

Hull Board of Selectmen

Minutes

December 15, 2015

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, December 15, 2015, at the Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Present: John C. Brannan, Chair; Domenico Sestito, Vice-Chair; Christopher Mitchell, Clerk; John D. Reilly, Jr., Member; and Kevin Richardson, Member. Also present were James Lampke, Town Counsel and Acting Town Manager; and Catherine Goldhammer, recording secretary.

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APPOINTMENTS

Public Hearing for community development block grant application for FY 2016

John Brannan, Chairman of the Board of Selectmen called the Public Hearing portion of the Hull Board of Selectmen meeting to order at 7:30 pm on Tuesday evening, December 15, 2015, at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

Present: John C. Brannan, Chair; Domenico Sestito, Vice-Chair; Christopher Mitchell, Clerk; Kevin Richardson, Member; and John D. Reilly, Jr., Member. Also present were James Lampke, Town Counsel and Acting Town Manager and Catherine Goldhammer, recording secretary.

Robert Fultz, Director of the Community Development and Planning Office, gave a power point slide presentation with an overview of the Community Development Block Grant Application for the program activities: Rebuild of Bay Avenue East and five Housing Rehab projects. An update of the completed and ongoing CDBG activities was given: A Street ADA ramp, engineering and planning for Waveland Area Improvement Program (S&B), engineering for Bay Avenue East rebuild, Senior Center renovation and ongoing housing rehabilitation with program payoff funds. The priority projects of the Community Development Strategy were discussed with focus on what could be accomplished under the grant and ready-to-go projects: Housing Rehab – Target Area and Waveland, and repair deteriorated infrastructure in Waveland Slums and Blight area (Bay Avenue East). The priority project CDS list (22 items) is composed of existing CDS priority list, all public meeting discussions for CDBG FY16, proposed CPA projects, the Capital Outlay Committee projects and the Board of Selectmen projects. Changes to the Town of Hull “FY 2016 Housing Rehabilitation Program - Policies, Guidelines and Procedures” were highlighted. A draft budget of \$888,813 was provided which included housing rehabilitation, public facilities/infrastructure, and general administration. A timeline of the meetings and community participation was provided along with grant submittal deadlines.

Questions/Comments from the Board of Selectmen:

Brannan asked how the figure of \$900,000 was determined as the maximum grant amount.

Fultz replied that it is state determined, based on population and income. It is based on the amount of money the State is allocated and the number of communities that will apply. Exact State formula for determination is unknown, but the State wants to make sure it is enough money to actually make something happen in the community that is significant in terms of revitalization.

Brannan asked about how one went about getting on the housing rehab loan list for the \$35,000 loans. Is there an established wait list or is it a year to year based on need? How flexible is this?

Fultz replied that the policy is that it is a first come, first serve waiting list. There were 118 people on the waiting list and this year a letter was sent out to all on the waiting list asking for an update of their interest in the program. Next a follow up phone call will be done. Also, emergencies, veterans, and handicapped are prioritized. An eligibility application is required.

Brannan asked if there was attrition.

Fultz stated that there needs to be more outreach before that can be determined.

Brannan asked if any money from past grants was available.

Fultz replied that there is program income because it is a deferred payment loan and those monies come back into the program and are then used to continue housing rehab and do specific projects (ex. Board of Health opioid program).

Brannan asked who gives designation to these program income projects.

Fultz replied that housing rehab projects go by the list, but the social service project (mentioned) will go thru the Board of Selectmen.

Mitchell asked if the five housing rehab projects (at \$35,000 each) come out of the \$900,000 total grant amount.

Fultz confirmed this was correct and more detail would be provided in the budget for the grant.

Reilly asked about any previous questions that may have been brought up about the D Street pump station and the load that it is already taking.

Fultz replied that he has been working with Jim Dow, Asst. DPW Director, and they have been looking at the FEMA Hazard Mitigation grant and part of it will be tying Bay Ave East into the system, upgrading the pumps and the pump station. Also, the main lines into the pump station need to be upsized.

