

# TOWN OF HINGHAM



## **WARRANT** for the **SPECIAL TOWN MEETING**

**Saturday, November 21, 2020 at 12:00 P.M.**  
**(Rain Date: Sunday, November 22, 2020 at 12:00 P.M.)**

**Hingham High School Multi-Purpose Athletic Field**  
**17 Union Street, Hingham, MA**

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Please bring this report to the meeting for use in the proceedings

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**MODERATOR'S MESSAGE  
ON  
SPECIAL TOWN MEETING PROCEDURES**

Welcome to the 2020 Hingham Special Town Meeting. As Hingham's legislative body, the meeting must be conducted in a fair and open manner and in accordance with the Town By-Laws, as well as traditions that we have followed in Hingham town meetings for many years. Several matters of procedure are summarized below.

- An **article** in the warrant states a question for the meeting to answer. A **motion** is a proposed answer to the question and must be within the scope of the article. An article (once published in the warrant) may not be amended, but a motion may be amended by vote of the meeting. All motions must be seconded.
- If the Advisory Committee is recommending an **affirmative motion** under an article, its motion will be received as the main motion under the article. A voter may propose to amend this motion, either to change it in part or to substitute a whole new motion (sometimes called a "substitute motion"). In any such case, the proposed amendment will be taken up and voted on first and then the main motion, as it may have been amended, will be acted upon.
- If the Advisory Committee is recommending **no action** under an article and a voter offers an affirmative motion, the voter's motion will be received as the main motion under the article. Such a motion is likewise subject to amendment.
- All **motions and proposed amendments** involving the expenditure of money must be **in writing**. So must all other motions and proposed amendments unless they are so brief and simple as to be easily understood when stated orally (e.g., motion for the previous question, motion to adjourn). Voters are welcome to seek the assistance of counsel for the Town in preparing motions or proposed amendments.
- **Limits on speaking:** No one may speak on any subject for more than six (6) minutes for the first time or for more than three (3) minutes for the second time. No one may speak more than twice on any question unless all others who have not spoken on the question shall have spoken if they desire to do so and unless leave of the meeting is first obtained. A person may speak more than twice, but only to make a brief correction of an error in or misunderstanding of his or her previous statement, including brief answers to questions from the floor (addressed through the Moderator).
- No speaker is allowed to **indulge in personalities**, but must confine his or her remarks to the matter before the meeting.
- Persons who are not registered voters of the Town may be admitted to the meeting as **guests** by the Moderator. A guest of the meeting may be granted permission to address the meeting by majority vote.
- The purpose of the **motion for the previous question** is to end discussion and have an immediate vote on the pending question. The motion is not debatable and requires

a majority vote for adoption. The Moderator will decline to accept a motion for the previous question if other voters are seeking recognition and if both sides have not had a fair opportunity to be heard. The Moderator will accept the motion for the previous question if it appears that both sides have been heard and the discussion is becoming repetitious.

- **Voting procedures:** All votes are taken in the first instance by voice vote. If the Moderator is in doubt as to the results or if seven (7) voters rise and express doubt as to the result declared by the Moderator, a standing vote is taken, **except** that a ballot vote is taken (instead of a standing vote) if either the Advisory Committee or fifty (50) voters promptly call for a ballot vote. As a ballot vote takes considerable time, our practice has been not to request a ballot vote in the absence of compelling reasons.
- This being a **Special Town Meeting**, no money may be appropriated for any purpose if the Advisory Committee recommends against the appropriation, except by a **two-thirds vote** of the meeting.
- No vote may be **reconsidered** except after a **two-thirds vote** on a motion to reconsider such vote. A vote may not be reconsidered a second time or after a motion to reconsider it has failed to pass.
- A **motion to adjourn** the meeting to a later time is a privileged motion and is decided by majority vote without debate. When the warrant is completed, a **motion to dissolve** the meeting is in order.
- While the number of voters constituting a **quorum** in order to convene the first session of a Regular or Special Town Meeting is 300, the quorum for this particular Special Town Meeting has been reduced to 200, given the state of emergency declared on account of the pandemic. Once convened, the quorum to transact business is 200; provided, however, that a number of less than 200 may from time to time adjourn the same. Once a quorum has been determined at the start of the meeting (or adjourned session), the presence of a quorum is presumed to continue unless a point of no quorum is raised and a count of the meeting shows that a quorum is not present. In that event, the meeting may be adjourned to a later date.
- **If you wish to speak**, please rise and seek the attention of the Moderator or Assistant Moderator. When recognized by the Moderator, you should come to a microphone. Please state your name and address at the outset each time you speak.

