

Board of Selectmen

May 22, 2020

Remote meeting via telephone conference call

Present:

- Board of Selectmen: Ms. Karen Johnson, Ms. Mary Power and Mr. Joseph Fisher
- Mr. Tom Mayo, Town Administrator
- Ms. Michelle Monsegur, Assistant Town Administrator
- Town Counsel, John Coughlin

Call to order: 2pm

Ms. Johnson 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.”

To sign the Warrant for the 2020 Annual Town Meeting

The Board discussed the motivation to change the location of Town Meeting due to continuing public health concerns. Ms. Johnson explained that that Town Meeting is considered to be a legislative body and is not subject to the Governor’s restrictions on gatherings. The Board of Selectmen is concerned about the safety of the community and has been looking into alternative locations for this year’s Town Meeting. She proposed using the High School Turf Field for the meeting and subsequently acknowledged that hosting the meeting outside raises many issues that Town staff are looking into. She asked the other Selectmen for their thoughts on the matter.

Mr. Fisher commented that he would prefer attending an event held outdoors rather than one held indoors. He was concerned with the following: accommodating seniors and handicapped accessibility. He felt that the Town was equipped to handle these issues since they encounter similar issues when they hold the High School graduation outside. He also noted that acoustics and weather are other concerns and added that a rain date has been scheduled for the next day. In the event that it is raining both days, the alternative would be to hold the meeting inside. He was in favor of an outside meeting.

Ms. Power noted that some other communities are holding outdoor Town Meetings and some are using a truncated Warrant, only voting on necessary Articles and leaving others to another meeting in the Fall. She wondered whether, while holding the meeting outside, if there would be an appropriate level of deliberation for the Warrant Articles. She asked the Chair to what extent that option was discussed or considered and, if so, what led to the current recommendation.

Ms. Johnson explained that there had been discussion between the Town Moderation, Town Clerk and the Advisory Committee. She believed that it was the intention of the Moderator to review the Warrant and to bundle similar Articles. For example, she said that the perennial Articles could be bundled

together. She said the intent would be to improve efficiency. Regarding a Fall meeting, she explained that there are several Articles that need to be addressed prior to the end of the Fiscal Year. These include the purchase of the Lincoln House and the request for feasibility money for a Public Safety building and Senior Center. She added that there may still be some uncertainty in the fall, with respect to the pandemic, and she felt that putting the meeting off until the fall may put the Town in the same predicament as it finds itself in now.

Ms. Johnson felt it was very important to work on a communication plan about what is on the Warrant and why as well as pros and cons of the Articles. She said that the Moderator and the Advisory Committee would work together to craft a communication plan. She also noted that there is legislation pending that would allow the Town to reduce its quorum to no less than 10% of the current quorum of 300. She further explained that, if the legislation is approved and the Town chooses to lower the quorum to 30 voters, Town Meeting would only be able to address the FY21 Budget and FEMA maps. She commented that the Town might consider other options such as “no action” votes, if conditions in the Commonwealth continue to worsen as the date of Town Meeting approaches. Ms. Power clarified that, if the Board votes on the Warrant at this meeting, the Moderator would be the only person with the ability to truncate the Warrant if need be. Town Counsel, John Coughlin, agreed, stating that once the Board of Selectmen vote on the Warrant, the meeting agenda is set. The only way the Warrant could be truncated is by the Moderator and the Advisory Committee agreeing to vote “no action” on a number of Articles. He also noted that, should the public health emergency worsen, the Moderator has the authority to continue Town Meeting to a later date in accordance with the 39.10A Statute.

Ms. Power commented that, while it may be unavoidable to have to recommend “no action” votes, she hoped it would not happen, stating that it could be confusing for residents. Ms. Johnson agreed and said that the Moderator felt the same way, adding that he said a “no action” vote could be misinterpreted as a “pass.”

Mr. Fisher asked if there had there been any outreach to the proponents of Warrant Articles to ask if they felt that their Article could be deferred. Ms. Johnson said no, that they had taken a different approach.

There was some additional discussion regarding the ability to do presentations at an outdoor Town Meeting. Mr. Mayo explained some of the logistics, including those outdoor presentations would likely require tents over multiple screens. Ms. Power was worried about attendees being able to see the screens properly. Mr. Mayo said that the Town is considering placing packets of information on each chair and added that they are continuing discussions. Ms. Power suggested that, prior to the meeting, Harbor Media could film a series of short videos about certain Articles, similar to a public service announcement aimed at educating people prior to the meeting. Ms. Johnson added that they are in talks with Harbor Media about other options as well.

Mr. Mayo stated that he has spoken with Police Chief Olsson, Fire Chief Murphy and Executive Health Officer Susan Sarni who are all comfortable with the plan and are willing to offer suggestions to help. He also explained that the Moderator’s meeting has been planned for Sunday, June 14, 2020 at 2:00 pm on the turf field at the high school.

Mr. Mayo spoke about handicap access to the field. He said that he has walked the field with Building Commissioner/ADA Commissioner Michael Clancy. Mr. Mayo said that there are four entrances to the field at each corner and that each entrance has a doublewide gate with a level surface. Mr. Clancy has assured him that wheelchairs will be able to move freely across the turf. It was decided that there was no need to build ramps to improve accessibility. He also said that the plan included advising the public to come prepared with sunscreen and hats.

Mr. Fisher asked whether remote participation in Town Meeting was lawful and whether the Town has considered it. Ms. Johnson said that remote participation in an Open Town Meeting is not lawful and added that she had considered many ideas but ultimately decided on the outdoor meeting in their proposed plan. Town Counsel John Coughlin clarified that the pending legislation includes remote participation for Representative Town Meetings only and not for Open Town Meetings, such as Hingham's.

Ms. Power felt that the possibility of altering the quorum must be carefully and thoughtfully considered. She felt that members of the public need the opportunity to weigh in on any related discussion. Ms. Johnson had some concerns about reducing the Town's quorum to 30 voters. Ms. Power felt that the Advisory Committee would be a helpful resource if the Town has the opportunity to consider such a question.

Mr. Mayo let the Board know that they will consider, at their next meeting, moving Precinct 5 to the Middle School.

There was a short discussion with Town Counsel John Coughlin about including the rain date and the location in the vote.

There were no comments from the public.

Mr. Fisher made the following motion: Whereas, the Board of Selectmen previously voted on March 31, 2020 to delay the Town of Hingham Annual Town Meeting from Monday April 27, 2020 at 7:00 PM until Monday June 22, 2020 at 7:00 PM pursuant to M.G.L. c. 39 § 9; and

Whereas, the Board of Selectmen has since 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 schedule the Town of Hingham Annual Town Meeting for Saturday June 20, 2020, at 2:00 PM with a rain date of June 21, 2020 at 2:00PM at the Hingham High School pursuant to M.G.L. c. 39, § 9 and to approve, adopt and sign the attached Warrant pursuant to M.G.L. c. 39, § 10 to so notify and warn the inhabitants of the Town of Hingham of said Annual Town Meeting.

Ms. Power seconded.

Roll Call Vote:

Mr. Fisher: yes

Ms. Power: yes

Ms. Johnson: yes

Public Comment

None

Selectmen/Town Administrator Reports

Nothing to report

Vote: Mr. Fisher made a motion to adjourn. Ms. Power seconded.

Roll call vote:

Mr. Fisher: yes

Ms. Power: yes

Ms. Johnson: yes

Meeting adjourned at 2:56 pm

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