

## **Hull Board of Selectmen**

### **Minutes**

**May 1, 2012**

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, May 1, 2012 at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

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

### **APPOINTMENTS**

**7:30 p.m. – Stanley J. Benulis – Applicant for Capital Planning Committee (Not Present)**

**7:40 p.m. – Karis L. North – Applicant for Capital Planning Committee (Not Present)**

**(Originally scheduled for 7:45 p.m., now starting at 7:30 p.m.)**

**–Dr. John A. Silva – Applicant for Capital Planning Committee**

Silva would like to be considered as an applicant because he is interested in town government and serving. He has been a member of the School Committee and a Member of the Board of Selectmen (hereinafter “BOS”) for many years.

Olivieri is familiar with Silva as he served on the Board with him in the past.

Brannan asks Silva about the end goal of the committee. Silva replies by addressing the infrastructure of the town and building maintenance. The importance of setting priorities, time tables and financial planning was emphasized.

**7:35 p.m. – Dennis R. Blackall – Applicant for Capital Planning Committee**

Blackall would like to be considered as an applicant because he has been a member of the BOS for 3 years, also a member of the Financial Planning Committee, as well as being vice chair of that committee. Capital planning is a significant component with the budgeting process. He has worked on both sides of capital planning both in implementation and function in the private sectors where he has been responsible for submitting and executing capital plans.

Brannan asks Blackall if he sees the importance of the creative side as opposed to the numbers side. Blackall replies by saying that the numbers side is an important attribute to the creative side. Brannan asks Blackall what are the top three items that he plans to attack with. Blackall replies by saying: scope of responsibility as to what is expected, put together a plan how tasks will be accomplished, and to establish scope and to implement changes along the way.

### **7:50 p.m. – Frank J. Parker – Applicant for Capital Planning Committee**

Parker said that he teaches real estate at Boston College. He has voted in Hull since 1962. He has served on the Conversation Commission of this town as well as the Planning Board. He has expertise in capital planning. He feels that we should start talking about what are the conditions of buildings, particular the Town Hall. He feels that you need a nice looking structure for a Town Hall to conduct business. He was the first American consultant in Bermuda in closing the US Navy Base in '95. He advised the government for two years with that project. He was chairman of the Finance Committee in Denver. He was also chairman of the School Committee in Arlington.

Brannan wanted to know if he is looking into this as a creative project or educational opportunity.

Parker said that he tries to use any real estate experience to use in classes.

Reilly said that he has no problem with appointing the applicants.

Brannan said that when a committee get too big, sometimes they become cumbersome and more political than productive and he doesn't think with the quality of the people here that it would cause any problems.

Motion -	Richardson	Motion to appoint Frank J. Parker, John A. Silva, Karis L. North, Dennis R. Blackall, Charleen Tyson, and Stephen Avakian to the Capital Planning Committee
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Second -	Sestito
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Vote -	Unanimous in favor
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Motion -	Olivieri:	Motion to make the position of member a Special Municipal Employee position
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Second -	Richardson
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Vote -	Unanimous in favor
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### **8:00 p.m. – Police Chief Billings re: Increase Fine in Restricted Parking Areas**

Reilly said that the BOS needed more time to look the document and have a discussion with Chief Billings. In Billings' letter to the BOS on 4/10/12 he recommended raising the fines of \$40 to \$50. The BOS was in agreement with Billings' recommendations. See below for more information on this matter.

### **8:20 p.m. – The Red Parrot – re: Violation**

Reilly announces that this is a public hearing for The Red Parrot. At this time the licensees are sworn in.

Lampke begins by saying that this is a show cause hearing relative to the Red Parrot regarding an incident that occurred there. The Chief will present more on the information pertaining to this case and has a recommendation for subject of approval. The policy is that the BOS affords the licensee the opportunity to meet with the Chief and Town Counsel to review the matter and see if there are matters that can be agreed to. This has a benefit to both the licensee and the Town as it resolves issues without the need of a protracted hearing. The purpose of this policy will work very effectively. The BOS has the final say on any matters. Licensees have the right to not go along with that policy.

Billings spoke of the summary of the event in question with summarizing the violations. There is an agreement that has been reached. The original occurrence took place on 3/20/10. There were some conflicts with the schedule of the licensee's attorney in the past and that is why it is being heard now. The first specification was the date and time when this disturbance happened in which there was a physical altercation between Peter Oncano (sp?) and a Joseph DiMarzio within the licensed premises. It was referred to the Hull Police Department. The violation occurred with the manager not conveying the information correctly to the Hull Police Department as to the specific location where the incident took place. There also appears to be no proper posting in specific areas for employees to see the proper information about rules and regulations.

