

Hull Board of Selectmen

Minutes

May 24, 2011

The meeting of the Hull Board of Selectmen was called to order on Tuesday evening, May 24, 2011, at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

Present: John Reilly, Chairman; Kevin Richardson, Clerk; John Brannan and Domenico Sestito, Members. Also present were: Philip Lemnios, Town Manager and James Lampke, Town Counsel.

Not Present: Christopher Olivieri, Vice Chairman

Reilly spoke of the celebration at Town Hall today for Janet Bennett who has 50 years of service. She began working for the Town in 1962 as a part time clerk in the Board of Health, then she was Assistant Town Clerk and in 1968 she took over as Town Clerk from Jack Darcy. Reilly said that she is the example of a perfect public servant, goes above and beyond at all times. We are very grateful to have her as the Office Manager to the Board of Selectmen and our Town Clerk.

Motion - Sestito To make Friday May 28th Janet Bennett day in the Town of Hull and give her the day off.

Second - Richardson

Vote - Unanimous in favor

Reilly asked the Town Manager to prepare a letter for Mrs. Bennett and have the Board sign.

The Chairman gave an update and schedule of the Department Heads coming before the Board for updates. He spoke with the Town Manager and they have both decided to be available to the public an hour before the Selectmen's meeting. Town Manager and Reilly will alternate meetings. This will be helpful to people who get out of work after 4:30. They will both post their schedules.

Re-Appointment of Town Counsel

Sestito, Lemnios, Richardson and Brannan all spoke in support of the re-appointment.

Motion - Reilly To reappoint James Lampke as Town Counsel for the Town of Hull for one year.

Second - Sestito

Vote - Unanimous in favor

Lemnios addressed a question from Patrick Finn by saying that the position of Town Counsel is covered by the Town's personnel by-laws for non-union employees.

7:45 pm - Harbormaster re: Boating Season Update

Kurt Bornheim appeared before the Board. Reilly asked about floats, wharfs, etc. The patrol and pump out boats were launched April 1st and stay in the water until December 1st. Mooring permits went out the middle of March and are due in the middle of June. There are 810 moorings in the Town and 400 have already sent back their applications. He told that Board that he has about 75 mooring available. The 4th Safe Boating class has just finished and all 28 students passed the class. The age range in the class was 12 to 70.

The floats at James Avenue and A Street will be installed this week. Windemere has already been installed. He told the Board recent repairs have been done at A Street cost of \$3,000, new float at Pemberton Pier, James Avenue was rebuilt 4 years ago. The Float at the Commuter Boat was out for bid (none were received) it will be put back out for bid with a better timeline. Dredging at Nantasket Pier continues. Sediment samples have been done by the Army Corp of Engineers and a meeting is scheduled with them in two weeks. Will be applying for another seeding grant (clams), in the past 2 - 3 years he has received \$15,000 from the Department of Marine Fisheries to seed the flats. He explained the seeding process to the Board. Told the Board the pump out boat is part of a grant program and it is no cost to the boaters.

Schedule of upcoming events were discussed. He mentioned that the Town has not had forth of July fireworks, but his department helps Hingham and Weymouth with theirs.

Bornheim told the Board that the patrol boat is 12 years old and he expects to get 8 to 10 more years. He got the pump out boat in 1996 and is in great shape. Most of the repairs on both boats are done in house. Warranty work is sent out.

Brannan asked the procedure if the mooring fee is not paid. Bornheim explained that 95% have paid and if they do not pay he pulls their mooring. The mooring fee is \$5.00 per foot. Asked if any insurance is required and he answered that none is required by the Town, it is just like auto insurance for boats. Sestito asked about the ramp at A Street and Bornheim explained that particular location is not eligible for a grant because of limited parking. The Board thanked him for coming in.

Correspondence was read by Richardson

#1 David Clinton, U S Coast Guard Auxiliary re: Safe Boating Week

Motion - Sestito To declare National Safe Boating week in the Town of Hull May 21st to May 27th 2011

Second - Brannan

Vote - Unanimous in favor

#2 David Irwin requesting appointment to Government Study Committee

There are appointments and the Town Clerk will re-advertise for more applicants.

Brannan had a question about this Committee and if the Board of Selectmen are responsible for giving the new Committee direction. Reilly said that this will be discussed later.

#3 Police Chief about the motorcycle run fundraiser. Reilly read the letter.

Motion - Richardson To approve the use of lot 2 for the Sgt. Guiney cycle run on June 2, 2011.

Second - Sestito

Vote - Unanimous in favor

Licenses

#1 Knights of Columbus - One day all alcohol

Motion - Sestito To approve the one day all alcohol for the Knights of Columbus for June 11, 2011 from 7 pm to midnight

Second - Richardson

Vote - Unanimous in favor

Motion Sestito To approve the renewal for the parking of 50 cars at
Steamboat Wharf Marina

Vote - Unanimous in favor

The Chairman recommended that it be handled similar to New Years Eve, License holders who want to serve at 10 am, they will out a form under the current State Law and what Town meeting accepted it is allowed with no other restrictions. Lampke said this was a good option. Reilly acknowledged that this will keep it simple. Amending the Rules and Regulations was recommended by Lampke. If the change is made when the renewal comes up Sunday at 10 am is automatic.

Motion - Sestito To amend the Boards Rules and Regulation for Licenses and Permits by adding after the word Sunday in Section 3, paragraph 7, 8 & 9 the phrase - the last Monday in May and Christmas Day or the day following when said day occurs on Sunday.

Brannan told the Board he did not understand what just happened and Lampke explained the motion basically brings the existing rules and regulations up to date to allow places to be able to open at 11 am on Memorial Day and Christmas Day. The State approved this but the Town never voted on it. He added that a new motion would be needed for the 10 am serving.

