

Hull Board of Selectmen

Minutes

April 3, 2012

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, April 3, 2012 at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

Present: John D. Reilly, Jr., Chairman, Christopher Olivieri, Vice-Chair Kevin Richardson, Clerk, and Domenico Sestito and John C. Brannan,, Members. Also present were: Philip E. Lemnios, Town Manager, James Lampke, Town Counsel and Karen Morgan, Recording Secretary.

MINUTES

Moved: Olivieri to approve the minutes of October 5, 2010, October 12, 2010, November 16, 2010, November 30, 2010, January 4, 2011, January 11, 2011, March 8, 2011, March 15, 2011, March 22, 2011, March 29, 2011, April 5, 2011, April 12, 2011

Second: Sestito

Abstain Richardson

Vote: Unanimous in favor

Moved: Olivieri to approve the minutes of January 24, 2012, January 31, 2012, February 7, 2012, February 21, 2012, March 6, 2012

Second: Sestito

Vote: Unanimous in favor

APPOINTMENTS

7:30 p.m. – PUBLIC HEARING - Nantasket Beach Salt Water Club, Inc., Fitzpatrick Way re: Change of Manager

Reilly addresses the audience to discuss the above-referenced public hearing. Tahnya J. DiCroce addresses the Board of Selectmen (hereinafter “BOS”) about her request to be appointed to the position of Bar Manager. DiCroce stated that she’s been bartending for 10 years and worked with different catering companies. Mariruth Castle, President of the NBSWC, said that her appointment was approved by the Board of Directors in accordance with the club’s by-laws.

Motion - Richardson: Motion to approve change of manager request

Second - Olivieri

Vote - Unanimous in favor

Concluded: 7:40 p.m.

7:45 p.m. – Roberts K. Reid, 5 E Street – re: Applicant for Livery Badge – NEW

Reid submitted his application for a Hackney/Livery Badge on March 14, 2012. He has worked around the community and lived in Hull all his life. He will be filling in for someone recovering from surgery.

Motion - Olivieri: Motion to approve applicant for Livery Badge

Second - Richardson

Vote - Unanimous in favor

Concluded: 7:55 p.m.

10:00 p.m. – Warrant Review

Lemnios discusses the final warrant for the Town Meeting. He specifically addresses a few key items. Two from the Budget Articles: Article #15 – Increase in Room Tax and Article 16 – Increase in Meal's Tax. (Room tax increase by 6% from 4% and the Meal Tax may generate \$110K). This tax will go into effect on July 1st. Once it goes into effect, it stays that way for the entire year. The By-Law Changes, By-Laws: 26-29 (Amend Zoning By-Laws for Flood Elevations, Flood Overlay District, Flood Definition and Flood Zone) pertain to the recent changes in the flood maps. The two most discussed items are the By-Law Changes in By-Law #18 – Foreclosed Property By-Law and #23 – Require Finger-print based criminal background check for license Applicants. Number 23 pertains that certain local license that gets issued, where the applicants would be required to have a CORI check and a finger-print background check as it's a broader database. Everything under the "Other" category is self-described. Reilly states that he will discuss the further items not discussed in the next meeting on April 10, 2012.

Concluded: 10:20 p.m.

TOWN MANAGER

Fire Chief Hollingshead – re: Ambulance Billing Rates

Lemnios address the BOS about Ambulance Billing Rates. On March 21, 2012, Fire Chief Robert A. Hollingshead submitted to Lemnios a memorandum regarding the Ambulance Billing Rates for 2012. This memorandum is the suggested rate increases for ambulance services. The suggested changes is as follows: Basic Life Support from \$500.00 to \$550.00; Advanced Life Support I from \$575.00 to \$650.00; Advanced Life Support II from \$800.00 to \$945.00; Oxygen Administration stays at \$75.00; Cardiac Monitoring stays at \$180.00; IV stays at \$140.00 and Mileage stays at \$15.00. Every year the federal Medicare program will change its reimbursement rates.

Motion - Olivieri: Motion to approve ambulance billing rates

Second - Sestito w/discussion

Sestito addresses Hollingshead about the ambulance services, and asks if he has seen any non-payment. Hollingshead replies back by stating those figures are somewhat stable, the collection rates are the same. The Town has been at that figure for a number of years, there hasn't been a huge drop with these increases. Brannan asks for clarification that the existing rates are not Medicare allowable. Hollingshead replies that Medicare gets their rates and that's the amounts they pay. 90% of other insurers will pay what Medicare pays. They are both Medicare allowable. That is the maximum allowable the Town can charge. Some insurance companies will pay for certain aspects in that respect. Some will itemize and reimburse for some specific procedures, Medicare does not.

Vote - Unanimous in favor

FY13 Budget

Reilly addresses the audience about the budget discussion. The budget is usually discussed on February. Reilly would like the BOS to have a meeting to review and vote on the Town Manager's budgets by March 1st.

Motion - Brannan: Motion to meet in March to discuss budget

Second - Olivieri w/discussion

Vote - Unanimous in favor

Olivieri wanted to know if BOS needs to meet sooner. Reilly said that it takes about 30 days and March 1st should be fine.