Billings then goes on to say on 3/20/10 from reading from the report, a call was made by Bea D'Angelo that she needed someone to respond to an incident outside. This was a verbal incident and then the physical altercation began. On 3/24, there was a conversation with D'Angelo with the Hull Police Dept. that the altercation occurred inside the premises. She was inside the office when the altercation transpired and she was aware of the problem when the music came to a halt. It bothered her that she didn't call to update with the information but felt it was too late and didn't want to bother with the police. She said that there was an altercation between three people on the dance floor that evening in question, one being not a regular patron of the bar. She observed no injuries to the patrons at that time. She felt intimidated by DiMarzio to not to call the police with the correct information. She knew she needed to make the call with the correct information. There was an agreement discussed.

Lemnios said that the agreement was a three day suspension of all alcohol beverages of the establishment. There was an earlier tentative agreement whereby the licensee would reimburse the Town for the costs of the investigation, and other sanctions, but the ABCC said that it was not allowed as only it can impose monetary fines and there came to further negotiations. The licensee is in agreement with the suspension.

Gregory Sullivan, Esq., representing Red Parrot Inc. says that his client agrees to accept this suspension. His client made great efforts immediately after this incident to make sure that all employees understood fully their obligation when any violation or disturbances occurs. They also posted the regulations. They complied in every way. It was his pleasure to represent these clients almost 19 years ago when they got their license and feels that they did a great job with operation the establishment as well as contributing to the town as a whole. His client acknowledges that she should have corrected the information with the true facts. Sullivan does ask the BOS to adopt for three day suspension to begin serving on May 2 and two days thereafter. This suspension will not take effect with any private functions that will take

place. The restaurant will be open to the public for food, not liquor, only liquor served at the private function.

Motion -       Olivieri:               Three day alcohol suspension from May 2, 2012 at 12:01 a.m. to May 5, 2012 at 8:00 a.m., not to apply to the function already in place.

Second -       Richardson

Vote -           Unanimous in favor

Motion -       Olivieri:               Have a copy of the local liquor by-laws and state laws be given to owners/managers that they sign off and review the liquor by-laws

Second -       Richardson

Vote -           Unanimous in favor

#### **9:20 p.m. - The Parking Committee – re: Update**

Robert DeCoste, Parking Committee Chair presented the Parking Committee Recommendations for the BOS to approve upon. He said that there is no rush in taken care of this, he rather make it right the first time and not rushing into something.

Motion -       Richardson:           Motion to increase the parking ticket fee for restricted parking violations from \$40.00 to \$50.00 to take effect June 18, 2012.

Second -       Sestito

Vote -           Unanimous in favor

Motion -       Richardson:           Motion for violators to be subjected to an additional ticket every 4 hours within the restricted/residential areas, all additional violations will remain in place.

Second -       Brannan

Vote -           4-1                       Nay Vote for Sestito

Motion passed

Motion -       Richardson:           Motion to make the lot at the corner of N Street and Nantasket Avenue municipal parking only from 8:00 a.m. to 5:00 p.m. Employees of the Park and Recreation summer program will be given employee passes if needed.

Second - Sestito

Vote - Unanimous in favor

Brannan presents to the BOS and audience a slideshow presentation of the Sagamore Hill & Bay Street Parking Discussion. The goal is to create a more complete parking program for the Town of Hull that enhances the quality of life, overall understanding of the program guidelines and creating a safer, less congested environment. Tonight's objective is to implement a plan for discussion for the Summer of 2012. He feels that this is a good program, not a perfect program. A resident of 21 Hillside Road from the audience speaks of people parking anywhere they want and there is no parking when she comes home.

Lemnios said that this creates a dramatic change and appreciates the input from residents. He said that it might be good to put the plan in effect on a one year basis and order signs that we can create or go over with or have temporary signs. At the end of the season, ask people what they thought of the experience.

Sestito said that wanted to thank the committee, as this is a very sensitive topic. He liked the idea of the trial basis but has concerns of the uniqueness of the restricted areas. He would be willing to go forward with the restriction of Sagamore for the one year basis.

Reilly said that his only concern is with Bay Street. It is one thing when people have to play nice but it is hard to park in front of neighbors, especially when they think it is their right to park in front of their homes. Brannan said that with nothing down, it is a free for all. DeCoste said that what is happening in the summer as Bay Street is a nightmare as he heard from the residents. The only vehicles that can park on Bay Street are those that live on Bay Street. He asks Lemnios to contact the chairman of the HRA for further details about their parking lot before going forward.

