

Hull Board of Selectmen

Minutes

March 24, 2015

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, March 24, 2015, at the Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

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

APPOINTMENTS

7:30 p.m. – Kim Greaves – re: Applicant for appointment to the Hull Hero Award Committee

Kim Greaves appeared before the board as an applicant for appointment to the Hull Hero Award Committee. Greaves spoke of her and her family’s long history of service to others and to the town. The Selectmen voted unanimously to appoint her to the committee.

Motion	Sestito	To approve appointment of Kim Greaves to the Hull Hero Award Committee
Second	Reilly	
Vote	Unanimous	

7:45 p.m. – Atlantic Symphony Orchestra – re: One-Day Wine License

Turner Bledsoe requested a one-day wine license for March 27, 2015, for an event at Nantasket Beach Resort to benefit the Atlantic Symphony Orchestra. The wine would be donated and other drinks would be available for purchase and would be served by hotel staff.

Motion	Reilly	To approve a wine license to pour wine that is donated for one day on March 27, 2015
Second	Richardson	
Vote	Unanimous	

8:00 p.m. – Permanent Sewer Commission – re: New Contract

The Hull Sewer Commission presented their recommendation for the new ten-year contract for management and operation of the treatment plant. The current contract is held by United Water. The two bidders were United Water and Woodard & Curran. After an extensive review process conducted by Lemnios, Lampke, Jim Dow and Carol O’Connor of the PSC staff, consulting engineer Mike Schrader from Tighe & Bond and two members of the Sewer Commission, the conclusion was to recommend Woodard & Curran for the contract for reasons of both price and performance standards. John Struzziery, Chairman of the Sewer Commission, said that Woodard & Curran’s proposal was more specific and would cost less over the life of the contract. However, the rate would increase from 6.65 to 9.42, and the average sewer bill would increase by about \$232 annually. Lemnios said that new management often offers to hire workers already in place at the plant. Earlier in the evening the Sewer Commission had voted their approval, which also needed to be voted into effect by the selectmen.

Motion	Richardson	Move to approve the Agreement for Operation and Maintenance of the Treatment Plant with Woodard & Curran substantially in the form presented by counsel, and authorize the Chairman and Town Manager to sign the contract subject to the final approval of the Town Manager and Town Counsel.
Second	Sestito	
Vote	Unanimous	

LICENSES AND RENEWALS

The board approved a license renewal for Hull Kitchen, LLC dba Hull’s Kitchen, Jeffrey P. Wicks, Manager 19 Hull Shore Drive (A) Common Victualer (B) All Alcohol (Seasonal) (C) Entertainment Live (Guitar)

Motion	Reilly	To approve a license renewal for Hull Kitchen, LLC dba Hull’s Kitchen, Jeffrey P. Wicks, Manager 19 Hull Shore Drive (A) Common Victualer (B) All Alcohol (Seasonal) (C) Entertainment Live (Guitar), subject to inspectional services
Second	Richardson	
Vote	Unanimous	

The board voted to approve a license renewal for Laura Taverna – Livery Badge

Motion	Reilly	To approve a license renewal for Laura Taverna – Livery Badge
Second	Richardson	
Vote	Unanimous	

The board approved license renewals for Carmen Arroyo (A) Livery Vehicle, (B) Livery Vehicle, and (C) Livery Badge

Motion	Reilly	To approve license renewals for Carmen Arroyo (A) Livery Vehicle, (B) Livery Vehicle, and (C) Livery Badge
Second	Richardson	
Vote	Unanimous	

The board approved a license renewal for Debbie Rock – Livery Badge

Motion	Reilly	To approve a license renewal for Debbie Rock – Livery Badge
Second	Richardson	
Vote	Unanimous	

The board approved a license for Knights of Columbus, 440 Nantasket Ave - One Day all Alcohol for March 28, 2015 from 7:00 p.m. – 12 Midnight

Motion	Reilly	To approve a license for Knights of Columbus, 440 Nantasket Ave – One Day all Alcohol for March 28, 2015 from 7:00 p.m. – 12 Midnight
Second	Richardson	

Vote	Unanimous	
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The board approved a license for The Silent Chef, Inc., 113 Front Street, Scituate, MA –One Day All Alcohol for May 8, 2015 from 6:00 p.m. to 10:30 p.m. to be exercised at Nantasket Beach Resort.

