

**Advisory Committee  
Meeting Minutes  
3/2/2017**

In attendance: Committee Members Anderson, Baltera, Belyea, Coughlin, Curley, Hancock, Haskell, Kelley, Kutsch, LaCroix, Sharkansky, Smallwood, Strehle, and Taylor and Town Accountant Nickerson.

Chairman Taylor called the meeting to order at 7:30 p.m.

**Questions from the public on items not on the agenda:** None

**Approval of Minutes from 2/2, 2/14, and 2/16/2017 meetings**

Members approved the February 2 and 14, 2017 minutes with revisions on votes of 13-0-0. Members approved the revised February 16, 2017 minutes on a vote of 12-0-1 with Kelley abstaining as she did not attend that session.

**Warrant hearing**

*Article EE – Foster School Feasibility Study*

Kutsch summarized this Article, which calls for \$750,000 for a Foster School Feasibility Study, contingent on the Massachusetts School Building Authority (“MSBA”) accepting Hingham into its program. School Director of Business and Support Services John Ferris reviewed the MSBA’s process, the Feasibility Study’s content, and the method used to estimate its cost. Superintendent Dorothy Galo and School Committee Chair Liza O’Reilly joined in responding to AdCom members’ questions.

School officials plan to use funds proposed in this year’s Capital Outlay budget to finance preliminary data gathering including a survey of the property and an elevation study to help assess the site’s viability. They will continue maintaining the building to provide a safe learning environment for its students.

After reviewing a range of options (i.e., renovation, renovation with addition, and new construction), the MSBA will likely propose one preferred solution in collaboration with the Town, following which schematic design will begin. With the project scope and budget documented, Hingham would then seek Town Meeting approval of construction costs.

With East Elementary and the Middle School, Hingham has built two successful school projects with the MSBA, completing both on-time and under-budget. AdCom members suggested robust communication with citizens on any project’s scope and cost.

*Article FF – School Building Committee*

Ferris explained that this Article seeks to convene the necessary School Building Committee now, so it can begin preliminary work in advance of the MSBA review. The proposed membership (two members appointed by the Moderator, two appointed by the Selectmen, plus three designated by the School Committee) has the same composition as was used with the previous two school building projects.

Superintendent Galo observed that Hingham knows it needs this fourth elementary school in this part of Town and that costs only go up over time. She urged beginning the process of assessing options for Foster.

**Warrant votes**

*Article T- Leashing Regulations at Bare Cove Park*

Curley summarized the Article’s provisions, which propose permitting off-leash dog walking on alternate

days in Bare Cove Park, instituting a permit process, setting fines, and denoting environmentally sensitive Park areas where dog leashing would be required. Proponents have worked diligently to develop this compromise, which they believe addresses previous concerns. Opponents continue to cite safety and environmental issues.

Proponents spoke to the Article maximizing benefits while reducing risks. In their view, the compromise could yield better cooperation with Park rules, as dog walkers, educated on the location of environmentally sensitive areas and off-leash walking requirements, self-enforce the rules to maintain the privilege. Audience members spoke to their deep disappointment when the leash regulations were enacted last fall and noted little documented evidence of injuries resulting from off-leash dogs in the Park.

Bare Cove Park Chairman Ted Matthews reported his Committee's 4-1 vote against the Article. Police Chief Glenn Olsson noted that people came from all over to walk dogs off-leash at the Park, observing that people from out of town may not be as careful about abiding by the rules. He urged No Action on the Article, considering it a public safety issue.

AdCom members' observations as they spoke in support of or in opposition to the Article included:

- The proposed permit is an educational opportunity and a potential permit fee represents a funding source for enforcement or Park fencing.
- Selectmen can work with the proponents to construct the regulations and can revoke off-leash dog walking if it does not work.
- Enforcement of permit use and off-limit Park areas could prove complicated.
- The proposal has no set metric to determine whether it is working or not.
- Comments from the Police Chief and Animal Control Officer in opposition to the Article are persuasive.

After a straw vote, Curley proposed a Recommended Motion of No Action on Article T. AdCom members supported the No Action recommendation on a 7-5-1 vote. Members Anderson, Baltera, Haskell, Kutsch, and Strehle asked that their votes in opposition to the Recommended Motion be recorded.

#### *Article W – Change in Number of Selectmen*

Haskell recused himself from discussion of this Article. Baltera summarized the Article's provisions, which would increase the size of the Board of Selectmen from three to five members, outlining the proponents' and opponents' viewpoints on its pros and cons. Clarifying Open Meeting Law requirements, he reported that two members on a five-person board could speak with each other but not with a third board member on the same topic without violating rules on nonpublic conversation.

