

Hingham Public Library  
Minutes of the Special Meeting of the Board of Trustees  
February 13, 2019

Present: Trustees Abbott, Barclay, Boylan, Carey, Eldredge, English, Garrity, Hancock, Mehegan, Mitchell, Parker, Sherwood, Siegfried, Spatola, Tuite; Library Director Harper, Advisory Committee members Libby Claypoole, Eric Haskell, and Julie Strehle.

A quorum being present, the meeting was called to order by Chairman Mehegan at 7:00 p.m. in the Trustees Conference Room.

Chairman Mehegan reviewed the primary reason for the meeting: to discuss the Board of Selectmen's vote on the Library's warrant articles and to provide an update to Trustees on recent developments. The Board of Trustees had voted January 16 to submit an article, which had been drafted in consultation with Town Counsel John Coughlin, to the warrant for the April 22 Annual Town Meeting. The article had two parts: first, to ask the Town if it would accept a provisional state grant for the renovation and expansion of the Library and appropriate the Town share of the total cost of the project, and, second, to appoint a building committee to oversee the project. Subsequently, the Board of Selectmen proposed to break those two parts into separate articles, and they submitted them to the warrant as such. Therefore there were three proposed articles, designated FF (the original Trustee article), KK, and LL (the two Selectmen's articles).

At the Board of Selectmen's meeting February 7, the Selectmen had recommended no action on Articles FF and KK, leaving LL -- the proposed building committee article -- in place. Chairman Mehegan, who had appeared with Director Harper at that Selectmen's meeting, had said that the Trustees probably would have no objection to the division of the original article into two, but since they had voted to submit FF, they would need to vote to withdraw that article in favor of KK and LL. Hence the call of the Special Meeting.

Before addressing that matter, however, Chairman Mehegan briefed the Board on developments material to the renovation project and the warrant articles, which had occurred over the past couple of weeks, and especially the previous few days.

He noted that Selectman Mary Power had urged the Trustees, in an email to Mr. Mehegan dated December 28, to update the cost estimate for the project due to recent inflation in construction-related costs. Responding to that recommendation, Mr. Mehegan and Director Harper met with Peter Byerly, principal of Beacon Architectural Associates, and Town Engineer Roger Fernandes, who had been asked by former Town Administrator Ted Alexiades to serve as interim OPM (Owner's Project Manager) until a Town decision for or against the project was

made. Although the original estimate had included three years of 6 % inflation, Mr. Byerly felt that continued inflation in construction costs, along with the delay in the likely start and end dates for construction (partly caused by Hingham having been placed by the MBLC on a year-long waiting list for the state grant and partly by delaying the Town vote from January, as normally required under grant rules, to April 2019 Town Meeting) might have pushed the cost over the original \$26.2 million estimate. He recommended that the estimate be updated (for a cost of about \$2,500).

With the approval of Trustee Chief Financial Officer Ed Siegfried, Beacon re-engaged the construction estimator who had provided the original cost estimate. After the estimator's review, Beacon reported by email in late January that the cost was now likely to approach \$30 million. This was still a preliminary number, not a complete estimate.

Reviewing this advisory, the Chairman, Vice Chairman, and Director did not believe that it would be feasible to propose such a cost increase to the Town. After discussing the updated cost with Mr. Boylan, Chairman Mehegan, desiring more information, met Jan. 31 with Mr. Byerly, along with Director Harper and Mr. Fernandes, to review the initial draft of the updated cost figures, and to discuss if there were any potential options for containing the cost. Mr. Byerly believed that modifications that would reduce the project by about 8% of square footage would hold the cost close to the original figure of \$26.2 million.

Chairman Mehegan directed Director Harper to inquire of the Massachusetts Board of Library Commissioners as to whether it would consider a potential 8% reduction, in the event that it was subsequently decided that a reduction in costs would be desirable for a favorable outcome at Town Meeting, since the MBLC, which had offered the \$9.1 million grant for the original design, normally does not permit a reduction of more than 5 %. He noted that in the last renovation (2000-2002) of the Library, the Trustees had made a decision to reduce that project's scope; as a result, the MBLC withdrew its support for a grant. MBLC staff told Director Harper that the question would have to be considered by the full Board, whose regular meeting would take place February 7, 2019 -- two days later. The Board agreed to add the Hingham item to its regular agenda on short notice.

After consulting with Vice Chairman Boylan, Chairman Mehegan and Director Harper appeared before the MBLC meeting to ask for permission to make a reduction in square footage. Mr. Mehegan stressed to the commissioners that the purpose of this request was not to state the Town's commitment to reduce the project, but to ask for permission only. Mr. Mehegan explained the recent developments and asked the MBLC if it would approve an 8 % reduction if needed to contain costs. The Board unanimously voted to accept a reduction of up to 10 %.

