact his office with any further questions.

Vote: Mr. Fisher made a motion to approve the request of National Grid to install and maintain approximately 2,905 feet of 2-inch gas main in Wompatuck Road, 25 feet of 2-inch gas main in Nokomis Road, and 175 feet of 1-1/2-inch gas main in Beach Lane.

The gas main in Wompatuck Rd. will originate at the intersection of Wompatuck Rd. and Planters Field Ln., connecting into the existing 2-inch gas main and continuing southwesterly and then northwesterly in Wompatuck Rd., to the intersection with Beach Ln.;

The gas main in Nokomis Rd. will originate at the new main at the intersection with Wompatuck Rd., connecting to the existing 2-inch gas main in Nokomis Rd.;

The gas main in Beach Rd. will originate at the new main at the intersection with Wompatuck Rd., connecting to the existing 2-inch gas main in Beach Rd.;

The gas main in Beach Ln. will originate at the new main at the intersection with Wompatuck Rd., continuing northeasterly to its terminus at 12 Beach Ln.;

These gas mains will replace existing 2,905 feet of 2-inch Aldyl-A plastic (1972/1977), 25 feet of 2-inch coated steel (1958), 22 feet of 2-inch plastic (1977), and 175 feet of 1-1/2-inch coated steel (1953), respectively. The age of the abandoned main is between 46 and 69 years old. This approval is subject to the stipulations of the Department of Public Works as outlined in the letter dated February 25, 2022. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Massachusetts Department of Transportation - MBTA Bus System Infrastructure Improvements

Mr. Fisher noted that this agenda item would be deferred until the April 5, 2022 meeting of the Select Board.

License Agreements with the Hingham Municipal Lighting Plant

Mr. Art Robert, Assistant Town Administrator, presented. Also present were Brianna Bennett, HMLP Sustainability Coordinator, Alex Banat, Manager of EV Charging Infrastructure for Energy New England, and Tom Morahan, HMLP General Manager. The three license agreements would provide non-exclusive rights to install and operate electric vehicle (EV) charging stations at three town-owned facilities:

- South Shore Country Club – 274 South Street
- Carlson Field – 28 Bare Cove Park
- Station Street parking lot – 62 Water Street

Ms. Bennett reported that these EV charging stations have been awarded to Hingham through a grant program through the MassEVIP Program. Their objective is to obtain Select Board approval to go ahead with the installation of the charging stations. The grant would cover 100% of the hardware installation, however there will be some additional costs that HMLP is prepared to cover. The charging stations would be accessible 24 hour per day. Due to space restrictions, only two of four charging stations will be located at Station Street. The proposed fee would be \$0.20 per kWh to offset lifetime maintenance costs, with additional fees for idling while connected to the charger. A fee of \$50 could be imposed by HPD for those cars parked in the parking spots but not using the chargers. The licenses are contingent upon securing Town permits. Mr. Tom Morahan of HMLP felt that the installation of the charging stations would be a great opportunity for the Town. There was some additional discussion regarding the ADA compliance of the parking spots. An additional parking space at each location would serve as an access lane and could accommodate for wheelchair access. Ms. Bennett also noted that they are in talks with the manufacturer of the charging stations to make sure that software or infrastructure upgrades would be included in the plans. There was some additional discussion regarding signage and the need for variances at Carlson Field and at SSCC to account for the reduced number of parking spaces. The project would be subject to review by the Planning Board.

Vote: Mr. Ramsey made a motion to authorize the Chair to sign the Agreement with the Hingham Municipal Lighting Plant to use a portion of the property located at 28 Bare Cove Park Drive consisting of five designated parking spaces to install, operate and maintain two electric vehicle-charging stations. Ms. Klein seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Vote: Ms. Klein made a motion to authorize the Chair to sign the Agreement with the Hingham Municipal Lighting Plant to use a portion of the property located at 62 Water Street consisting of three designated parking spaces to install, operate and maintain one electric vehicle charging station. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Vote: Mr. Fisher made a motion to authorize the Chair to sign the Agreement with the Hingham Municipal Lighting Plant to use a portion of the property located at 274 South Main Street consisting of three designated parking spaces to install, operate and maintain one electric vehicle charging station. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Budget Recommendations

Mr. Fisher explained that the Board had voted on their budget recommendations at their last meeting. Mr. Fisher was unable to attend that meeting and requested that the Board confirm their vote so that he could show that the Board unanimously supported the recommendations.

Vote: Mr. Fisher made a motion to confirm a recommended Education Budget of \$61,826,503. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Vote: Mr. Fisher made a motion to confirm a recommended DPW/Highway/Tree & Park Budget of \$4,327,721. Ms. Klein seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

2022 Annual Town Meeting Warrant

Mr. Mayo advised that, when the annual preparation of the Warrant preparation is complete each year, it is presented to the Select Board for their approval and signatures. At this time, all of the Articles have been finalized by the Advisory Committee. Select Board approval is required before sending the Warrant to the printer.