November 2020

Michael J. Puzo  
Moderator

**COMMONWEALTH OF MASSACHUSETTS**

Plymouth, ss.

To the Constables of the Town of Hingham in the County of Plymouth, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hingham qualified to vote in Town affairs to meet at the Hingham High School Football Field, 17 Union Street, in said Hingham, Saturday, the twenty-first day of November 2020 at twelve o'clock in the afternoon, with a rain date of Sunday, the twenty-second day of November 2020 at twelve o'clock in the afternoon, then and there to act on the following Article:

**ARTICLE 1:** Will the Town vote (1) to authorize, but not require, the Board of Selectmen to acquire by purchase the property located at 335 Lincoln Street, Hingham, Massachusetts, in accordance with the terms and conditions of a Purchase and Sale Agreement between the Town and 291 Mystic, LLC; and (2) to authorize, but not require, the Board of Selectmen to grant and accept all easements necessary to develop said property; and (3) to raise and appropriate, borrow or transfer from available funds, a sum of money to be used by the Board of Selectmen to acquire said property and to take all actions necessary to complete said purchase, or act on anything relating thereto. (Inserted by the Board of Selectmen)

**COMMENT:** This Article asks Town Meeting to appropriate \$5,525,000 to purchase a 3.07 acre parcel of land at 335 Lincoln Street (Route 3A) (the "Property"), shown on Assessors Map 36 as Lot 111, to be used as the location of a proposed public safety facility, which the Town may in the future choose to build. The requested appropriation consists of the purchase price of \$5,475,000 and closing costs of up to \$50,000. In June 2020, the Board of Selectmen entered a Purchase and Sale Agreement to acquire the property subject to Town Meeting approval. Under the terms of the Agreement, the Town has until November 30, 2020 to complete its investigation of the Property and obtain Town Meeting approval; the Town may terminate the agreement without penalty at any time through that date. This Article is solely concerned with the purchase of the Property; any decision to move ahead with a new public safety facility will be made by a future Town Meeting.

Last June, action taken under Article 12 of the 2020 Annual Town Meeting authorized a feasibility study to determine whether the Property would be an appropriate location for a new public safety facility combining the functions of the current North Fire Station on North Street ("North Station") and Police Headquarters. Pursuant to Article 13, approved at the 2020 Annual Town Meeting, the Board of Selectmen and Town Moderator appointed a Public Safety Facility Building Committee to study the Property. That committee met through the summer and fall of 2020 to determine whether the location could house an appropriately sized facility to serve the needs of Hingham's current and projected population. The Town retained Kaestle Boos, an architectural firm with strong experience in designing municipal public safety buildings, to prepare conceptual floor plans and site plans and evaluate traffic issues. Subsurface environmental and geotechnical investigations were also completed. As part of its work, the committee visited facilities in other communities to further understand considerations in the design of fire and police stations. On October 8, 2020, the committee unanimously voted that the Property is a feasible location for a public safety facility.

The physical location of the re-sited station is important. Since the development of the existing fire stations, the population density in Hingham has shifted from the middle of town to the north and south ends. Moving the North Fire station to Route 3A aligns well with current call volume. The new station must accommodate appropriate response times to all of north Hingham and must be sited north of the train tracks. The Property meets these criteria, and the Fire Chief supports this location.

Questions have been raised concerning the purchase price in the present real estate market. Although the purchase price exceeds the appraised value determined by the appraiser retained by the Town, the Project proponents believe the price is reasonable in light of the current strong market for industrial real estate on the South Shore and the limited availability of parcels suitable for the Town's needs.

The Town has long recognized the deficiencies of the 80-year old North Station and the need for a new fire station to serve north Hingham. The 2015 Town Meeting formed a Fire Station Building Committee and authorized the Town to

borrow up to \$500,000 for design work to renovate North Station; to date, \$33,250 has been spent. The committee determined that renovation was not feasible given the small size of the site, the nature of the soil, and the presence of Town Brook running under the building. In 2016, Town Meeting authorized the Town to borrow additional monies to find a new site; to date, none of these additional funds have been spent. The Town has unsuccessfully pursued several properties for North Station. An exhaustive search was conducted in the target area; sites considered included the Selectmen's Parcel on Beal Street, the old Credit Union building on Fort Hill Street, and numerous commercial properties in the Fottler Road/Route 3A area. None of these locations worked because of traffic issues, environmental concerns, or unwillingness of the current property owners to sell their property. Article 12 of the 2020 Annual Town Meeting also noted deficiencies in the existing facility, as well as in the police station, and authorized the study.

