

Hull Board of Selectmen  
Minutes  
July 1, 2008

The meeting of the Hull Board of Selectmen was called to order at 7:33 pm on Tuesday evening, July 1, 2008 at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts

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

Not Present: Dennis Blackall, Member (Hospitalized)

**7:30 pm – Aquarion Water Company Presentation**

Chairman Meschino told those present that the meeting was informational for the Board of Selectmen, and that comments may be supplied in writing at the public hearing. She recognized Larry Bingaman, Senior Vice President of Aquarion Water Company for Massachusetts and New Hampshire, who was present with staff to present the reasons leading to why the company will be seeking a rate increase, and he introduced a staff member for the power presentation.

Part of the presentation was that Aquarion serves 18,514 customers; 50,537 population and had its last rate increase in 2001; that the distribution of customers by town are Hull 4,476; Hingham 7,670; Cohasset 322; Millbury 3,497 and Oxford 2,546.

The application for the rate increase was filed on May 14, 2008 with the Ma DPU and is based upon significant capital investment, related depreciation expense, and increased cost of doing business, and that they proposed rates that promote water conservation; system development charge, and customer assistance programs. The Power Point listed \$3 million expended for improvements (None funded by developers) \$1 million was spent in Hull for water mains, meters and services and storage tank.

The average residential customer using 175 gallons a day or 64,000 gallons per year will increase in Hull, Hingham and North Cohasset a total monthly increase of \$19,88 or 21,4%. The cost per household per day is about \$2.03 and that amount was compared to other utilities showing only telephone and cable TV (ext. basic) as having a lower daily cost. Aquarion is also proposing to file connection fees to offset the cost of developing new sources of supply and improvements for new customers; an increase in public fire protection charges and in Hull from \$166 thousand to \$188 thousand per year. (Towns are able to use as much water as needed to fight fires rather than paying by volume fee.)

In summary, the application is driven by investments to increase water supply; replacement of aging infrastructure; improvement of reliability and quality; and an increase in operating expenses at about the CPI rate.

The response to a question from Olivieri in regard to the Atlantic Avenue, 2 water main replacement Aquarion has committed to approximately 325,000 feet at \$125.00 per foot or about \$1 Million and will take about nine months.

The Chairman announced that there was a scheduled public hearing for 8:00 pm and the applicants agreed to waiting until the Aquarion matter ended.

Bingaman told the Board that the survey of customer satisfaction that had been performed shows an 87% customer satisfaction rate.

Following numerous questions to Aquarion's staff from Members of the Board Meschino reminded the audience that a Public Hearing would be held at the Hull High School on July 15 at 7:24 pm.

The Board recessed at 8:31 pm and returned at 8:30 pm.

**8:00 pm – Public Hearing – C Note, LLC dba The C Note, 159 Nantasket Avenue, Charles Fruzzetti, Manager – A. Transfer of All Alcoholic Seasonal License; B. Entertainment (Live, DJ) Juke Box & Karaoke) C. Automatic Amusement Device (Pool table & Video game)**

The Public Hearing was called to order at 8:31 pm by the Chairman, who swore in the applicants and witnesses, Approximately 30 persons were in attendance for the Hearing.

Charles Fruzzetti, has obtained an assignment of the lease from the former operators of Sea Note. He said he intends to keep the same concept as the previous operation, and that he is hiring experienced persons who are TIP certified and all employees will be TIP certified.

Sestito said that the required sprinkler system has been signed off by the Building Commissioner and Fire Chief and that he heard the attic space work was on-going.

Town Counsel said that the lease was satisfactory and the hours of operations are Monday – Saturday 8:00 pm – 1:00 am, Sunday 2:00 pm – 1:00 am; and the Entertainment License 11:00 am – 1:00 am except Sunday.

The Chairman recognized those wishing to speak in the audience: Among those speaking in support were: Judy Cavanaugh, 16 C street; Barbara White of Hingham; Verita Walden of Scituate; Paul Casale of Scituate, Achi Azurian of Horizons, Others present registered agreement, and no one spoke in opposition.