Vote: Ms. Klein made a motion to adopt and sign the 2022 Annual Town Meeting Warrant. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Discussion and vote to postpone the Town of Hingham Election

Mr. Mayo explained that the Annual Town Meeting has been postponed for the last two years due to the pandemic, so that it could be held outside on a weekend day. Although nearing the end of the pandemic, he said that an outdoor Town Meeting could attract more attendance and he requested approval by the Board to change the date. The first rain date is planned for Sunday, May 1, 2022, outdoors. In the event that there is rain on May 1st, a second rain date is planned for May 9, 2022, indoors at the High School. Because the original date of the election was April 30, it would be necessary to change the date of the election. Mr. Mayo recommended changing the date to May 14, 2022. Mr.

Mayo explained that the Town still has authority to move the date of the annual Town Meeting through a provision allowed by the State, as a response to the COVID-19 pandemic. New legislation by the State is required to move the date of the election. A Home Rule Petition was filed with the State in December and has been approved by the Governor and the MA Senate. Hingham is currently waiting for approval by the House.

Mr. Ramsey suggested that the Town consider permanently moving the Town Meeting to a Saturday going forward. He reported that he has received much feedback from residents who prefer the meeting to be on a Saturday. Mr. Fisher also reported receiving positive comments regarding holding the Town Meeting on a Saturday.

Vote: Mr. Ramsey made a motion to postpone and reschedule the Town of Hingham Annual Election from Saturday April 30, 2022 from 8:00 AM to 8:00 PM to Saturday May 14, 2022 from 8:00 AM to 8:00 PM contingent upon the Town receiving appropriate authorization from the State to do so. Ms. Klein seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Discussion and vote to postpone the Town of Hingham Annual Town Meeting

Vote: Ms. Klein made a motion that the Select Board hereby votes to delay the Town of Hingham Annual Town Meeting from Monday April 25, 2022 at 7:00 PM until Saturday, April 30, 2022 at 2:00 PM outdoors at Hingham High School with rain dates of Sunday, May 1, 2022 at 2:00 PM outdoors and Monday, May 9, 2022 at 7:00 PM indoors pursuant to M.G.L. c. 39 § 9. Mr. Ramsey seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

Public Comment

“The Hingham Select Board encourages community engagement and welcomes questions and comments as agenda items are discussed at the meeting. In addition, we have set aside up to fifteen minutes for public comment for items that fall under the purview of the Select Board and are not already on tonight’s agenda. If any guests wish to speak, please seek to be recognized. Once recognized, state your name and address and address your comments to the Chair. Comments will be limited to three minutes per speaker and must relate to topics within the scope of the responsibilities of the Select Board. Speakers are encouraged to present their remarks in a respectful manner and not to indulge in personalities. The Public Comment period is not a time for debate by members of the Select Board. The Select Board is not adopting or endorsing any of the comments made during the Public Comment period.”

There were no comments from the public.

Town Administrator/Select Board Reports

Mr. Mayo reported that an excavator that was working on the replacement of the boat ramp got stuck in the mud last weekend. The excavator was doing work for a contractor on behalf of the State. The incident began on Thursday when work crews were using the excavator to straighten a crooked steel piling. The excavator was in several inches of water and mud when it became stuck. Extraction of the excavator was complicated by the incoming tide and the threat of leaking oil. A containment boom was set up around the vehicle. The Hingham Fire Department, the DEP, the Coast Guard, the Harbormaster and representatives from the construction company were all on scene on Friday. Clean Harbors were brought in to contain any oil and to remove all liquids from the vehicle. The excavator was removed from the water on Saturday morning at low tide. The construction company will now work with the DEP to make sure any possible contaminants are removed from the harbor.

Ms. Monsegur reported that she recently attended a seminar hosted by the Massachusetts Municipal Managers Association. It was their first in-person meeting in two years. The focus of the meeting was the American Rescue Plan Act (ARPA) and the guidance that was published by the Treasury.

Mr. Fisher reported that, on March 11, a Cohasset Police Officer, Mark Jenkins, died unexpectedly. He collapsed while out to dinner with coworkers. They tried unsuccessfully to save his life. Mr. Jenkins was assigned to the Criminal Investigative Division and worked as a Police Computer Forensics Expert for the Cohasset Police Department and the U.S. Coast Guard Investigative Service. Several members of the Hingham Police department knew him personally and professionally. Mr. Fisher expressed his condolences for the loss of Officer Jenkins. Mr. Mayo noted that he had the privilege of representing Hingham at his funeral and said that the service was very respectful.

Vote: Mr. Ramsey made a motion to adjourn. Ms. Klein seconded.

Roll Call Vote:

Ms. Klein: yes

Mr. Ramsey: yes

Mr. Fisher: yes

The meeting adjourned at 8:56 PM.

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