Vote - Unanimous in Favor

Discussion among the Board continued about the 10 am serving.

Motion - Sestito

To amend Section 3 of the Boards Rules and Regulations for licenses and permits as follows: Add a new paragraph 9.A Providing notwithstanding the 11 am hours specified in Paragraph 7, 8 & 9 for holders of licenses under General Law Chapter 138 Section 12 the hours on Sundays, the last Monday in May and Christmas Day on the day following when said day occurs on a Sunday shall be such time between 10 am and 11 am so specified in a request filed with the licensing authority on a form issued by the licensing authority.

Vote - Unanimous in favor

Town Manager gave updates

The Atlantic Avenue Aquarion Water project is progressing. This week the main line should be completed. They will stop work for this upcoming holiday weekend then next Tuesday they will start doing the lateral connections to the houses, he anticipates that this will take a couple of weeks, then repaving.

Memorial Day preparations are being done by the DPW, they are getting the Cemetery ready. All Veteran's signs have been installed for the various dedication ceremonies around the Town and the parade route will be swept. At the beaches, seaweed is being cleaned and stairs are being installed.

The Chairman wants to discuss Aquarion Water seeking a 25% rate increase in water rates. The Board will be sending a letter expressing that they are shocked and dismayed that they have the nerve to pursue a 25% rate increase in one of the worst economies. The next step is to direct the Town Manger and Town Counsel to approach their counterparts, Boards of Selectmen, Town Manager and Town Administrator in Hingham and Cohasset and ask them to join us in a unified fight against the rate increase. The Chairman asked about the expenses to fight the last rate increase and was told it was \$20,000 per town. Lemnios said he will find the money to fight this increase.

The next step is to get public outcry getting letters written to the State Senator and State Representative and even the Governor's Office. The discussion continued with previous rate hikes and that the Company being an Australian conglomerate, and that the Town should look into purchasing the Company.

Rhoda Kanet asked the members if they could highlight some of the particulars (ex. rate increases, problems with their reasons for the increase) on the web site. Lemnios said that they will put a folder on the web site "Fight the Rate" in about 2 weeks. Ms. Smith from the audience told the members that the fees on her water bill had increased and that the fees are now \$106.00 and the actual water is \$25.00 if they increase the rates will the fees also go up? Pat Finn suggested that where Aquarion owns that pipes and they run on Town of Hull land that we charge them rent. Lemnios explained that this would not work. Lampke explained that the rates are based on a rate regulatory theory which is very a convoluted science and that utilities are a monopoly. Other utilities such as electric, gas, telephone and even auto insurance when they file for a rate increase the Attorney General's Office represents the consumer in opposing the increase. Water is the only utility not included in this.

Sestito spoke about the recent Hull Wind Conference and it was a success with about 200 people attending. This was paid for by a federal grant. Several panels of experts spoke about key issues relative to offshore wind. Next steps - 1. Look to create a research site to test turbines. 2 - Richardson had a conversation about creating a marine center and marine environmental study. Scituate has a group looking into this and we should go to one of their meetings.

Lampke wanted to discuss an e-mail that he sent to the Board requesting that the Board amend the Rules and Regulations for licenses and permits relative to utilities requesting street openings. The Amendment would provide clearly that the utility is responsible for notifying the abutters about the upcoming street openings.

Motion - Sestito	To amend the Board of Selectmen's Rules and Regulations for Licenses and Permits by adding a new section as follows: Section 7 Other Licenses and Permits B. Utility permits - Any hearing to be held on a request by a Utility Company or Contractor to open streets or otherwise utilize the public way or a way considered a public way or Town property for a Grant of Location to install lines in new locations or replace an existing line unless waived by the Board of Selectmen shall be at their expense to notify the abutters to the project site of the hearing and shall submit at the hearing satisfactory proof of such notification. The applicant shall include with said request the presentation at the hearing, maps or plans showing the work area and additional instructions as requested by the Town.
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Second - Richardson

Vote - Unanimous in favor

Pat Finn asked about the fee for the Trench Safety Law. Lemnios did not know but will let him know. Lemnios didn't think that any of the utility street openings met the requirements needed to have this permit.

New Business

Brannan asked the status of advertising for members of the Parking Study Committee. Reilly stated that he asked the Office Manager for a list of Committees that needed to advertise for new members. The Town will advertise as soon as possible. He also asked if the parking stickers are in. Lemnios told him that they are ordered. Brannan spoke of how important he thinks getting the by-laws on the web site are and he offered his services and he would do what ever it takes.

Reilly asked about the low water level at Straits Pond and wanted to know if the new tide gates could cause this problem. Lemnios will talk to Anne Herbst, Conservation agent and get back to the Board.

Reilly reminded the Board that Beach Fire is scheduled to come before the Board. He asked Lampke to make sure that Oceania is on the abutters list, as they were not on the previous list.

The Memorial Day activities were outlined by the Chairman.

Motion - Sestito To go into Executive Session to consider the purchase, exchange, lease or value of real property.

To comply with provisions of General or special law, here the Attorney - Client Privilege.

To consult with legal counsel and obtain legal advice pursuant to the Attorney - Client Privilege

The Chair declares that an open meeting may have detrimental effect on the negotiating position of the public body.

And to not reconvene in open session.

To be discussed are:

Pending Water Rate Case against Aquarion

Negotiations with the DCR

Personnel matter

Second - Brannan

Roll Call Vote - Aye, Brannan; Aye, Richardson; Aye, Sestito; Aye, Reilly

The Board moved into Executive Session.

August 21, 2012 APPROVED