Judy Kelley, the Article's sponsor, reported that the neighboring Towns with a five-member board that she had contacted were overwhelmingly in support of a five-member board. Those with whom she spoke cited advantages including broader expertise among the members, reliable quorums, and balancing governmental power between the elected board and an appointed Town Administrator. She urged positive action on this Article now, noting 190 signatures on the petition initiating it. Proponent Loni Cutler supported a larger board to share responsibilities such as Selectmen's liaison roles with other Town committees.

Former Selectmen Laura Burns and Kathy Reardon spoke in opposition. In Burns' opinion, a three-person board creates momentum toward consensus and government transparency through pressure to carefully abide by Open Meeting Law requirements. Reardon sees the three-person board as requiring Selectmen to represent the whole Town, balancing its varied constituencies. If the Town wishes to revisit this question again, she believes it warrants careful consideration by a government study committee.

AdCom members' observations as they spoke in support of or in opposition to the Article included:

- Other Towns that increased the Board of Selectmen's size did so after a study. This fundamental change warrants careful thought.
- Hingham's AAA rating reflects a well-functioning government with the current Selectmen configuration. If the Town were to study the change to a five-member board, the research should include consulting the rating agencies.
- Five years ago the Hingham's government study committee decided not to recommend a larger number of Selectmen.
- A five-member board would provide better checks and balances.
- With 40B, Hingham has lost local control. This is an area that warrants additional oversight from Town leaders.
- During research on this Article, 6 of 8 former Selectmen opposed a change to a larger board.
- Research with other Towns can be challenging, as opinions may differ depending on who is contacted, and respondents may be reluctant to criticize the arrangements in their own communities.

After a straw vote, Baltera proposed a Recommended Motion to convene a study committee with five Moderator-appointed members to address only the question of increasing the Board of Selectmen's size to five. The committee is to report the results of its review prior to the 2018 Town Meeting. If it wishes to recommend a change in the number of Selectmen, it is tasked with preparing an Article for 2018 Town Meeting review.

AdCom members voted 7-5-0 in support of the motion to refer the matter to a study committee. Members Coughlin, Curley, and Sharkansky asked that their votes in opposition to the Recommended Motion be recorded. As AdCom members understood the situation, four of the members voting in opposition to the Recommended Motion thought the Board of Selectmen should remain at three members and that a study was not warranted. One member voting in opposition to the motion supported expanding the Board of Selectmen to five members.

#### *Article C – Reports from Committees*

Curley noted that the Recommended Motion no longer lists individual Committees but instead refers to them all generically. For the 2018 Town Meeting, the Article will be drafted in a similar manner. AdCom members approved Article C by a vote of 12-0-0. Baltera was not present at the time of the vote.

#### **Reserve Fund Transfer Request – Library**

Library Director Linda Harper and Town Engineer Roger Fernandes explained this additional request for \$29,700 to complete the replacement of the Library's split and cracked wooden splice plates with steel plates. AdCom members approved the request on a vote of 13-0-0.

**Liaison Updates:** None

#### **Warrant hearing calendar review**

Taylor anticipated that AdCom's March 7, 2017 meeting will include the AdCom Education Subcommittee's School budget recommendation, a revised Forecast, continued discussion as AdCom prepares to approve all budgets, plus votes on the Planning Board, Library grant, and Foster School Warrant Articles.

**Matters not anticipated within 48 hours:** None

## **Adjournment**

The Committee voted unanimously to adjourn at 11:20 p.m.

Respectfully submitted,

Donna M. Smallwood  
Secretary

### Documents:

Agenda - AdCom Meeting 3/2/2017

Draft Minutes – AdCom Meetings of 2/2, 2/14, and 2/16/2017

Article T – Leashing Regulations at Bare Cove Park

Article W – Change in Number of Selectmen

Article C – Reports of Various Committees 3/2/2017

Article EE – Feasibility Study of Foster Elementary School 3/2/2017

Article FF – School Building Committee 3/2/2017

What is a Feasibility Study? – John Ferris (slides) 3/2/2017

Foster Elementary School – Existing Conditions, Overall Site Plan – Ai3 Educational Planning  
12/21/2005

Bare Cove Park, Off-Leash Walking Guidelines (map)

Reserve Fund Transfer Request - \$29,700 for Library splice plate replacements, 3/2/2017

Advisory Committee Meetings/Milestones 2016-2017 – 3/1/2017