Brannan asked how the housing rehabilitation budget figure for five rehabs was determined. It is over five times \$35,000.

Fultz replied that the amount included program delivery – consultant costs for lead, project scope, and bids.

Richardson asked if the public facilities/ infrastructure budget line item included sidewalks or is it just the road.

Fultz replied that it is the full design.

Brannan asked if historically the grants are all or nothing.

Fultz replied yes.

Reilly asked about the number of housing rehab projects chosen. Is five the number you're comfortable with handling at once?

Fultz replied no, that it is part of the budget. Whatever we can afford after doing the road project dictates that amount available for the housing.

Reilly asked if the road came in at \$500,000 would that be more money for housing projects.

Fultz replied yes. The budget can be amended once we get the grant.

Brannan asked about Fultz mentioning LMI, low to moderate income housing, with the goal of 10%.

Fultz replied that was part of the Community Compact and would be coming up after the public hearing.

Brannan asked if we knew the specifics of what the DHCD looked for in a grant application. Are we giving them exactly what they are asking for? Will it be on time?

Fultz replied yes. The Advisory Board supplied funding that we've used for a consultant that is helping us write the grant. They are highly regarded and have a good format. We will put in the best application we possibly can. It will be on time.

Richardson asked when work would start.

Fultz stated that release of funds usually comes in September or October. Housing Rehab would start then, and the road would start the following spring.

Brannan asked how the funds would be distributed.

Fultz replied that the Town would put up the funds and then would get reimbursed. Reimbursement request would be done on a monthly basis.

Sestito stated that he had no questions, but wanted to thank Bob for his presentation and thank everyone in the audience for coming in as it is important to show community support for this grant.

Sestito asked the probability of getting the grant. It's been three years since the last one. Do they work in cycles?

Fultz replied that yes, they do work in cycles and they try to spread the money around the State, but it is highly competitive. They have a community needs scores as part of the scoring. Our community needs score has gone down from 29 to 26 because our median income has gone up from the influx of a higher income population.

Mitchell asked if we go forward with the Community Compact would it raise our score for this particular application.

Fultz replied yes. It could possibly offset our community needs score that has gone down. It is unclear how many points are given.

Richardson commented about the Capital Outlay Committee meeting held earlier and the study that is coming out next month on the roads. He assumes Bay Ave East will be on the top of that report.

Fultz replied it was part of number 15 on the CDS Priority Projects – Roadway Improvement Plan.

Richardson asked about number 4 on the CDS list – Hull Redevelopment property – potential 168 units. What is that based on?

Fultz commented that it is based on the predevelopment work that was done by Utile through MassDevelopment.

Richardson stated the RFP is not going out with any restriction on the number of units.

Fultz replied that this is the potential under the Utile study.

Reilly asked if there has been any contact with the attorney or representatives for the owners for the Waveland gas station.

Fultz replied that a lot of the preliminary work has been done. He has a memo from DEP which outlines a possible way forward. He is trying to craft a way forward that everyone can agree to. He will be applying in January for a targeted assessment grant from EPA to determine remaining cleanup cost. He expects to craft a letter to owners with Town Counsel's help.

Reilly asked about the community rating regarding income. He asked about the lower end – is the income dropping for the lower income people. Is it proportionate to the higher end increasing?

Fultz replied that it is relatively the same on the low end.

Reilly commented that it is a well balanced plan. That area gets a lot of use in the summer between the marina, function room, restaurant, and other commercial space. Way overdue for a makeover. Glad the area is being targeted.

Brannan commented that Bay Avenue East has a lot of industrial property. He asked Fultz if he's spoken to the owners of the properties about investing in putting a prettier face on their properties.

Fultz replied that the business owners have said that their businesses are going to do better if we could clean up that road. They were very involved in developing the design. A lot of the design elements were from business owner input.