Moved-Reilly: To approve the Entertainment License (Live, DJ, Jukebox) and Automatic Amusement Device (Pool table & Video game)

Second-Olivieri

Vote: Unanimous in favor

**8:30 pm – Ronald L. Diemer dba The Yard Sale, 275C Nantasket Avenue – Junk Dealers License – Change of business name**

Ronald Diemer told the Board that he is in the clean-up business and plans to sell second hand furniture from the location on Nantasket Avenue  
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Moved-Reilly: To approve the change of name and issuance of a Junk Dealers License to Ronald Diemer

Second-Olivieri

Vote: Unanimous in favor

MINUTES

Moved-Sestito: To approve the minutes of June 3, 2008 as presented, and the executive session minutes of June 17 & June 24, 2008. Second-Olivieri

Vote: Unanimous in favor

CORRESPONDENCE

1. The Members congratulated Deni Michele Goldman, the Animal Control Officer for our Town who was named 2008 ACO of the year on June 14 ' by the Association of Animal Control Officers of Massachusetts and the award is presented in association with the MSPCA and Animal Rescue League of Boston.

2. Unanimously approved the request of Tom and Renee Carmody of 8 Summit Avenue to replace the stairs to the beach at Summit Avenue behind their house subject to a license agreement being signed by all parties, on a motion by Olivieri, seconded by Sestito.

3. Noted a letter from the Massachusetts Department of Revenue acknowledging the Selectmen's request for a financial audit and that it has been placed on the waiting list. The estimated time for it to begin would be December and that they will contact the Board.

4. Unanimously approved the request of Pam and Peter Coffman of 41 Valley Beach Avenue for a block party on July 6, 2009 from 12 noon to 4:00 pm and to close the street from 41 to around the corner at 48 Valley Beach, subject to approval by the Police and Fire chief's on a motion by Olivieri, seconded by Sestito

Other Business

Moved-Reilly: To reappoint the following Sewer Commissioners: Steve Bellingham, term to 2013; John Kelley, term 2012, and Louis Collins, term 2013.

Second Olivieri

Voted Unanimous in favor.

**8:45 pm – Tom Connolly, Treasurer – re: Bond Issue Note.**

Tom Connolly was in attendance to present the motions for a bond issue; each of the following motions were moved by Meschino, seconded by Christopher Olivieri and voted Unanimously: SEE ATTACHED PAGES 5& 6 FOR EACH OF THE MOTIONS

Moved-Reilly: To go into executive session To discuss disposition of real property and not to return to open session,  
Second Olivieri  
Roll Call Vote: Aye, Olivieri; aye, Meschino; aye, Sestito; aye, Reilly

The Board moved into executive session at 9:22 pm and thereafter adjourned.

October 21, 2008  
Approved

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Hull, Massachusetts (the "Town"), certify that at a meeting of the board held July 1, 2008, of which meeting all member of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appears upon the official record of the board in my custody:

Voted: that the sale of the \$5,982,000 General Obligation Municipal Purpose Loan of 2008 Bonds of the Town dated July 1, 2008 (the "Bonds"), to Fidelity Capital Markets Services at the price of \$6,025,171.57 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on July 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2009	\$462,000	4.50%	2019	\$260,000	4.00%
2010	450,000	4.00	2020	260,000	4.00
2011	355,000	3.25	2021	260,000	4.125
2012	355,000	3.50	2022	260,000	4.125
2013	355,000	3.50	2023	260,000	4.25
2014	355,000	3.75	2024	255,000	4.25
2015	355,000	4.00	2025	255,000	4.375
2016	355,000	3.75	2026	200,000	4.375
2017	265,000	5.00	2027	200,000	4.50
2018	265,000	5.00	2028	200,000	4.50

Further Voted: to approve the sale of a \$5,312,610 2.50 percent General Obligation Bond Anticipation Note of the Town dated July 11, 2008, and payable July 9, 2009 (the "Note"), to DEPFA First Albany Securities LLC at par and accrued interest plus a premium of \$36,290.00.

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 18, 2008, and a final Official Statement dated July 1, 2008 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved, and adopted.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 18, 2008, and a final Official Statement dated July 1, 2008, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Attachments Selectmen's minutes, July 1, 2008

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the consent to the financial advisor bidding for the Bonds and Note, as executed prior to the bidding for the Bonds and Note, is hereby confirmed.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and material events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Note from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by a secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the Office of the Town Clerk or on the principal official bulletin board of the Town at least 48 hours, including Saturdays, but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds and Note were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended.

Dated: July 1, 2008

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Clerk of the Board of Selectmen