

Hull Board of Selectmen

Minutes

January 13, 2009

Present: Joan Meschino, Chairman; Christopher Olivieri, Vice Chairman; Domenico Sestito, Clerk, John Reilly and Dennis Blackall, Members. Also present were: Philip Lemnios, Town Manager and James Lampke, Town Counsel.

7:30 pm – Public Hearing – re: approval of CDBG '09 Grant Application

Robert Fultz, Community Development Director was introduced by the Chairman to discuss the details and to seek a vote of approval for the proposed '09 application.

He said the target area for the Housing Rehabilitation Program is from Malta Street to U Street, and ADA/Barrier Removal from the Anne Scully Senior Center. The grant application for housing rehab is for \$375,000; senior center \$285,199; and administration \$232,270, totaling \$892,469.

Fultz presented a list of 15 priority projects to the Board, and a list of estimated expenditures for the current grant as \$300,000. leaving a balance of \$38,000 in May. He added that there may be an additional income during this FY year \$60,000.

Moved-Olivieri: To authorize the Chairman to sign and submit the FY 2009 Community Development Fund grant application

Second-Blackall

Vote: Unanimous in favor

Moved-Olivieri: To commit Program income as presented

Second-Blackall

Vote: Unanimous in favor

8:00 pm – Public Hearing Continuation – Homes Unlimited Realty dba Marsden Inn, Robert Dell, Manager, 8 Hillside Road – Lodging House License – NEW

Chairman Meschino opened the public hearing stating that the applicant had provided the requested information sought by the board. She explained the process to be used and allocated 45 minutes to the hearing. She then swore in witnesses and recognized Attorney David Kellem, representing the applicant.

Kellem informed the board that the in-house manager has been ill and unable to act in a full capacity, so Mr. Dell has hired a new in-house manager, Christopher Welcome. He introduced Welcome to the board and listed his educational background, previous positions and said he had worked in the mortgage field and is interested in the real estate business.

Welcome told the Board he is attending Newbury College for a degree; at which time he would be interested in purchasing the building.

Kellem said they have met more than once with the neighborhood association and it has provided to the Board all of the documents requested including the sign-off sheet from all of the required department heads and a long list of rules and regulations to be signed by each tenant. He added that that telephone numbers for complaints will be posted and available to the neighbors for calls on a 24-hour a day basis. Kellem said that David Ray, Surveyor, prepared the site plans that show parking in the gravel lot to be 8, and upon completion of the Bay Street lot, 5 totaling 13 cars. He said very often tenants do not have vehicles. Kellem added that Mr. Duff who resides in the building, would continue to act as a back-up manager in the event Mr. Welcome was away from the building. Kellem also said they have reduced the occupancy on the license for the 13 rooms from 26 to 18.

The Chairman requested a recess of the hearing to hear another matter scheduled for 8:45 pm and then to return to the hearing. The meeting recessed at 8:45 pm.

8:45 pm – Public Hearing – Nantasket Beverages, LLC dba Port Side Wines, Jeffrey Jorgenson, Manager – Transfer of all alcoholic (annual) as a Package Store from 305B Nantasket Avenue to 538 Nantasket Avenue

The Chairman called the Public Hearing to order at 8:55 pm for the transfer of licenses to another location. Jorgenson said it has been tough in his present location and he is interested in moving to Kenberma that is more of a population center.

Moved-Olivieri: To approve the transfer to 538 Nantasket Avenue of the all alcoholic (annual) license, as a package store issued to Port Side Wines.

Second-Blackall

Vote: Unanimous in favor

Hearing closed at 8:58 pm

Recessed Hearing – Marsden Inn

The Chairman called the recessed hearing for the Marsden Inn to order at 8:59 pm and she entertained questions from the public. Speaking in opposition were: Joseph Espinoza, 21 Hillside Rd., John Brannan, 11 Merrill Rd., Joseph King, 8 Old Colony Rd., Martha King, 8 Old Colony Rd., Woman, 3 Hillside Rd., woman from Surfside; abutter, 10 Hillside Rd, and Mark Einhorn, 33 Hillside Rd.

Kellem took exception to the comments of Espinoza, stating that it is not true as Dell does pay more taxes and that Espinoza is incorrect in stating that Dell does not. Kellem also said that the rooming house goes back many, many years and now there have been substantial changes bringing the building up to code.

