

## Hull Board of Selectmen

### Minutes

March 4, 2014

A dual meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, March 4, 2014 at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

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

Absent: John D. Reilly, Jr. Member.

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The Board held a moment of silence in the memory of Josephine Godek, who was the former Treasurer-Collector for the Town of Hull and also, for Joyce Saunders, wife of retired Police Officer David Saunders.

#### **7:30 p.m. Senator Hedlund and Representative Bradley – re: Update**

*Senator Hedlund and Representative Bradley addressed the BOS about the proposed Legislative and Budget Update. The topics include the following:*

#### Governor's Fiscal Year 2015 Budget

On January 22, 2014 Governor Patrick filed his FY 2015 budget recommendation. It proposes \$36.4 billion in state spending, a 4.9 percent increase over the current budget. The budget would use \$175 million in stabilization funds, which will leave \$1.2 billion in the Rainy Day fund at the end of FY 2015. The House Committee on Ways and Means will release its own version of the state budget, with debate following in April.

Local Aid — The Governor's budget proposes more than \$5.6 billion for local aid, a \$100 million increase over current spending levels, and includes all fauns of local aid. House Speaker Robert DeLeo has pledged to increase local aid above the level proposed by Governor Patrick. On January 24, Speaker DeLeo told mayors, selectmen and town managers at a Massachusetts Municipal Association meeting, "While sources may remain scarce, the House I'm proud to say has always been a champion of local aid.

Unrestricted General Government Aid (UGGA) would be funded at \$920 million, the same amount and same distribution provided for in the FY 2014 budget.

Chapter 70 Aid — Under the Governor's plan, education aid would be funded at \$4.4 billion, which represents an increase over the current year's budget and would be the highest level of Chapter 70 aid in the state's history. This guarantees that all school districts will maintain "foundation" level school spending and ensures that all school districts receive equal or greater funding than in FY 2014.

## Governor's Budget Local Aid Proposal for Hull

Town	Chapter 70	Change from FY 2014	General Gov't Aid	Change from FY2014
Hull	\$3,708,196	\$26,350 (-1%)	\$1,834,874	Level-funded

### Legislation

**H.1218** - An Act increasing the penalty for assault and battery to certain public safety officers - increases penalties for assaulting a police officer, firefighter, emergency medical technician or other public employees who are engaged in the performance of their duties.

Rationale for bill: Credit unions consistently receive requests from municipalities to accept their deposits, and unions have a larger depository base.

**11.1097** - Relative to the Designation of Rental Housing - Directs Department of Housing and Community Development to qualify certain housing as rental housing. Housing will be designated as rental if the title does not pass to the resident. If title passes to the resident, it is home ownership housing. DHCD would credit a city or town with the appropriate number of affordable housing units based on the designation of rental or home ownership housing.

### **8:20 p.m. Chief Hollingshead and Deputy Chief Russo – re: Code Red Presentation [Rescheduled]**

*Lemnios briefly updated the BOS that the Town is going to use the Code Red system to have any public announcement in this Town, emergency message, etc. to utilize the telephone numbers of those who registered for the program. One can find more information about this program or to register their phone number on the Town's website.*

### **8:26 p.m. Paul Dunphy – re: Applicant for War Memorial Commission**

*Mr. Dunphy introduced himself and spoke of his experience. Another meeting will be scheduled to interview another applicant before the appointment is made. The Board expressed its appreciation to Mr. Dunphy for his service to the Town and country.*

## **OLD BUSINESS**

### **Update on Transient Rental Bylaw**

*Lemnios spoke of the joint meeting on February 18, 2014 regarding a discussion of the transient rental bylaws. A listing of items was made from the comments at the public meetings for consideration, such as owner occupied numbers, number of rentals, etc.). On February 18<sup>th</sup>, the Boards of Selectmen, Planning Board and Board of Health had a public meeting. The Planning Board held another public meeting on February 19<sup>th</sup> and also on February 26<sup>th</sup>. No members of the public were present at the meeting on the 26<sup>th</sup>, a few people at the meeting on the 19<sup>th</sup> and many people at the meeting on the 18<sup>th</sup>. Lemnios recommended for the BOS to discuss this further in a separate meeting. Richardson spoke of holding a meeting on March 11<sup>th</sup> to discuss this further and to have a final version in place so the*

*Planning Board can begin their formal process.*

*Questions from the audience:*

**Q.** *Mark Gladstone, 117 Beach Avenue – Has the original proposed bylaw changed in anyway?*

**A.** *Lampke – said he made some changes to the version that was circulating, trying to incorporate some comments from the AG's office informal review and comments from the public meetings, as well as staff suggestions. There is a new draft that is being circulated. It has not been approved by the BOS and it is a working document.*

**Q.** *Gladstone – Has the Zoning Board or the Planning By-Law Committee come up with a formal recommendation?*

**A.** *Joseph Duffy, Planning Board – said that there is nNothing formal yet from the Planning Board, which has had 2 meetings and discussed a lot of issues*