Brannan asked if Cadish Ave/Sunset Ave that runs along the shore will be part of the CDBG grant.

Fultz replied that it would not be part of this grant but it is part of the Slums and Blight Program and over the next ten years can be addressed.

Brannan asked about number 19 on the CDS priority list - H.S. turf field and how the CDBG would impact it.

Fultz replied that it won't. The CDS Priority Project list is really for the entire community. It is requested that a community priority list be created as part of the grant. It is a combination of all of the existing lists.

John Brannan, Chair, opened up the hearing to the public.

Questions/Comments from the Public:

John Struzziery, 20 Sunset Ave: He commented that he is the chairman of the Sewer Commission. He brings this up because the sewer department is responsible for the D Street pump station. An upgrade is needed for the pump station. It cannot handle any additional drainage. A comment was made about the Bay Ave East drainage system connection. What will be done in the interim for drainage before D Street upgrade?

Fultz replied that for Bay Avenue East it will be what is already there, which is discharge to the bay with a flapper valve. The drainage system will have BMPs on it, so the discharge to the bay will be cleaned before it goes in. It is not now. It does have a permit from the Conservation Commission at this time.

John Struzziery commented on Fultz' previous statement that A Street is part of DPW's plan to upgrade, but if that does not get done it should get upgraded as part of the CDBG program as well.

Fultz clarified his previous statement. DPW is going to do Nantasket Avenue from A Street to H Street. A Street itself is part of the Slums and Blight program.

John Struzziery commented that the guard rail along Cadish and Sunset Ave is deteriorating. Is there a plan to upgrade that?

Fultz replied that it would probably be part of that project. We will probably run into quite a bit of expense with the revetment.

Bob DeCoste, 137 Samoset Ave: He is a member of the Hull Redevelopment Authority. He wants to clarify number 4 on the CDS Priority Project list -- Issuance of RFP for Hull Redevelopment property with potential for 168 units. The 168 units is the maximum build out of the property and came from the Utile design. The HRA is not going with the full Utile plan. The Request for Proposal (RFP) should be done the end of January. They are hoping for another resort hotel on the HRA property. There is a possibility of a residential component.

Steve Forcum: How much of the Town is in the target area? It seems like a really big piece.

Fultz replied yes that it is a big piece, but does not have the percentage of residences it contains at this time.

Rhoda Kanet, 170 Samoset Ave: What does the Community Compact commit us to and are there any downsides?

Fultz replied that this topic will come up after the hearing.

Alana Swiec, 28 Summer Street: She commented -- really good work. She is a member of the Zoning Board. She stated that a lot of Fultz's work is based on studies and reports that are quite dated. They may still be valid. In particular, the study that is dated 1995 is aging out and we may want to look at revisiting some of those.

Fultz replied that a lot of it is still relevant because there is still so much work to do, but he understands the concern and updating plans is part of a larger list of projects

Don Kidston, 16 Milford Street: He has concerns about the details of the design of the roadway. Two significant ones are the west end of the road which is primarily commercial use and the demand for parking and illegal parking in the summer; and the abutters store their equipment in the public right of way. Sometimes it is in the travel lane of the street. The proposed plan seems to reinforce that condition by paving the right away at its full width along that stretch of the road. He suggests the road edge and the public right of way in the plan be better defined so as to eliminate the storage of equipment in the public right of way; that driveways be provided; that tree lawn be provided; and generally clean it up and make it look neater. He suggests formal parking be provided on the south side of the street and be well defined.

Fultz replied that he has passed on a lot of Don's great ideas to the engineer. The engineer is going to respond to Don. The engineer's initial response is that a lot of things can be done at no or low cost.

Mitchell asked if the plans showed parking.

Fultz replied that there is parking and discussed in further detail some of the other issues brought up about parking during the CDBG meetings. A parking plan needs to be looked at for the entire neighborhood as we proceed with revitalization.

Brannan asked that if we did receive the grant if those issues could still be addressed before construction.