Reilly commented that the Board has required a long list of conditions and to deny the license requires very specific reasons and suggested a continuance, Olivieri added that it must be based upon the character of the owner/manager.

The Board took a short recess at 9:56 pm and returned to open session at 10:01 pm

Meschino said that they are not taking further comments nor additional evidence, but on advice of counsel will continue the meeting to February 10, 2009 at 7:30 pm She cautioned Mr. Dell not to solicit any lodgers as he is operating without a license.

OLD BUSINESS

301 Nantasket Avenue

Town Manager informed the Board of the disposition of 301 Nantasket Avenue. He said there were 9 bidders at the January 8th auction who provided deposits. He said then we held a public auction and the highest bidder was Jack Mitchell at \$205,100. Lemnios said that Mitchell has an excellent reputation as a builder and has done many properties in town including his corporate office building that was once the location on Nantasket Avenue of the Penny Candy Store and Jaques Beauty Salon.

Lemnios said that the Town would receive back taxes in the amount of \$140,000. and balance will be paid to the former owner, but it is not available to be expended until FY 11.

Moved-Reilly: To approve the results of the auction and authorize the Chairman and Town Manager to sign the purchase and sale agreement.

Second-Blackall

Vote: Unanimous in favor

Steamboat Wharf

Moved-Reilly: To authorize the Chairman and Town Manager to sign the consent of a modification to the Mortgage for Steamboat Wharf.

Second-Olivieri

Vote: Unanimous in favor

Counsel explained that the mortgage is against their property and not on the Town property and since it has been re-written a new consent form is required.

Warrant

Moved-Oliveiri: To advertise that the closing of the Annual Town Meeting Warrant will be on Thursday, February 12, 2009

Second-Sestito

Vote: Unanimous in favor

LICENSES

Unanimously approved the following license renewals on a motion by Olivieri, seconded by Blackall;

1. The C Note, LLC dba The C Note, Charles Fruzzetti, Manager, 159 Nantasket Avenue Automatic Amusement Devices License (1 – pool table 1 – video game) - **RENEWAL**
2. Pizza Box, Inc. dba West Corner Auto, Peter Booras, President, 52 Nantasket Avenue Class II Wholesale Auto - **RENEWAL**
3. Loretta H. West dba L W Auto Sales, 4 Lincoln Street – Class II Wholesale Auto - **RENEWAL**
4. Carmen L. Arroyo, 71 Kenberma Street – Livery Vehicle License - **RENEWAL**
5. Carmen L. Arroyo & Debbie Rock, 71 Kenberma Street – Livery Vehicle License - **RENEWAL**
6. Debbie Rock, 71 Kenberma Street – Livery Badge - **RENEWAL**
7. Carmen L. Arroyo, 71 Kenberma Street – Livery Badge - **RENEWAL**

OTHER BUSINESS

Meschino read a letter from Greg Sullivan, Esq. reporting on the progress of the Ocean Club. She said she was disappointed as she thought he was supposed to come to the meeting.

Olivieri asked that someone speak with the holders of alcohol licenses to remind them that they are supposed to be open every day and need to notify the Selectmen if they have a need to close for any reason.

Reminded the Board and the public that Saturday, January 17th at 9:30 am, a public forum is to be held at on the budget at the High School.

Moved-Reilly: To ask for a debt exclusion
Second-Olivieri
Motion Withdrawn

A lengthy discussion was held on the budget and whether or not to ask for a debt exclusion, override or both; possible scheduling and Budget A with severe cuts or Budget B less dire, if voters approve any of the alternatives offered.

Comcast License

On advice of counsel, who is negotiating with Comcast on the renewal of its license asked the Board to issue a preliminary denial as part of the strategy of negotiations that will have no effect upon its present operations. Lampke submitted a written motion to the Board requesting it be adopted and signed.

Moved-Olivieri: To sign the authorize the Board to sign the Preliminary Assessment prepared by Town Counsel to not renew the license

Second-Sestito

Vote: Unanimous in favor

Moved-Olivieri: To go into executive session to discuss disposition of property, strategy in litigation and advice of counsel and not to return to open session.

Second-Sestito

Roll Call Vote: Aye, Blackall; aye, Olivieri; aye, Meschino; aye, Sestito; aye, Reilly;

The Board moved into executive session at 11:22 pm and thereafter adjourned.

February 24, 2009
Approved