That evening, Chairman Mehegan and Director Harper appeared before the regular meeting of the Board of Selectmen. Mr. Mehegan described the proposed warrant articles for the project, and outlined the project. While he noted that the cost estimates were under review, and that it was hoped that the total cost could be kept to the original figure, he did not mention the new Beacon estimate, nor the meeting and vote of the MBLC earlier that day, since no final cost

estimates had yet been obtained, and no potential course of action to adjust for anticipated cost increases had yet been discussed or decided upon with the Board of Trustees. The Selectmen described their concerns about the project, at the \$26.2 million cost, in addition to unanticipated increases in construction costs, and, as noted above, recommended no action on articles FF and KK. The following day, Chairman Mehegan briefed the Trustees via email, including ex officio Trustee Healey, Chairman of the Board of Selectmen, on the new developments.

Chairman Mehegan said that the reason for his decision not to discuss the new estimate, and the MBLC action, with the Trustees as soon as they were known, and with the Selectmen at their meeting, was that we did not have the final reduced cost estimate and had hoped to present that information along with the MBLC approval for the possible reduction together. When he e-mailed the Trustees on Friday, February 8 about the cost increase and MBLC decision to approve potential design reductions up to 10% and received reactions from several Trustees, he realized and acknowledged that not to have shared these facts with the Trustees and the Selectmen at the meeting was an inappropriate omission. He stated that he had telephoned each of the Selectmen over the weekend of February 9/10 to apologize, and to tell them that he had not intended to be deceptive, but had wished to wait until a complete new estimate was available. He reported that all Selectmen had expressed appreciation for the call. He also told the Selectmen that he had believed, erroneously, that the purpose of the February 7 meeting was for proponents to present warrant articles, and had not understood that a final vote was to be taken.

During discussion, it was noted that a letter from Chairman Healey had been sent to all Trustees, via email, a short time before the Trustee meeting, mentioning Mr. Mehegan's action of going before the MBLC to ask for permission to reduce the project without the knowledge or approval of the Board of Selectmen. (The letter was distributed to the meeting, and is filed with these minutes.) Several Trustees also discussed the Chairman's actions. There was extended discussion.

Returning to the subject of the renovation project, Chairman Mehegan noted that Beacon had since Jan. 31 produced fuller cost estimates of both the reduced and unreduced plans: the estimate for the original plan would be about \$29 million, while the plan reduced by 8 percent would be about \$26 million. If the Trustees were to authorize the new work and its costs, Beacon was prepared to do the redesign work quickly, hopefully in time for careful review by the Advisory Committee in making its recommendation in the Town Meeting warrant.

A motion was made and seconded to approve and authorize revisions to the design, within limits permitted by the MBLC, and to pay the professional fees for the redesign.

In discussion, several Trustees again expressed opposition to the project and the motion. The Chairman asked members of the Advisory Committee, who were present, if there would be enough time, even if the redesign were to be authorized, for their careful review and analysis of the revised project and its finances. Mr. Haskell, chair of the Advisory Committee subcommittee assigned to the Library project, said that he could not be certain that there would be enough time. In light of this, and of continued strong opposition to the project by several Trustees, and

concerns by others that success before Advisory and at Town Meeting was probably unlikely, given the vote of no action from the Board of Selectmen, the motion was withdrawn.

A motion was then made and seconded to withdraw from the warrant the article approved by the Trustees at the January meeting. By a vote of nine in favor, five against, it was

**VOTED:** To withdraw the article previously voted by the Board of Trustees, and presently designated FF, from the Warrant of the 2019 Annual Town Meeting.

A motion was then made and seconded to request that the Board of Selectmen withdraw from the warrant the two articles they had previously inserted, one on the main project and one on a proposed building committee. By a vote of nine in favor, five against, it was

**VOTED:** To request that the Board of Selectmen withdraw the articles presently designated KK and LL from the Warrant of the 2019 Annual Town Meeting.

Following these votes, Chairman Mehegan expressed his thanks to and admiration of the Trustees on the Library Futures Task Force, who had worked intensely over the last three years on the Library renovation and expansion project, out of devotion to the Library and the people of Hingham who rely on it. He also thanked Director Harper and her Staff for their devotion, professionalism, and prodigious labor on behalf of the project. He recommended that the Board of Trustees vote a resolution of appreciation. On motion made and seconded, it was unanimously

**VOTED:** To express to the Director and the Staff our deep appreciation and gratitude for what they have done for the Library, and to regret that external factors required withdrawal of this proposal, and to say further that we look forward to working with them for the continued improvement of the Hingham Public Library as one of the finest public libraries in Massachusetts.

On motion made and seconded, it was unanimously voted to adjourn the meeting at 9:22 p.m.

Respectfully submitted,

Arthur T. Garrity, Jr.

Secretary