

TOWN OF HULL

ADVISORY BOARD MINUTES

Date of Meeting: 4/2/2011 Meeting Start: 9:03 am Meeting Adjourned: 12:47 pm

Attendance:

Member	Present	Absent	Others Attending
Charleen Tyson	X	Arrived late 9:14 am	Phil Lemnios
Joan Senatore	X		James Lampke
Charlie Ryder	X		John Brannan, BOS
John Schmid	X	Arrived late 9:20	Rhoda Kanet
Dick Kenney		X with notice	Dan Johnson
Jim Canavan	X	Arrived late 10:00 am	Kevin Morris
David Clinton	X		Terry Brady
Jay Polito	X		Roger Jackson
Peter Larsen	X		David Irwin
Ernie Minelli	X		Pat Cannon
Vacant			Susan Ovans
			Stephanie Aprea
			Library Trustees
			Daniel Ciccariello

Clerk called to meeting to order at 9:03 am
Both the Chair and Vice Chair will be late to the meeting.

Town Manager Update

BOS had a brief budget discussion at their last meeting and determined to hold a full meeting on the budget once we hear what the Massachusetts House budget looks like.

Town Manager explained the State budget process to give the board

Library Department Budget Presentation

Dan Johnson and the Library Trustees Chairman gave a presentation of the department and its mission.

It was stated that they are in agreement with the Town Manager's recommendation.

The FY10 Budget was supplemented by citizen's donation.

Question asked will the FY 10 Budget cause the MAR (Minimum Allocation Requirement) to be unfulfilled.

Clerk passed the chair to Vice Chair upon arrival.

Article 19 – Room Tax

The Article would seek an addition excise tax in adoption of the State Local Option plan. Hull would increase 2% to 6%.

Article 20 – Meals Tax

The Article would seek an excise tax with adoption of the State Local Option plan. The rate would be set to an addition .75% to the existing tax. 6.25% to 7.00%. Of abutting communities, Hingham is the only community to adopt the local option.

Discussion on both Articles (19&20)

Kevin Morris spoke on behalf of the Chamber of Commerce. His main point was that the Chamber is opposed to an increase if it is not implemented in an equitable manner in areas towns. Chamber reminded the board that every business is supportive of the school and charitable organizations on town.

Kevin spoke of an ideal situation where a percentage of any taxes gained would be used to market the Businesses in town. Last year the chamber contracted for 1800 commercials and it had a measureable impact to the positive side.

Vice Chair asked if these revenues could be researched for Revolving Funds or other purposes. Town Manager will look into this but believes that this may not be possible. These types of taxes are collected by the state and then remitted back to the town. Some discussion was had about the Monies being earmarked by BOS as was done in previous years with The Enjoy Hull funding.

A question was asked about the reasoning for the two articles being on the warrant in the first place. John Brannan of BOS spoke to this and said that the amount of the excise tax was so small that its benefits to the town outweighed the costs to the public.

Rhoda Kanet spoke as a consumer that she and others she knows would rather make the extra costs as a tip rather than a tax.

Vice Chair passed the chair to Chairman after discussion of Article 19 & 20. 10:04 am

Article 27 – Smoking Ban on the Beach

Rhoda Kanet spoke on behalf of the Beach Management Committee. While the discussion was not unanimous in their decision, the committee did vote to request the article on the warrant. BMC focused not on the 2nd hand smoke but rather on the litter aspect.

She spoke on the Enforcement and stated that “Anything can be enforced, it we choose to enforce it.”

Questions were asked about Seasonal Police officer coverage, Health Department opinion, litter aspect where anti-litter laws are in effect.

To the idea of two bylaws that cover the same effect, Town counsel spoke to the idea police could enforce two fines, but that the real issue was to impose a regulation that is specific to the beach area.

Question asked if we could add language to the temporary signs to specifically state removal of tobacco product waste, thus avoiding this bylaw.

Article 30 - Citizens Petition Light Board

Susan Ovans was present to address the AB on this citizen's petition. Susan spoke of the reasoning for the article being the change to Chapter 8 has not worked out very well since the change in 1993.