#### **9:21 p.m. – Retirement Board – re: Appointment**

Reilly spoke of Rocky Tenaglia's resignation from Hull Retirement Board. He had discussion with him and said that he would be interested in being appointed to that position again in the future.

Motion - Olivieri : To send Tenaglia a thank you letter for his service on the Hull Retirement Board

Second - Richardson

Vote - Unanimous in favor

#### **LICENSE RENEWALS**

*Unanimously approved the application for renewal to Bartley Kelly, dba Fascination, 189C Nantasket Avenue – Fascination Game of Chance/Skill on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the application for renewal to the Dream Machine, 197 Nantasket Avenue, Rick Lawrence, Manager, Automatic Amusement Device on a Motion made by **Olivieri**, seconded by **Sestito**.*

#### **LICENSES**

*Unanimously approved the license for the Knights of Columbus, 440 Nantasket Avenue – re: One Day All Alcohol for May 3, 2012 from 12 Noon to 5 p.m. on a Motion made by **Richardson**, seconded by **Olivieri**.*

*Unanimously approved the license for Henry J. Dunn dba Dunn Rite Parking – Parking for 900 cars at HRA lot- RENEWAL, NEW OPERATOR on a Motion made by **Olivieri**, seconded by **Sestito**.*

#### **Town Manager**

*Joseph Stigliani, DPW Director - re: Surplus Vehicles*

Lemnios read from the memo dated 4/3/12 from Stigliani to Lemnios for two vehicles to be declared as surplus: 2006 Crown Victoria Sedan VIN #2FAFP71W26X108346 and 1997 Dodge Ram Wheel Chair Van VIN #2B7KB31ZXVK595012.

Motion - Olivieri : Declare 2006 Crown Victoria Sedan VIN #2FAFP71W26X108346 and 1997 Dodge Ram Wheel Chair Van VIN #2B7KB31ZXVK595012 as surplus

Second - Sestito

Vote - Unanimous in favor

*Fire Chief Hollingshead – re: Surplus Vehicle*

Lemnios read from the memo dated 4/30/12 from Hollingshead to Lemnios for one vehicle to be declared as surplus: 1997 Ford Expedition VIN #1FM018L1VLC31977.

Motion - Richardson: Authorize the transfer from the Hull Fire Dept. transferring title and cancelling license of 1997 Ford Expedition VIN #1FM018L1VLC31977

Second - Olivieri

Vote - Unanimous in favor

*Parking at Nantasket Avenue and Hadassah Way-*

Lemnios read from a letter from Building Commissioner Peter Lombardo that he will be reviewing the issue of whether parking is permitted at Nantasket Ave. and Hadassah Way He will be submitting his findings. If people are not happy with the Building Commissioner's decision, they can appeal it with the ZBA.

Charles Schafer from the audience asked that if the Temple would want a parking lot, would they need a permit and if so, the Board should have a posted public hearing with all the abutters. Lampke said that

it is they would need a parking permit from the BOS. Reilly said that if there is a request for a permit it will be on the agenda in advance.

### **Correspondence**

Read aloud by Richardson correspondence regarding Hull Boosters – re: Beach Race/Walk Event. John Johnson sent information about the Hull Boosters to have a 4 mile beach walk/run on August 2, 2012 at 6:00 p.m. They anticipate 200-300 runners.

Motion - Olivieri: Motion to approve with notification to public safety for the Beach Race/Walk Event

Second - Richardson

Vote - Unanimous in favor

### **NEW BUSINESS**

**Sestito** would like to congratulate the new member from the Hull Heroes Award and to thank the Hull Hero Committee.

**Brannan** says that a week from yesterday is the first night of the town meeting and would ask if anyone who is listening to attend.

**Reilly** reads from an updated memo from Judeth VanHamm that she submitted to the BOS and update to Article 32 in case the BOS is taking a vote on it this evening.

**Olivieri** said that due to work obligations he would like to resign from the Zoning By Law Study Committee meetings and asked if anyone from the BOS would like to be part of it.

**Reilly** said that the next t\Town Meeting with be 7:30 p.m. May 7, 2012.

Motion - Olivieri makes to motion to adjourn. Not convening into executive session.

Second – Richardson

Vote – Unanimous in favor.

**The Selectmen meeting adjourned at 11:00 p.m.**

Respectfully submitted,

Karen Morgan

Recording Secretary

Approved

September 4, 2012