

# INCLUDES MMP& PH Edits

Board of Selectmen  
January 7, 2016  
7:01 Regular Session

Present: Paul Healey; Paul Gannon; Mary Power, Ted Alexiades, Town Administrator and Betty Foley, Assistant Town Administrator

Voted- To approve the Meeting Minutes dated July 2, 2015

Voted- To approve the Meeting Minutes dated December 3, 2015

## **Public Hearing – Hingham Sewer Commission, Grant of Location**

Mr. Stephen Dempsey and Mr. Harry Sylvester appeared before the Board and explained the request before the Board is part of the phase two, Weir River Sewer District.

Voted- To approve the request of the Hingham Sewer Commission to install and maintain approximately 260 feet of 1-1/2 inch low pressure sewer main in Hull Street. This new sewer main will originate from an existing sewer manhole at the intersection with Pine Street and continue in a southerly direction in the back side of the sidewalk to completion at House #94 Hull Street. This approval is subject to the stipulation of the Department of Public Works, including letter dated December 22, 2015.

A unanimous vote.

## **The Chair States:**

The Board will enter into Executive Session to consider the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.

The Board will reconvene in Open Session.

Roll Call Vote. A unanimous vote.

Mr. Healey recused himself from the Executive Session.

## **The Board resumed Open Session at 7:28 p.m.**

### **To Appoint an Independent Hearing Officer regarding Sergeant Kris Phillips Disciplinary Hearing.**

Mr. Kevin Feeley, Town Counsel from the Law Firm Feeley and Brown appeared before the Board. The Police Chief has requested that the Board consider the authorization to appoint an Independent Hearing Officer for purpose of hearing the discipline case that is pending. The Officer would make findings of fact based on the evidence presented to the Hearing Officer and issue a recommended decision, only if that is requested by the Board; if not the report would only be findings of fact. The report would be presented in Executive Session and the Board would have seven days after receipt of the report to meet and consider at either that meeting or the next meeting to act upon it. If more time is needed and all parties accented to it you could have more time. We would then schedule a hearing and move forward in Executive Session.

Voted- I move that the Board, in accordance with Chapter 31, section 41 of the General Laws, authorize the appointment of a hearing officer for the purpose of hearing a discipline case involving Sergeant Kris Phillips and further authorize that the hearing officer submit both findings of fact and a recommendation as to whether or not just cause exists to impose discipline upon Sergeant Phillips. I further move that Attorney Mr. Kevin Feeley provide the Board with the name of a appropriate Hearing Office in advance of our next meeting. I would further move that Attorney Kevin Feeley working with Chief Olsson develop a letter of charges to review with the Board at our next meeting as well. A 2-0 vote.

### **Questions from the public regarding items not on the Agenda**

Mr. Mark Plouffe, 225 Old Derby Street, state he had appeared in front of the BOS with a complaint regarding an unnamed employee. Mr. Healey advised that this was not the time or place to bring up such a complaint. Mr. Plouffe was advised to leave the information with Mr. Alexiades to look into the matter.

### **Budget Hearings:**

#### **Board of Health**

Mr. Alexiades provided an overview of the Board of Health budget request for FY2017, the total budget request is \$323,556.00 that includes a \$3,450.00 increase for a total budget of \$327,006.00, which he has recommended. This represents a \$3069.00 decrease from last year, reflecting an overall negative .93% decrease, primarily due to personnel changes. The budget has gone down because a new Health Agent has started at the bottom step replacing a Health Agent at a higher step.

#### **Bare Cove Park**

Mr. Alexiades provided a review of the Bare Cove Park Budget request of \$25,061.00. No additional increases and a \$65.00 decrease from last year representing a negative .62% decrease. We've talked about some increases in budget to deal with Bare Cove Park but they are being deployed with other budgets.

Mr. Mathew discussed the Bare Cove Park budget with the majority of it going to salaries, maintaining the park, buying doggie bags and fuel for vehicles and mower.

Mr. Gannon asked where the money for more enforcement is coming from. The Animal Control and Police budget money will be allocated to deal with unleashed dogs in the park. Mr. Alexiades reported the Park Ranger's hours will remain the same.

#### **Discussion of Operating Budget**

Ms. Power requested to hold up the vote for a couple of weeks until the end of the month. At the end of the month there'll be a clearer picture of a few budget variables, most importantly the governor's budget. Motor Vehicle receipts may see an increase. In the light of the fact that we are showing a deficit when would like to postpone the vote until there is a benefit of more information and will be able to make better. In terms of Advisory they will vote the entire budget after The BOS in the first week in February and it will not delay their process

#### **To sign an amendment to the Hingham Superior Officers Union, MCOP, Local 405 regarding the use of Narcan.**

Police Chief Glenn Olsson thanked the Board and advised that there has already been a life saved after only seven days of having it in the cruisers.

Voted- To sign an amendment to the Hingham Superior Officers Union, MCOP, and Local 405 regarding the use of Narcan. A unanimous vote.

Voted- To appoint Leah Godfrey to the Cultural Council to fill an unexpired term ending June 30, 2018. A unanimous vote.

Voted- To appoint Sonia Steel to the Cultural Council to fill an unexpired term ending June 30, 2018. A unanimous vote.

**To designate Mr. James Lampke as a Special Municipal Employee pursuant to his work as an independent hearing officer.**

Mr. Alexiades explained that this is the Hearing Officer that Mr. Kevin Feeley recommended for the Mathew Hersey Case. Mr. James Lampke is Town Counsel for Hull and he felt there is some cross issues with Hingham so he is requesting the designation. Mr. Lampke has agreed to handle the case and move it along expeditiously.

Voted –To classify and designate the position of Independent Hearing Officer as a Special Municipal Employee position under G.L. c. 268A. A unanimous vote.

**Selectmen and Town Administrators Reports**

Mr. Alexiades reminded everyone that the Warrant deadline of January 20, 2016. The office is starting to field position articles from residents. We'll be passing all the information to you as soon as the package is complete.

Ms. Power stated that it's going to get busy with many meetings. She encouraged people to check the event calendar for various committees. She encourage people to email the contact people that can be found on the committee page and engage in the process any way you can as we lead up to Town Meeting.

Meeting was adjourned at 8:03 p.m.

Diane Picot

Approved: January 28, 2016

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

1. Grant of Location Request- Sewer Main Extension 94 Hull Street.
2. Talent Bank Applications for Ms. Sonia Steel and Ms. Leah Godfrey for the open positions on The Cultural Council.
3. Memorandum of Agreement Between Town of Hingham, MA and Hingham Superior Officers Union, MCOP, Local 405 regarding Narcan
4. Resume of Mr. James Lampke, Attorney at Law
5. List of Open Appointed Positions as of January 17, 2016