Dan Ciccarielli (Light Board) spoke of three issues he sees with current organization of the Light Department:

1. Conflict of Interest: Town buying electricity and Town Manager overseeing light department. Town Manager first duty is the town.
2. Light Board should have total control over person allocation funds.
3. No check and balances system: Town Manager superimposes his philosophy over actions of the Light Board. The board has fiduciary responsibility to the rate payers. He disagrees with the TM using PILOTs to balance the Town budget.

Town Manager responded to many of the points made including:

- The connection of the light Plant and the Town having no connection. There is. The checks and balances issue can be enhanced.
- Agrees that the former Town Manger should have done a better job with the \$3 million surplus used for Hull Wind II construction. The Light Board had understanding of the cost increased from \$1.8MM to over \$3MM
- The most recent meeting shows that there is a political reasoning for when rates are discussed. (Dan C. explained his thought that the discussion was more of when the vote for when the rates should be voted.)

Roger spoke of his belief that Management structure of the HMLP is set up incorrectly.

Pat Cannon (Light Board) spoke of his belief that the current structure is working well. He believes that the Check and Balances issue should be enhanced to deal with the only issue of Town Manager wearing of two hats as Town Manager and Light Plant Manager. Pat spoke of the Light Boards decision to not bond when Hull Wind II was constructed because there was cash available. In hind sight, Pat stated that a better decision may have been to bond half of the costs.

Town Manager spoke of the changing of the charter should be more thought out and researched through a Charter Committee or Government Study Committee. He also stated his belief that the question of a charter change should be made be a referendum question at the ballot box.

Pat Cannon agrees that any change should be studied first before adoption.

John Brannan asked what the role is of the Light Board. Town Counsel explained Town Meeting vote set the role to set rates and advise on policy.

Further discussion was held regarding the model used for management of the Light Plant and Light Board where the Operation Manager is selected by the Town Manager and answers to the Town manager and not the Light Board.

There are alternate models in place in the State. The Town rejected one such alternate model for the existing model.

Town Counsel stated he was in favor of a Town Government/Charter Study Committee. The 1993 article was a citizen's petition article and not placed by the BOS.

Hull Wind II monies were spent without Town Counsel involvement. The Town Manager worked with the Light Board at the time. He feels that the LB should have raised the issue of funding with the BOS. If a town

today that did not have a light department was going to set one up, they would set it up as an Enterprise Fund. Models used today are different than those used 100 years ago. The idea in 1989 was to remove certain “Fiefdoms” that existed. The idea was for the Town to consolidate government functions and promote effectiveness in operation. Town Counsel then stated history of how the Acts of 1993 came to fruition.

Question asked about how the article would go through the Legislative process.

Town Manager explained the process.

Can the AB ask the Town Counsel for opinion on the use of PILOTs.

Town Counsel stated that this could be done, but is not really need now since the issue of PILOTs with the Light Department has been resolved.

Article 28 - Change Light Department FY

This article seeks to place the Light Department on the same Fiscal year as the town. This would add transparency to the process through Town Meeting.

Article 26 - General Property Maintenance

John Brannan gave his presentation in favor of this article. He spoke of the genesis and his own personal issue with a neighboring property which was bank owned and not kept up for two years until the property was sold and the new owner cleaned up and occupied the property.

Question asked about if laws already exists for nuisance properties.

Town Counsel stated that this creates a local law where fines are collected to the town whereas, other regulations are enforced as state laws where fines go to the state.

Question asked about those property owners that are incapable financially of rectifying the issues.

Town Counsel stated that he would hope that the community would pitch to help ease the issues.

Town Counsel explained the citizen’s rights of appeal.

Motion: To adjourn

Member	Motion	Second	For	Against
Charleen Tyson				
Joan Senatore	X		X	
Charlie Ryder		X	X	
John Schmid			X	
Dick Kenney				
Jim Canavan			X	
David Clinton			X	
Jay Polito			X	
Peter Larsen			X	
Ernie Minelli			X	
Vacant				

Comments: Unanimous

Respectfully submitted;

David Clinton
Clerk

Exhibits

Document	Date	ID
Library Department Presentation	4/2/2011	4_2_2011_A
DOR Meals Tax Data Bank	4/2/2011	4_2_2011_B
DOR Room Tax Data Bank	4/2/2011	4_2_2011_C