Fultz commented that the engineer’s design of Bay Avenue East would be submitted with the grant application, but in speaking with the engineer the changes can be done within the budget that we have. They are not high cost items. We can amend if necessary as is common with these projects and as happened with the recently completed Nantasket Avenue project.

Patrick Finn, Telegraph Ave: It was previously a one way road. Could that help with parking?

Fultz replied that it was something that could be looked at going forward.

Brannan asked if there was discussion with the owner of the Sea Dog restaurant about parking.

Fultz replied that it was part of the design process and permitting.

The selectmen voted to approve the following requests:

Motion	Reilly	To authorize the Chairmen to sign and submit all required documents for the FY 2016 Community Development Fund grant application
Second	Richardson	
Vote	Unanimous	

Motion	Reilly	To approve the Community Development Strategy
Second	Richardson	
Vote	Unanimous	

Motion	Reilly	To approve “FY 2016 Housing Rehabilitation; Program, Policies, Guidelines, and Procedures”
Second	Richardson	
Vote	Unanimous	

The selectmen voted to adjourn the public hearing at 8:38pm.

Motion	Brannan	To adjourn public hearing for CDBG Application for FY 2016
Second	Mitchell	

Vote	Unanimous	
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The following document was included in the Board of Selectmen’s packet for the Public Hearing portion of the meeting and is available in the Board of Selectmen’s office upon request:

- Presentation packet, FY 2016 CDBG CDF-1 application

Community Compact between the town and Governor’s Community Compact Cabinet

Fultz also presented to the selectmen information on the Governor’s Community Compact Cabinet program, which provides technical assistance on projects that fall within the areas identified by the town in its application. These areas, called “best practices,” are those which the town would like to focus on in their development efforts. This is a relatively new program and Fultz said that many cities and towns in the Commonwealth are applying for it.

The three “best practices” that will be presented in Hull’s application are:

- Preparing for Success
- Housing
- Infrastructure

Reilly made a motion to approve and authorize the application.

Motion	Reilly	Motion to authorize the Chairman to sign and submit all of the required documents for the FY16 Community Compact
Second	None	
Vote	No vote	Motion was withdrawn

Reilly withdrew the motion after Robert DeCoste of the HRA spoke. DeCoste said that the HRA had just heard about the application a few days ago and would like a chance to look at it and meet with Fultz before it went out, to make sure that no part of it would affect the development efforts for the HRA land. Fultz said that he would rather go forward now, but was willing to meet with them.

Reilly then asked Lampke to research whether the Community Compact application’s housing guidelines would have any effects on the HRA.

Motion	Reilly	Motion to direct Town Counsel to research the impact of the housing component of the Community Compact on the HRA
Second	Sestito	

Vote	Unanimous	
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Memo from office manager regarding appointment schedule

The selectmen stated that they would not be voting on appointments this evening. They further noted that the policy on interviewing candidates for reappointments has been inconsistent. Resident Sheila Connor said that it is discouraging when candidates who apply for appointment to a board or committee get no follow-up letter acknowledging their application.

After discussion, Sestito made the following motion, which was amended by Mitchell and unanimously approved:

Motion	Sestito	To instruct the Acting Town Manager to reach out to all commissions and committees with a communication to let them know that if they are up for reappointment and they want to come before the board, they could let us know and we will schedule them through the chair. If they don't wish to come before the board, but want to be appointed, they can state so. Sestito accepted an amendment by Mitchell to include acknowledgement of received applications.
Second	Brannan	
Vote	Unanimous	

Richard Hennessey, regarding appointment to Conservation Commission

Hennessey, who had been interviewed for appointment to the Conservation Commission earlier in the year, was present for a second interview, as Selectman Mitchell had not been on the board at the time of the first interview. Hennessey said that he was passionate about Hull and about nature. He is an attorney and has been at Commission meetings in the past.