Reilly said that there was a meeting with the Advisory Board last Monday with the school department seeking more funds. They had requested more money than the Town Manager allocated. Since the budget was presented, the Town has hard numbers for the Charter School and it's about \$90 - \$100 thousand in Town's favor. This will be going to the school department. At town meetings, the BOS made a commitment to make more meetings between the BOS and the school committee. Everyone is looking for long term solutions as the Town has been going through this cycle several years. Reilly said that he is looking to have room and meal tax passed at the next meeting and putting it into a capital fund which the school department will have access to as well. It was necessary to prioritize by need, by cost, short/long term goals. The Town had to decide where the money has to be spent, what it needs to grow with. He hopes this gets passed so we don't have to do this again.

Motion - Olivieri: Motion to approve the Town Manager's budget as presented with the exception of the

decreasing the 100,000 for the school dept.

Second - Sestito *w/discussion*

Sestito addresses the audience by stating that we continue to work on this despite some of the items that were mentioned. Brannan states that the \$100,000 is coming from a budget that is set aside a payment towards a Charter School so it's not reducing the town's budget at this time. Reilly said that we just got these numbers on Friday and we need to enact on them.

An audience member asks that moving forward with the budget process, that parents are frustrated and feel they do not have a voice. He said the parents asked questions and are told that if you disagree, talk about it at the town meeting. He would like to see everyone working together next fall and what is the plan for the town and the students as far as the next 3-5 years go.

Reilly replies by saying that he committed himself to have more dialogue and regular meetings. He hopes that this budget issue is done as well as other issues, to perhaps implement a 3 to 5 year plan. We had an increase in health insurance. The state money is going to keep being less with the various programs, we are proactive now and the year after this, it will be worse. He wants to take some of this money and set money aside and build up our stabilization fund,. No one is going to get what they want and that is unfortunate. We do not find the school system a nuisance. We just have to stop fighting amongst ourselves and with the communication, we can all work together.

Olivieri said that we don't hear from people until late March and the community should reach out earlier in the year, reach out to your school committee. If you have questions or concerns throughout the year, just send us an email and we can sit down and talk so try to keep the lines of communication open.

Lemnios said that our long term budget is for the schools. There is always room for improvement and that is with all departments. Looking forward, one of the disconnects that happens with the budget process is that when we start preparing our budget in October and that's where we see where our revenues are going. Even today, the House is not releasing the budget. They are waiting for final year revenue estimates. There is always an opportunity to improve projects. There is increasing pressure on the revenue side.

Vote - Unanimous in favor

CORRESPONDENCE

Janet C. Strecker, 121 Manomet Avenue – re: Request to use Railroad Bed (Postponed)

Office Manager – re: Pedicabs License Request

Read aloud by Richardson correspondence regarding the Pedicabs License Request. On March 29, 2012, Janet Bennett submitted to the BOS a request from David Newell who is interested in obtaining licenses for operating pedicabs in the town. In accordance to the by-law, the BOS shall set the approved rates, route and hours of operation after input from the town public safety and other departments, which would require a public hearing. Lampke is going to send a memo to the BOS regarding the routes and other factors in which the BOS will hold a public hearing addressing these issues. He will have this memo before the summer months begin. Reilly raised the issue of having the police and fire chief to speak at the next meeting for this request. Brannan addressed Lampke about a list of items Mr. Newell needs to bring to the BOS. Lampke replies by stating that Newell will be requested in advance as to the nature of pedicabs. The BOS will determine what the route will be and Newell will have to address these routes.

Robert Fultz, Director, Community Development & Planning – re: Mass Highway Project Need Form (PNF), George Washington Boulevard/Summer Street, Transportation Corridor Study

Fultz submitted to the BOS a memo regarding signatures needed for Joint Cover Letter with Hingham BOS, for Mass Highway Project Need Form, requesting funding for a Transportation Corridor Study of George Washington Boulevard/Rockland Street/Summer Street. Mary-Joe Perry of the Mass Highway District 5, sent a letter on this behalf attaching the PNF to the Mass Dept. of Transportation in an effort to seek funding for a transportation corridor study through the State Transportation Improvement Plan. Lemnios said that there is a bond bill that was established and the legislation will get an authorization. This particular piece of grant comes with recommended changes.

LICENSE

*Unanimously approved the license for the Knights of Columbus, 440 Nantasket Avenue – re: One Day All Alcohol for April 14, 2012 from 4-8 p.m. on a Motion made by **Olivieri**, seconded by **Sestito**.*

LICENSE RENEWAL

*Unanimously approved the application for renewal to John W. Koutroubis, dba Joseph's, 183A Nantasket Avenue – re: Common Victualer on a Motion made by **Richardson**, seconded by **Olivieri**.*

NEW BUSINESS

Lemnios announced that the MBTA that after many public hearings, they settled on raising general bus fares and ground transportation by 23% and the ferry rate by 35%. They shut down bus routes that didn't affect Hull bus routes. They terminated weekend service for the Greenbush line, as well as the ferry service. These rates were universal. The MBTA said that this is a one year fix and will meet next year to discuss a more sustainable system.

