

Hull Board of Selectmen

Minutes

April 24, 2012

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, April 24, 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, Members. Also present were: Philip E. Lemnios, Town Manager, James Lampke, Town Counsel and Karen Morgan, Recording Secretary.

APPOINTMENTS

8:15 p.m. – The Red Parrot – re: Show Cause Hearing (Rescheduled to May 1, 2012)

7:30 p.m. – John Coggins – re: Memorial Day Veteran’s dedications

Coggins addressed the Board of Selectmen (hereinafter “BOS”) regarding the Memorial Day Veteran’s Dedication. He would like to have plaques dedicated with the names and dates served of three individuals that deserve recognition: Robert Cone, Robert Galluzo and John Finneran. Reilly asked Coggins to give the details to Lemnios regarding this.

Motion - Olivieri: Motion to dedicate the Memorial Day Veteran’s Dedication as requested on the corner of Glenn Ave and Nantasket Avenue for Corporal Robert S. Cone, on the corner of Newport Road and Brockton Circle for Corporal Robert Galluzo and on the corner of School Street and Atlantic Avenue for Corp. Finneran.

Second - Sestito

Vote - Unanimous in favor

Reilly announced that these dedications will take place at 7:30 on Memorial Day.

Concluded: 7:35 p.m.

7:35 p.m. – Stephen Avakian – Applicant for Capital Planning Committee

Reilly said that the Board will not be making any appointments this evening as the other applicants will meet next week. He further said that this is a new committee that is just beginning. This will involve short term and long term capital needs of the town and making a plan on how to prioritize those needs and projects.

Avakian said that he lived in Hull for 35 years. He served on the school committee for a number of years and spent time with building projects, learning a lot during those years. He would like to bring this

experience to the future of Hull whether it's short or long term depending on the Town's needs. He developed over the course of 30 years strategies in approaching town issues.

Concluded: 7:45 p.m.

Reilly read a notice from Joyce Sullivan, Public Health Director. There will be information session on May 7, 2012, 6:00 p.m. at the Hull High School, Second Floor Exhibition Room for information regarding veteran services, community outreach, and elder services. People are asked that if they are seeking those services to stop by the informational tables.

Three citizen petitions for Town meeting:

7:45 p.m. - Article 30 (Amend. Cert. of Occupancy Bylaw)

Lemnios addressed the audience about the Town having years ago amended a by-law that requires all residential units to be inspected on an annual basis. Last year's Town meeting created a Revolving Fund in order to pay for the inspections that would help increase the annual inspection fee by \$60 per unit per year. One of the things that was realized, we needed accurate description of rental units to try to create a master list of each. The purpose of the inspections is to ensure that the tenants are living in a safe environment that is up to code and it's compliant with building codes.

Health Director Joyce Sullivan addressed the BOS by stating that the by-law has been in place for a long time. It has always been an annual procedure. We have a computerized database to send when they expire. Sullivan at this point passes out various pictures to the BOS of non-functioning detectors, faulty appliances/electric work, blocked entrances, paint peeling, water issues, etc. This program provides tenants and landlords with adequate safe housing. We give people a limited time to make corrections and we then do a re-inspection.

Concluded: 7:55 p.m.

7:55 p.m. - Article 31 (Transfer Certain Property)

Randall Parrott, 1118 Nantasket Avenue spoke on Article 31 in which to see if the Town will, if necessary, transfer from one department to the BOS the care, custody and control of certain property and vote to authorize the BOS on such terms as it deems in the best interests of the Town to sell or convey 735 s.f. of the parcel on the north, waterside of Nantasket Avenue, identified as town Assessors Maps as parcel 07-057 being that portion of Town of Hull property across Nantasket Avenue from the main Wastewater Treatment Plant parcel. This will allow for him to meet the set-backs and lot coverage on an expansion he is planning on doing at his house. The additional extension will still stay within the original property line.

Reilly asked that he put some flags on the property so it's visible. For the next town meeting, it would be helpful to have an estimate of what the property is worth. Lemnios said that the BOS needs to give Parrott permission to place flags on the property.

Motion - Olivieri: Motion to the BOS to allow Mr. Parrott the transfer of certain property in question, a week before Town meeting.

Second - Sestito

Vote - Unanimous in favor

Concluded: 8:05 p.m.

8:05 p.m. - Article 32 (Jpods)

Judith VanHamm addresses the BOS to see if the Town will vote to instruct the BOS to enter into a 20 year concession contract to grant non-exclusive access for Town of Hull rights-of-way to, in Article A – South Shore Mobility, Inc., in Article B – A transportation systems provider to connect Nantasket Junction to Pemberton Point and in Article C – A transportation systems provider to connect Nantasket Junction to Nantasket Beach. It has two Parts. Part 1 – to request the BOS to conduct surveys and hold public meetings within six months. Part 2 – To see if the Town of Hull will vote to authorize the BOS to negotiate a 30 year agreement to grant non-exclusive access for Town of Hull rights of way and related Town-owned land to the South Shore Mobility Inc. to provide transport.