Neil Kane, regarding appointment to the Board of Appeals

Neil Kane was present to interview for appointment to the Board of Appeals. Kane is a long-time resident and an attorney. He said that he has the time and the interest and was also applying because he had heard about issues of professionalism on the board.

Alana Swiec, regarding re-appointment to the Board of Appeals

Swiec has been on the Board of Appeals for about ten years and served on the Board of Appeals in Haverhill for five years prior to moving to Hull. She said that she is committed and experienced and would like to continue serving the town. She stated that she had followed appropriate channels regarding any issues on the board. She further stated that the board has struggled since it lost two members recently. Ms. Swiec did note that the Board could benefit from a member being an attorney. There are presently no attorneys on the Board.

Paul Paquin, regarding re-appointment to the Conservation Commission

Paquin has been on the Conservation Commission since 1989 and is committed to continuing to serve. He has a BS in biology and has completed the Massachusetts Association of Conservation Commissions certificate program. He noted that commission members are very committed group and people almost never miss meetings.

Brannan made and withdrew a motion that Paul Paquin be reappointed to the Conservation Commission.

Motion	Brannan	Motion to reappoint Paul Paquin to the Conservation Commission
Second	None	
Vote	Withdrawn	

CORRESPONDENCE

Letter from Police Chief Billings regarding retirement

Brannan read in full a letter from Police Chief Richard Billings which announced that he plans to retire from the force on January 16, 2016. The letter thanked the town and its residents for allowing him to serve them for 33 years. Billings also recommended that his second in command, Captain Robert Sawtelle, be appointed interim chief.

Reilly moved that the selectmen send a letter of appreciation to Billings recognizing his service to the town.

Motion	Reilly	Motion to have the board prepare a letter thanking the chief for his years of service and wishing him well in his retirement.
Second	Richardson	
Vote	Unanimous	

LICENSES AND RENEWALS

The board voted as follows to approve licenses and renewals:

Motion	Reilly	Motion to approve license renewal for 5L, LLC, Paul Leeber Managing Member, Class II Wholesale, 407 Nantasket Ave.
Second	Sestito	
Vote	Unanimous	

Motion	Reilly	Motion to approve license renewal for Nantasket Beach Café dba Saltwater Diner, Richard Bornstein, Mgr., 512 Nantasket Ave. – Common Victualer
Second	Sestito	
Vote	Unanimous	

Motion	Reilly	Motion to approve license renewal for LaDalat, dba LaDalat, Vo Nguyen, Mgr., 181 Nantasket Ave. (A) Common Victualer; (B) All Alcohol Restaurant
Second	Sestito	
Vote	Unanimous	

Motion	Sestito	Motion to approve license renewal for Red Parrot, Inc., dba Red Parrot, Beatrice Brook-D'Angelo, Mgr., 1 Hull Shore Dr. (A) Common Victualer; (B) All Alcohol Restaurant; (C) Entertainment (Jukebox, DJ, Karaoke, Live)
Second		
Vote	Unanimous	

Motion	Reilly	Motion to approve one-day All Alcohol license for Hull Knights of Columbus, 440 Nantasket Ave., for January 8, 2016 from 7 p.m. to 11 p.m.
Second	Sestito	
Vote	Unanimous	

Memo from office manager regarding New Year's Eve closing

A memo from Town Clerk Janet Bennett asked the selectmen if they would be voting to accept applications to extend closing hours to 2 a.m. on New Year's Eve. A sample of the application was included with the memo.

The selectmen voted unanimously for the proposal.

Motion	Reilly	Motion to approve a 2 a.m. closing for New Year's Eve if the licensed establishment fills out the application and submits it to the town clerk.
Second	Richardson	
Vote	Unanimous	

OLD BUSINESS

Continuation of discussion regarding Police Chief search process

[Note: Reilly recused himself from this discussion and left the room for its entirety as his son is on the police force.]

