

Hull Board of Selectmen

Minutes

January 26, 2016

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, January 26, 2016, 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 Phillip Lemnios, Town Manager; James Lampke, Town Counsel; and Catherine Goldhammer, recording secretary. Note: Selectman Reilly arrived late to the meeting after participating in the public’s honoring of the return home to Hingham of the late U.S. Marine Corps Cpl. Christopher Orlando.

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Moments of silence were held for Hildred Parent, a long-time employee of the town who worked with the Planning Board, Zoning Board of Appeals, Conservation Commission and was also a former recording secretary of the Board of Selectmen; and for U.S. Marine Corps Cpl. Christopher Orlando, a Hingham resident who died on duty in a helicopter crash in Hawaii.

LICENSES AND RENEWALS

The board voted as follows to approve licenses and renewals:

Motion	Richardson	Mohamed Zeidan dba Mohamed Auto Dealer, 55 Whitehead Ave., for Class II Wholesale (Renewal)
Second	Sestito	
Vote	Unanimous	Note: Reilly absent for the vote

Motion	Richardson	Hull Donuts, LLC. dba Dunkin Donuts Restaurant, Gretchen O’Connor, Mgr., 1 B Bay St. for Common Victualer (Renewal)
Second	Sestito	
Vote	Unanimous	Note: Reilly absent for the vote

Motion	Sestito	Ragnar Relay Series for a Road Race on Friday, May 13, 2016

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Second	Mitchell	
Vote	Unanimous	Note: Reilly absent for the vote
Motion	Sestito	Jason Means, dba Means Auto, 410 Nantasket Ave., for Class II Wholesale (Renewal)
Second	Mitchell	
Vote	Unanimous	Note: Reilly absent for the vote

Motion	Sestito	Steven Austin, Sandpiper Inn, 165 Nantasket Ave., for Lodging House (Renewal)
Second	Mitchell	
Vote	Unanimous	Note: Reilly absent for the vote

CORRESPONDENCE

Email from Donna S.E. Bergamo regarding Zoning Board of Appeals

An email from Donna S.E. Bergamo expressed her interest in becoming a permanent member of the Zoning Board of Appeals. Bergamo is currently an alternate on the board. After Roger Atherton announced that he would be resigning from the board, Bergamo had discussed with him the possibility of moving from alternate to permanent member. Lemnios noted that his understanding was that Atherton's resignation was not yet official, so this decision was postponed.

Letter from Conservation Commission regarding the Community Preservation Act

A letter from the Conservation Commission informed the selectmen of its unanimous support of the Community Preservation Act (CPA), citing the potential for local investment in procuring, protecting, and preserving open space in town.

APPOINTMENTS

Planning Board, regarding Community Preservation Act

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Members of the Planning Board were present to present information the selectmen in support of putting participation in the Community Preservation Act (CPA) on the warrant for the May Town Meeting. This was not an official meeting of the Planning Board; however the following members were present: Jeanne Paquin, Harry Hibbard, Jennifer Berardi-Constable, and Joe Duffy.

Points discussed included the following:

- CPA funds are generated by a combination of a local surcharge on the tax levy plus a 30% match from the state CPA trust fund. The percentage is based on the current tax bill, not on the assessed value of the property. The Planning Board is recommending a 1.5% surcharge.
- Open space projects, affordable housing projects, and historical preservation projects each must receive 10% of the CPA funds available to the town.
- Most other towns in the South Shore area have adopted the CPA.
- The Planning Board has received endorsement from the Historical Commission, the Conservation Commission, the Library Trustees, and Parks and Recreation.
- A CPA committee with statutorily mandated members would be responsible for creating a CPA plan and recommending specific projects, which would then have to be approved by Town Meeting.
- The Planning Board supports exemptions for low income tax payers and moderate-to-high income seniors. It does not seek an exemption for the first \$100,000 of property value.
- Participation in the plan must be approved by Town Meeting and in a general election.

Lemnios noted that the CPA is consistent with the town’s goals of leveraging available dollars to get the maximum benefit. A public forum on the CPA will be held on February 8, 2016 at 7 p.m. at the Nantasket Beach Hotel. Further information is available at CPA02045.com..

The selectmen voted as follows.