Proponents of a new public safety facility point to the deficiencies in the existing buildings and argue that the Town can expect many benefits from a modern combined public safety complex. In particular, they note that North Station has had minimal upgrades since it opened in 1942. It still uses many original systems, has no sprinkler system, and is neither sized nor configured to accommodate modern fire equipment. Moreover, the housing areas in the station do not have proper bathrooms and living space for both male and female fire fighters. Similarly, the Police Department is housed in a 1967 addition to Town Hall when it was a school. This addition was never designed for a police station, and has inadequate entry areas, meeting rooms, and training spaces. Areas used for booking, holding, and bailing prisoners are not separated from spaces used by the public doing business at the station. As with North Station, the Police Department facilities were not built with both female and male officers in mind. Proponents of a new facility maintain that a modern, combined facility will be sized for Hingham's current population and density and will provide operational efficiencies, such as shared meeting rooms, training areas, and work out facilities. Both departments will be able to adequately accommodate both male and female living spaces and bathrooms. Proponents also point out that moving the Police Station would solve another facility problem – the Senior Center. The

current Senior Center serves a large portion of the Town's population in an inadequately sized space with limited parking. If the Police Department were to move out of Town Hall, space for a new Senior Center as well as space to expand the School Department offices would become available.

Opponents have raised concerns about devoting money to public safety when other pressing needs exist, particularly with the schools. The Town will soon be confronted with a variety of large capital needs, including Foster School, the senior center, repair of wharves along Hingham Harbor, and numerous other projects. Whether these projects all get addressed and their timing and scope will be up to future Town Meetings. The current Article does not preclude or delay any of these projects. Rather, the Article seeks to acquire an asset that can be used to resolve some of those needs on a schedule to be determined at a later time after weighing the Town's financial resources and other municipal priorities. As noted above, finding suitable property that meets the siting criteria of the North Station has been difficult; no other comparable sites are immediately available. Given the difficulty the Town has had in finding an available property that is appropriate for a public safety facility, the Advisory Committee believes it is prudent to take this opportunity and gain control of the Property. Were Hingham later to determine not to proceed with a public safety facility project, the Town would have an asset to sell or use for other purposes.

We are in a very favorable period for borrowing based on our Aaa bond rating and historically low interest rates. If Town Meeting approves the Property purchase, it initially will be financed with one-year bond anticipation notes (BANs). The debt service for FY22 is expected to be approximately \$27,000. Using our current financial model and practices, if the Town keeps this Property the debt will be converted to long term debt, most likely a 20-year bond. Using a conservative interest rate of 3.5%, the tax impact on the average homeowner in Hingham will be \$60 in Year 1, decreasing to \$48 in Year 10.

This Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

**RECOMMENDATION:** That the Town (1) authorize, but not require, the Board of Selectmen to acquire by purchase the property located at 335 Lincoln Street, shown on Assessors Map 36 as Lot 111, Hingham, Massachusetts, substantially in accordance with the terms and conditions of a Purchase and Sale Agreement between the Town and 291 Mystic, LLC; (2) to authorize, but not require, the Board of Selectmen to grant and accept all easements necessary to develop said property; and (3) appropriate an amount not to exceed \$5,525,000 to be used by the Board of Selectmen to acquire said property and to take all actions necessary to complete said purchase. To meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under Massachusetts General Laws chapter 44, section 7 or any other enabling authority and to issue bonds or notes of the Town therefor.

Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws chapter 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before the 6th day of November 2020.

Given under our hands at Hingham this 27<sup>th</sup> day of October 2020.

Mary M. Power, Chair  
Joseph M. Fisher  
William C. Ramsey

BOARD OF SELECTMEN

A true copy  
Attest:

Kathleen A. Peloquin  
Constable of Hingham  
October 28, 2020

By virtue of the within warrant I hereby certify that I have noticed and warned the inhabitants of the Town of Hingham, qualified to vote in Town affairs to meet at the time and place indicated in the above warrant by causing an attested copy thereof to be published in The Hingham Journal fourteen days at least before the day appointed for said meeting. It was presented and posted by the Town Clerk in the Town Hall of this date.

Kathleen A. Peloquin  
Constable of Hingham  
October 28, 2020