VanHamm has been working for over 10 years on transportation for the Town of Hull. This can lead the world to the 21st century as a new form of transportation. It's really important for everyone to work and move along together. Van Hamm asks the BOS to hold a series of meetings that would invite the South Shore Mobility and other transportation providers to come to them and review the components and routes. Also to work on negotiating an agreement with the South Shore Mobility if by some chance if there is a majority already to go forward. It's a transportation that is privately funded, it moves on 120 per gallons, 5% of the gross revenue would go to the Town of Hull, it meets the American standards for testing materials, licensed by the state public safety division, as well as being solar powered. This will replace buses and the MBTA.

Lemnios addressed VanHamm about the performance standards in the article for the South Shore Mobility. VanHamm said that these are generalized performance standards. These are not designed for Jpods. Lemnios further asked VanHamm if she'll be prepared for town meetings with some type of standards for a public transportation system. She said she'll have those documents prepared for him; she then goes on to say that she will give a result about the fatalities of traffic accidents. Lemnios questioned about Point 4, if Jpods is approved for use in the U.S. VanHamm replied by saying that we have standards for accidents. She disagreed with what Point 4 is reading. She said it's about traffic safety. Her architect said that there is a difference between national standards, public safety standards, airline, rail road standards, they would have to be required to be licensed by the Dept. of Public Safety and there are already standards for these things, *e.g.*, the monorail in Disney. A lot of standards can be applied and have to be met or we couldn't be insured. This will not be a burden to ground transportation as it will be in the air.

Olivieri asks Lampke about the handouts tonight. VanHamm said that she made some changes. Lampke said that it's not being changed in the warrants, which are already signed. Lemnios said that the moderator can make a decision to rule this out. Olivieri then said that as Article 32 reads in the warrant, the town will vote to instruct the BOS to enter a 20 year concession contract to a private company and if that should pass at a Town Meeting. Lampke said that the Board would not be compelled to take action; the town meeting cannot make the BOS to do certain things. Olivieri asked VanHamm if she can get together her own committee and achieve all the points for Part 1 and why she didn't take that avenue. VanHamm said that she believes in town meetings and people working together, it's a public corporation but it's more than that. It seems appropriate to have people working together with the beginning of a process. He said that it would be helpful to have more information about South Shore Mobility at the next town meeting.

John Donahue spoke to the audience that this is the first he hears that it's an amusement ride and if it's covered by safety standards. It will be erected on private property which will affect property values. He wants to know about the stipulations and the public safety. He thinks that this is ridiculous.

Genevieve Sartell said that with the wind speed at any given time, this contraption will be off line more than on line. Wind, salt, water, who is going to maintain that 10 years down the road, the Town will have to pick up the tab, *e.g.*, the tax payers will have to pick up the tab. This is a 4 man Jpod, she doesn't think that this will work, this is not the way to go, and why hasn't anyone done this in the past. This is not the place for this. VanHamm said that this is a pattern of something new. It has been engineered to operate up to 45 mph. She'll get some more information this coming year to find out more.

Rhoda Kanet says that regarding Part 1, that all the questions that people are asking, needs to be answered. We need to set up meetings so the public can ask questions about the designs, routes, etc. At the end, to make it clear that the public may not want it, but the part that is most significant is Part 1, everything else is premature.

Patrick Finn said that he agrees with what Kanet said. Explaining Part 1 is important with what they are trying to do at State level. Part 1 everyone should support whether they are in favor of it going through Hull or not and that the BOS should support it as well.

Donahue said that it should be built on private property and then come back to us with the standards.

VanHamm said that she is happy that it has got this far and appreciate it the BOS's interest in it

Concluded: 9:05 p.m.

At this point there is a 5 minute recess and resume thereafter.

LICENSES

*Unanimously approved the license for the Knights of Columbus, 440 Nantasket Avenue – re: One Day All Alcohol for May 5, 2012 from 7 p.m. – 12 midnight on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for the Knights of Columbus, 440 Nantasket Avenue – re: One Day All Alcohol for June 9, 2012 from 7 p.m. – 12 midnight on a Motion made by **Richardson**, seconded by **Sestito**.*

*Unanimously approved the license for the Friends of Paragon Carousel, 205 Nantasket Avenue – re: One Day All Alcohol for May 4, 2012 from 7 p.m. – 11 p.m. on a Motion made by **Olivieri**, seconded by **Richardson**.*

LICENSE RENEWALS

*Unanimously approved the application for renewal to the Sunset Bay Marina, LLC, Robert Folsom, Mgr., 2 A Street. (A) Common Victualer (B) All Alcoholic (seasonal) as a Restaurant (C) Entertainment – DJ, Karaoke, Live on a Motion made by **Olivieri**, seconded by **Richardson**.*

*Unanimously approved the application for renewal to the Hull's Kitchen, Jeffrey Wicks, Mgr., 19 Hull Shore Drive. (A) Common Victualer (B) All Alcoholic (seasonal) as a Restaurant (C) Entertainment – Guitar on a Motion made by **Olivieri**, seconded by **Sestito**.*

Town Manager

Police Chief Billings – re: Public Auction – Disposition of Surplus Property

On April 10, 2012 Chief Billings addressed the BOS about the lack of storage space at the Police Department and requested the BOS to authorize this Department to sell at public auction one surplus Ford Crown Victoria and Ford Explorer presently in possession of this department. These vehicles are not in running condition.