**Q.** *Charlene Curry and John Goodspeedowners of 40 Gunrock Ave. –asked how all of this came about because no one ever notified her family (they live out of Town) and just found out about this a week and a half ago. She expressed concern about the impact of the proposed law. He wanted to know what the law was in terms of seasonal rentals.*  
**A.** *Lemnios – said the issue arose in past zoning cases that went on through Sept/Oct of 2013. Information has been in the local and regional press. Non-voters can attend Town meetings- theyjust cannot vote.*

*Often times issues arise that require that illuminate new avenues of the law or new issues on the zoning by-law that comes for the Town to react to it. This is not a simple issue and has a lot of complexities.*

*Lampke – Explained that the current bylaw does not permit transient rentals and that the Town has determined that transient rentals means 30 days or less. The building commissioner made the ultimate enforcement but he did it with consultation from other people as to what the law is.*

**Q.** *Meg Castro, 8 Arthur Street, Boston, MA – Her family owns a house on Arthur Street which they rent out. She expressed concern about not knowing of this issue.*  
**A.** *Brannan – Suggested to her and others that if they have property here in Hull, especially if they are renting it out, that they should keep themselves informed of local issues that may affect their property. It is incumbent on them to keep informed.*  
**Q.** *Debrah Gladstone, 117 Beach Avenue – asked about whether all zoning residential districts are treated the same and whether if it is passed it will be applied uniformly.*

**A.** *Lampke – Explained that it depends on how the ultimate bylaw is voted upon. It can differentiate between the.*

**AT THIS POINT, THERE IS A FIVE-MINUTE RECESS**

**CORRESPONDENCE**

**Read aloud by Richardson correspondence from Hull Chamber of Commerce – re: Stem to Stern Yard Sale Day – 9/6/14**

*In an email from Hull Nantasket Chamber of Commerce to Bennett dated February 25, 2014, Flint requested September 6, 2014 for the Stem to Stern Yard Sale Day.*

Motion - Olivieri To approve the Stem to Stern Yard Sale date waiving the permit fees.  
Second - Sestito  
Vote - Unanimous in favor

**Read aloud by Richardson correspondence from Hull Contributory Board – re: COLA increase**

*In a letter from L. Durham (Retirement Administrator) to J. Connarton (Public Employee Retirement Administration Commission) dated February 26, 2014, she reported on the Hull Retirement Board voting unanimously at the February 26, 2014 Board Meeting to grant a 3% COLA increase effective July 1, 2014.*

**LICENSE RENEWAL**

*Unanimously approved the license for David Fisher, 41 Point Allerton Avenue – Livery License on a Motion made by **Sestito**, seconded by **Olivieri**.*

**OTHER BUSINESS**

Richardson asking about the upcoming rate increases. Lemnios answered that there is no set standard of policy about rate increase. There was issue in the *Hull Times*. There will be a more in depth discussion on sewer plants or parking issues at Town Meeting relative to Budget FY15. A discussion with the Advisory Board was discussed at length about the issues.

Sestito spoke of the Hull Hero Award and nomination papers are now available at the Town Hall, library and website.

R. Kanet announced that the annual beach grass planting to take place on Saturday, March 29<sup>th</sup> at 9:00 a.m. with registration between 9:00 and 9:30 a.m. on the corner of A and Beach Avenue. Anyone interested in helping to please let the Beach Management know in advance.

Richardson announced that the next BOS meeting will take place on Tuesday, March 11, 2014.

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Richardson requested a Motion to move to Executive Session to discuss strategy with respect to litigation and that I, as Chair, declare that an open meeting may have a detrimental effect on the litigating position of the body; and also to consider the purchase, exchange, lease or value of real property and that I, as Chair may have a detrimental effect on the litigation position of the body, to

comply with or act to the authority of the Attorney-Client Privilege, to consult with legal counsel or obtain legal advice pursuant to the Attorney-Client Privilege and will not be reconvening into open session.

Motion-           Olivieri, so moved

Second:           Sestito

Vote:              By roll call vote, Aye, Olivieri, Aye Richardson, Aye, Sestito, Aye Brannan unanimous in favor.

The following subject will be discussed during Executive Session:

1. DCR property and Cope-Allen Claims

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**The Selectmen moved to Executive Session at 9:42 p.m. and will be not be reconvening into open session.**

*Recorded by Karen Morgan*

Approved by

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The following documents were included in the Board of Selectmen's packets or were presented during the meeting and are available in the Board of Selectmen's Office upon request:

1. Agenda for the March 4, 2014 Meeting
2. Rep. Garrett Bradley's Report to the BOS
3. Legislative and Budget Update by Hedlund
4. Email from Hull Nantasket Chamber of Commerce to Bennett dated February 25, 2014 re: Stem to Stern Yard Sale – 9/6/14
5. Letter from Durham to Connarton of the Public Employee Retirement Administration Commission dated February 26, 2014 re: COLA increase
6. License Renewal for David Fisher, 41 Point Allerton Avenue – Livery License
7. Email from Lampke to Young dated February 27, 2014 re: Notice of Administrative Review Conference
8. 3.2.14 draft of latest version of proposed zoning change on transient rentals.