Lampke discussed the Water Rate Case/DPU cases. A decision was issued in the rate case. Also, there was another case decision that was issued on Friday that impacts the town. In 2009, there was a water main break on Rockland Street in Hingham and as a result, there was tremendous disruption and inconvenience to Hull residents, as it involved a main line coming into Hull. A number of residents petitioned the DPU for an investigation with how the company handled that matter. DPU accepted that petition and held a hearing. The decision issued on Friday and had an impact on the water rate case on a positive effect. The findings of the DPU from the 2009 rate case indicated that the DPU agreed with many assertions from the town. They agreed with the complaints about lack of sufficient flushing. DPU said that the commission would consider that issue in the rate case when it was deciding the equity on the rate case. Another issue raised was the water company's emergency response plan. DPU agreed with our objections with how the company was handling that issue. They ordered the company to revise the plan and order the company to share with the safety officials and to meet with them.

On the rate case, there were 10 months of investigation by the DPU and pre-hearing discovery. There was on public hearing in Hingham, (the last rate case hearing was in Hull. There were also several days of evidentiary hearings in Boston. Hull, Hingham and Oxford worked together to oppose the rate increase and Cohasset also helped in that regard financially. In the end, any decision granting a rate increase is not warranted, but the DPU always allows for some sort of increase in case expenses go up. The DPU took a much harder look at many of the factors. They don't agree with the town's position on many of these issues, yet they made a final decision on various points that was supportive of the town's positions. He said that it's about six dollars a month increase. Reilly says that we should have a letter to Senator Hedlund and Representative Bradley to urge them to continue with the Attorney General about these rates and long-term solutions. We have to keep the pressure on them and not wait till the last minute.

Brannan addressed Lemnios regarding Representative Donato further advancing a Bond Bill allocated with 200 million to roads and bridge repair to this state, the allocation was done on April 1st. Lemnios said that it is based on a number of road miles that are added. There is a formula based on these figures. Brannan said that we should reach out and try to get the 2M to repair the roads in need. Lemnios said that we are in the process of doing that. But that some roads may not qualify as they are not interconnected. It takes 4-8 years for a project to move from where you address the state and then you have to invest money in engineering and then re-submit to the state again. We follow that process constantly seeking the funds.

Sestito recognized the Hull Hero Committee and said it has voted for nominees for the Hull Hero Award. If anyone wishes to attend it is on April 26, 2012 at 7:30 p.m. in which selected Heroes will be honored at a "Celebration of Heroism."

Richardson spoke of the re-dedication of the Senior Center. Everyone is happy that the service center was allowed to continue. Thank you's were extended to Senator Hedlund and Representative Bradley for battling for the funds for this project. Many features of the facility have been upgraded.

Olivieri spoke of the neighboring streets and sidewalks looking well as far as the material pickup, sand/salt, etc.

Reilly commented about the need to move cars to other side of street to the other in terms of street cleaning to accommodate the appropriate scheduling times.

Brannan commented on the Parking committee, in particular the restricted parking issue. The Committee met and had another open session with 25 people present. The Chairman of the Committee asks that they would like to be on the agenda as soon as possible and ready to make recommendations about adding certain areas in town (*i.e.* Bay Street and Sagamore Hill) to the restricted parking program. The feedback has been more positive than negative. They would like to meet on the 23rd. Reilly said for Brannan to forward him an email regarding this issue for further research. Brannan said that he had done quite a bit of research on parking pay stations. He's hoping that there will be a recommendation going forward as to how many stations would be available.

Reilly addressed Lemnios of the Beach Fire open sign and to send a letter to Larry DeFranco regarding that issue.

Lemnios spoke of the Sand Piper Inn and the sudden deaths. He will ask the police chief to provide reports on the matter. He's been getting calls from the property manager and he wasn't too sure what the BOS wanted. Reilly said that it has been troubled property in the past. We do not have to approve it but to ask the manager as to what is taken place in that area. It comes down to the screening process of tenants.

Reilly announces that the next Selectmen meeting will be held on **April 10, 2012**.

Motion – Reilly sought a motion, which Olivieri made to motion to go forward to executive session

. _____ **To discuss strategy with respect to collective bargaining or litigation and that Reilly as Chair declares that an open meeting may have a detrimental effect on the litigating position of the public body**

. _____ **To comply with the provisions of a general or special law, here the Attorney-Client Privilege**

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

and not to reconvene into open session.

Motion - Reilly seeks a motion to go forward to executive session. Not reconvening into open session.

Second - Richardson

Roll Call Vote: Aye, Olivieri, Aye, Brannan, Aye, Reilly, Aye, Richardson, Aye, Sestito.

Executive Session topics are as follows:

A.) Decision of Zoning Appeal Case

B.) Code/Rule Enforcement Case

The Board moved into executive session at 10:32 p.m. and thereafter adjourned.

Respectfully submitted,

APPROVED - September 4, 2012