Motion	Reilly	To approve a license for The Silent Chef, Inc., 113 Front Street, Scituate, MA – re: One Day All Alcohol for May 8, 2015 from 6:00 p.m. to 10:30 p.m. to be exercised at Nantasket Beach Resort
Second	Richardson	
Vote	Unanimous	

TOWN MANAGER

Draft Warrant Article - re: Departmental Equipment

Lemnios presented a Draft Warrant containing a new article asking the town “to appropriate a sum of money to pay the cost of purchasing departmental equipment including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise; and further to authorize the board of selectmen town manager to contract for any state or federal aid available for the project, or take any other action relative thereto.” This money would be used to replace two Mac Trucks and two sander bodies, at an estimated cost of about \$600,000.

Draft Warrant Article – re: Special Purpose Stabilization Fund

The Draft Warrant also contained a new article regarding one-time income, asking if “the town would vote to accept and adopt the provisions of Massachusetts general law chapter 40, section 5B, in order to establish a capital improvement special-purpose stabilization fund, or take any other action relative thereto.” A two-thirds vote at Town Meeting would be required to both add to and withdraw from the fund. The article will also be discussed at the advisory board meeting on Monday, March 30, during which the selectmen will convene.

Police Chief– re: Request Removal of Emergency One Way Signage effective March 30, 2015

Per request of Police Chief Billings, the selectmen voted to have the emergency one-way restrictions and signs removed on March 30, 2015. Lemnios said that the town would do a series of phone calls using the Code Red system in order to notify residents. Richardson asked if the chief could give a report regarding the possibility of having Bay St. continue as a one-way street during the summer. Lemnios said that it would be possible to explore this. Olivieri said that it is also part of the HRA traffic study.

Motion	Richardson	To remove the emergency one-way signage effective March 30, 2015
Second	Reilly	
Vote	Unanimous	

Tian Luu - re: Request to hold Ragnar Relay Race

Lemnios presented a request from the Ragnar Relay Race for permission to hold their annual relay race on May 8, 2015. The event starts on Nantasket Beach and continues to Cape Cod. Lemnios said that in the past there have been complaints about early morning noise and the sponsors of the race have agreed that there would be no noise before 8 a.m. and no music before 9 a.m. Set-up for the event will occur on May 7. The race has staggered starts from 5 a.m. to 4 p.m.

Motion	Reilly	To approve the Ragnar Relay request for May 8, 2015
Second	Sestito	
Vote	Unanimous	

OLD BUSINESS

Blighted Property Bylaw

Lampke asked if the board wanted to put an article on the warrant to continue the bylaw regarding blighted properties. When it was enacted in 2013, there was a sunset provision on it which expires September 30, 2015. He said that there have been no cases that were pursued under law but that the existence of the bylaw has helped with code adherence and has served its purpose in that way.

Motion	Brannan	To continue the Blighted Property bylaw with no sunset clause
Second	Richardson	
Vote	Unanimous	

TOWN COUNSEL

Lampke presented a letter to the board regarding disclosure under the conflict of interest law and requesting a waiver request. Lampke represents the Town and the Inspectional Services Team in dealing the Hull Housing Authority regarding the conditions of their properties in town. Lampke also lives near one of the properties and could therefore be considered an abutter with a financial interest in the matter. He would therefore be prohibited from participating unless the selectmen voted an exemption. He asked the board if it would exempt the law and allow him to participate in representing the town in this matter, as provided for under the conflict law. [See letter.]

Motion	Richardson	To move pursuant to G. L. c. 268A, section 19 to determine that the financial interest Town Counsel James B. Lampke and his family have in the property where he resides is not so substantial as to be deemed likely to affect the integrity of the services which the Town expects from him in his providing legal services to the Town relative to Hull Housing Authority property which due to its proximity to Lampke's residence and family's property Lampke and his family may be deemed under the guidelines of the State Ethics Commission as having a financial interest.
Second	Sestito	
Vote	Reilly	

NEW BUSINESS

Brannan commended the town for doing a wonderful job on snow removal. Lemnios stated that there was still quite a bit of work to be done and that the governor had appropriated aid money for state towns, based on miles of roadway. Hull's portion of that money is \$40,000 and it needs to be used before June 30. Brannan said that a lot of stop signs didn't make it through the storms. Lemnios said that was put in the report the town submitted to MEMA.