Motion - Olivieri: Motion to declare the 2006 Ford Crown Victoria
VIN # 2FAFP71W46X122216, Mileage 122,532 as
surplus and B/W 2002 Ford Explorer
VIN # 1FMZU72E32UB56120, Mileage 104,279 as
surplus

Second - Richardson

Vote - Unanimous in favor

Stop Signs on Kingsley Road

Lemnios said that we contacted Mass Highway and got approval to utilize Chapter 90 funds to do the traffic engineering. They are requiring us to use the traffic engineering and they contacted three groups. They will be looking at the intersection on Kingsley Road and Nantasket Road, Kingsley Road and Kenberma and Kingsley Road and Revere. This is one complete stretch; we have also asked them in addition, giving the proximity that they look at the intersection of the city as well. If you are going to put stop signs and cross walks, to look at the entire area. The proposed approach by the three firms is similar with their recommendations as well. You need a traffic/parking plan that has been done by a qualified engineering firm.

Correspondence

Read aloud by Richardson correspondence regarding Joseph Agostino – re: Request to Amend Common Victualer License. To have an outside patio at 245 Nantasket Ave., there will be no alcohol served.

Motion - Reilly: Motion to amend common Victualer License

Second - Sestito

Abstain - Olivieri Wife is an employee of that establishment

Vote - Unanimous in favor

Read aloud by Richardson correspondence regarding Dr. Andrea Wuotila and Dr. Todd Zuelzke re: Request to hold a wedding ceremony on the A Street beach on August 18, 2012, 70 people in attendance.

Lemnios doesn't know what side of the beach that this is on. Lemnios said that he will contact the applicant and find out more of the particulars.

Read aloud by Richardson correspondence regarding Rocky Tenaglia re: Resignation from Hull Retirement Board.

Reilly said that he will have a letter to thank him with his years of service and accept his resignation with regret.

Read aloud by Richardson correspondence regarding Chief Billings – re – Restricted parking fine. To increase the parking fine from \$40 to \$50.

Reilly asked the BOS to see if they wanted to take this action this meeting or the next. Sestito says to wait till next BOS meeting.

Read aloud by Richardson correspondence regarding Chief Billings – re – 165 Nantasket Avenue. For the opinion to the issuance of a lodging house for 165 Nantasket Avenue. To have a resident manager on

the premises at all times.

Reilly said that we talked about this a year ago and a few months ago. He agrees with the support with the chief's recommendations for an in-house manager.

ELECTION WARRANTS

Reilly discussed the Election Warrants for the election will take place at the Memorial Middle School on Monday, May 21, 2012 at 7:00 a.m.

Motion - Richardson: Motion to approve the election warrants

Second - Olivieri

Vote - Unanimous in favor

MINUTES

Motion - Olivieri: Motion to approve the March 20, 2012 minutes

Second - Sestito

Abstain - Reilly Not present at this particular meeting

Vote - Unanimous in favor

NEW BUSINESS

Reilly spoke to Lemnios regarding a recent *Boston Globe* article with an accusation of counting issues with state grants being allocated. Lemnios said that the allegations are unfounded and not sure how people came to those conclusions. The grants are received is that you get a notification, you enter into a contract to accept the grant and then the Dept of Revenue then allows you to spend the funds for reimbursement. There is no merit to this article and not an appropriate allegation. Reilly says that the town can't make any formal statements as its still in litigation.

Reilly spoke of contacting the owner of Beach Fire and he received his liquor license. Reilly stated that in a few moments, he will entertain a motion to go into Executive Session to discuss some issues regarding the Beach Fire establishment.

Sestito wanted to congratulate all the Hull Heroes, there will be a celebration at the Red Parrot, April 26th at 7:30 p.m. All are invited.

Reilly read an article from Nancy Kramer about a film being shown at the Temple by Peter Pike called – Carbon Nation – A Climate Change Solution. This will be on April 30th at 6:00 p.m.

Kanet said that on May 16, 2012 at 7:00 p.m. is Candidates Night will take place at the Temple. All are welcome.

Reilly asked about beach traffic. Lemnios says that there is not much to do. A lot of people are frustrated as we had warm weather recently and earlier than usual. We didn't contemplate having such traffic issues in April. There will be a meeting with the police chief to discuss these issues soon.

The Selectmen meeting adjourned at 9:52 p.m.

- A) Motion - Olivieri makes to motion to go forward to executive session to discuss strategy with respect to litigation and not re-Convening into open session.

Second – Sestito

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

Executive Session topics are as follows:

- B) Code and Regulation Enforcement specifically regarding Beach Fire and Red Parrot

The Board moved into executive session at 9:52 p.m. and thereafter adjourned.

Respectfully submitted

Karen Morgan

Approved

September 4, 2012