The selectmen discussed the hiring of MMA Consulting Group for the police chief search process. Lampke had received a packet of information from Mark Morse setting forth an overview of the process, the steps involved, and a timeline for its completion. The fixed fee for the service is \$16,200. [See document.]

The selectmen voted to adopt the framework as presented.

Motion	Mitchell	Motion to adopt
Second	Sestito	
Vote	Approved	Brannan – Aye Sestito – Aye Richardson – Aye Mitchell – Aye Reilly – Recused

Lampke further said that Town Manager Lemnios had sent an email with suggestions regarding the make-up of a preliminary screening committee. Due to the late hour, Brannan suggested postponing that discussion to next week.

Sestito asked about the options for appointing an interim chief. Lampke said that as the position is not under Civil Service, there is a lot of latitude about how to proceed. He said that it would not be unusual to consider someone who is already in the department, as they would be familiar with its workings. The position of Captain is within Civil Service, but there is a provision whereby Captain Sawtelle could receive a leave of absence for the purpose of

acting as interim chief. When Chief Billings retires, Sawtelle will be acting head of the department until either an interim or permanent chief is appointed.

A further communication from MMA contained information regarding the hiring process of a fire chief via assessment center. The selectmen voted to adopt the framework as set forward.

Motion	Brannan	Motion to adopt this policy for \$8,000 to have MMA handle the assessment process for the fire chief position.
Second	Sestito	
Vote	Approved	Brannan – Aye Sestito – Aye Richardson – Aye Mitchell – Aye Reilly – Recused

NEW BUSINESS

Sestito asked that the Opiate Task Force update be scheduled for an upcoming meeting. He also noted that the path on the east side of the high school is not lit at night when commuters are walking to their cars. He asked that someone be notified of the need for the light to be turned on.

Sestito also asked for an update on the Fort Revere graffiti problem. Lampke said that he had talked with DCR District Manager Susan Kane. They are currently assessing the graffiti that is up there and will be developing a plan regarding what can be done this season, as well as creating a Memorandum of Understanding for dealing with the problem going forward. They also talked about having better security in the area, via either motion-sensor lights or security cameras, and the possibility of sealing off or filling in parts of the fort.

Mitchell asked that vacancies on the Fort Revere Preservation Committee be advertised.

The meeting was adjourned at 11:20 p.m. The board will meet again at 7:30 p.m. on Tuesday, December 22, 2015.

Recorded by Catherine Goldhammer

Approved by:

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 and added agenda for December 15, 2015
- License application from 5L, LLC, Paul Leeber Managing Member, Class II Wholesale, 407 Nantasket Ave. - Renewal

- License application from Nantasket Beach Café dba Saltwater Diner, Richard Bornstein, Mgr., 512 Nantasket Ave. – Common Victualer - Renewal
- License application from LaDalat, dba LaDalat, Vo Nguyen, Mgr., 181 Nantasket Ave. (A) Common Victualer; (B) All Alcohol Restaurant - Renewal
- License application for Red Parrot, Inc., dba Red Parrot, Beatrice Brook-D'Angelo, Mgr., 1 Hull Shore Dr. (A) Common Victualer; (B) All Alcohol Restaurant; (C) Entertainment (Jukebox, DJ, Karaoke, Live) - Renewal
- License application from Hull Knights of Columbus, 440 Nantasket Ave., for one-day All Alcohol license for January 8, 2016 from 7 p.m. to 11 p.m.
- Letter from Police Chief Billings regarding retirement
- Memo from office manager regarding appointment schedule
- Memo from office manager regarding New Year's Even closing
- Packet from Robert Fultz regarding CDBG CDF-1 application and Community Compact
- Richard Hennessey regarding appointment to Conservation Commission
- Neil Kane regarding appointment to the Board of Appeals
- Alana Swiec regarding re-appointment to the Board of Appeals
- Letter from Paul Paquin regarding re-appointment to the Conservation Commission
- Packet from Morse Consulting Group regarding police and fire chief searches