Sestito asked if Lemnios could email the MBTA regarding summer ferry service.

Reilly asked if Lemnios could talk to the DCR regarding a water taxi coming down to Nantasket Beach.

Richardson asked to put on the agenda a discussion of what it would look like to put a Debt Exclusion for the Jacobs school on the town ballot. The following discussion included comments on the school consolidation plan and whether it was prudent to conduct it if the schools remained unwilling to consider consolidation; the declining enrollment in town schools and the question of at what enrollment point does a decision need to be made about the need for three schools; the lack of a Debt Exclusion for the Jacob School renovations in 2002 and the resulting \$900,000 that goes to pay for the debt for those renovations; the town's need for a similar amount of annual money to maintain capital assets; and the possibility of asking for a Debt Exclusion that would free up that money. Lemnios said that progress has been made on some capital areas such as seawalls, roadways, and small building repairs, but pointed out that the town would not solve capital needs within the current financial structure.

Reilly said that the schools had been a priority while the town buildings treaded water and that now the town might have to put some town-wide needs as the priority. Richardson said that he is in favor of the school space needs study but not if it just sits on a shelf. Brannan said that the town needs to have a plan in place. Sestito said that the kids we have are the number one priority.

MOVE INTO EXECUTIVE SESSION

Olivieri requested a motion to go into 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; to go into Executive Session to consider the purchase, exchange, lease or value of real property, and that I as Chair declare that an open meeting may have a detrimental effect on the negotiating position of the body; to go into Executive Session to comply with or act under the authority of the Attorney-Client privilege; and to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and to not reconvene in open session.

The following subjects were to be discussed in Executive Session:

- Cope-Allen v Hull
- Love v Hull
- McDonald v Hull
- Hull v Glennon Family Nominee Trust
- Unbuilt portion of N. Truro St.

Motion	Richardson	To go into Executive Session to discuss strategy 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; to go into Executive Session to consider the purchase, exchange, lease or value of real property, and that the chair declare that an open meeting may have a detrimental effect on the negotiating position of the body; to comply with or act under the authority of the Attorney-Client privilege; and to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and to not reconvene in open session.
Second	Sestito	
Vote	Approved	Aye, Olivieri Aye, Richardson Aye, Sestito Aye, Reilly Aye, Brannan

The board will meet again on March 30, 2015 during the Advisory Board meeting. Their next regular meeting will be held on April 7, 2015.

The board moved into Executive Session at 9:25 p.m., not reconvening into open session.

Recorded by Catherine Goldhammer

Approved : May 12, 2015

Documents

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:

- Board of Selectmen Agenda for March 24, 2015
- Proposal from Ragnar Relay Race
- Letter from James B. Lampke regarding Disclosure under Conflict of Interest Law and waiver request
- Memo from Police Chief Richard Billings regarding removal of emergency signage
- Request for one-day wine license for Atlantic Symphony Orchestra for March 27, 2015
- Email from Kim Greaves regarding appointment to Hull Hero Committee
- Memo from Michael Buckley regarding Chapter 40, Section 5B
- Draft Warrant
- Draft Warrant article regarding purchase of departmental equipment
- Memo from James B. Lampke regarding Blighted Property Bylaw
- License renewal application for Hull Kitchen, LLC dba Hull's Kitchen, Jeffrey P. Wicks, Manager 19 Hull Shore Drive (A) Common Victualer (B) All Alcohol (Seasonal) (C) Entertainment Live (Guitar) – RENEWAL
- License renewal application for Laura Taverna – Livery Badge - RENEWAL
- License renewal application for Carmen Arroyo (A) Livery Vehicle – RENEWAL (B) Livery Vehicle – RENEWAL (C) Livery Badge – RENEWAL
- License renewal application for Debbie Rock – Livery Badge – RENEWAL
- License renewal application for Knights of Columbus, 440 Nantasket Ave – re: One Day all Alcohol for March 28, 2015 from 7:00 p.m. – 12 Midnight
- License renewal application for The Silent Chef, Inc., 113 Front Street, Scituate, MA – re: One Day All Alcohol for May 8, 2015 from 6:00 p.m. to 10:30 p.m.