Motion	Richardson	To support the Planning Board’s recommendation with a 1.5% increase, with the low income exemption and the moderate to high exemption for the elderly.
Second	Sestito	
Vote	Passed	Richardson – Aye Sestito – Aye Mitchell – Aye Brannan – Aye Reilly - Abstain Note: Reilly abstained from the vote, as he was not present for the full discussion.

Robert Fultz, regarding the former A St. gas station

Robert Fultz was present at the meeting to ask the selectmen to endorse a grant application for the assessment of needed actions to remediate environmental hazards at the former A St. gas station.

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Fultz explained the history of the property and the efforts made over the years to address the environmental hazards created by underground gas leaks in 1987. In 1991 some of the clean-up was accomplished, but in subsequent years the heirs to the property would not agree to allow the town on the property. He is working on a possible agreement between the town, the EPA, and the Masciolis (heirs of the former owners who have inherited the property), which would allow the town and the EPA to assess the property and complete needed remediation. Fultz would be filing a grant application for the assessment on the Wednesday following this meeting. The next step would be to apply for a clean-up grant.

Lampke said that one action needed is a motion to place an article on the Town Meeting warrant to take the property by eminent domain, subject to specific conditions and satisfactory resolution with the state on the liens on the property.

Motion	Richardson	Move to place an article on the warrant for the next or annual Town Meeting to authorize the taking by eminent domain of the former Waveland Gas Station property.
Second	Sestito	
Vote	Unanimous	

At 8:30 p.m., Brannan requested a motion to go into executive session to discuss strategy with respect to litigation and that the chair declare that an open meeting may have a detrimental effect of the litigating 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.

The subject to be discussed was the Waveland gas station. The board would reconvene in open session following the Executive Session.

Motion	Sestito	Motion to go into executive session to discuss strategy with respect to litigation and that the chair declare that an open meeting may have a detrimental effect of the litigating 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 reconvene in open session.
Second	Richardson	

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Vote	Unanimous	Richardson – Aye Brannan – Aye Sestito – Aye Reilly – Aye Mitchell – Aye
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At 8:45 p.m., the board reconvened in open session and reconfirmed the vote taken in Executive Session as follows:

Motion	Reilly	Move to authorize Town Counsel to take any and all legal action, including the filing of legal proceedings against any necessary parties, including the Mascioli Estate, the Mascioli heirs and others having an interest in the former Waveland Gas Station property in order to effectuate its clean-up and sale, including any other appropriate actions.
Second	Mitchell	
Vote	Unanimous	

NEW BUSINESS

Reilly asked if the selectmen could schedule meetings to meet every other week in order for the Capital Outlay Committee to have time for more and longer meetings so that it can have its report ready for March. Lemnios noted that there is a full agenda on Tuesday, February 2, but not a lot set out beyond that. Reilly made a motion, but withdrew it based on that response.

Motion	Reilly	That the Board of Selectmen go to an alternate week schedule
Second	Sestito	
Vote	Withdrawn	

APPOINTMENTS, CONTINUED

Mark Morse, MMA Consulting Group, regarding Police Chief search

Note: Reilly recused himself from this discussion and was not present during it.

Mark Morse, of MMA Consulting Group, was present to discuss with the selectmen the attributes they would like to see in a new police chief. Morse first asked if the preliminary selection committee had been finalized. Lemnios said that there were six citizen applicants and that applications had been closed. Brannan asked if the board could meet

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at 7 p.m. next week in order to interview the applicants. Resident Rhoda Kanet was at the meeting and asked if she could be interviewed this evening as she would be travelling next week.

The following were some of the characteristics brought up as desirable in a candidate.

- Brannan said that he was looking for character, strong decision making; senior management skills; accepting and demanding accountability; solid life experience; having goals and working for them; unquestionable apolitical actions; and strong communication skills in and out of the department.
- Sestito noted the importance of the Police Chief understanding and embracing the concept of community policing; having an understanding of and a plan for dealing with the opiate situation; and having an understanding of cybercrime and its impact on the future of policing.
- Mitchell noted the importance of experience and the ability to build a strong and cohesive department
- Richardson said that he was looking for honesty, integrity, open-mindedness, accessibility, commitment to diversity, proven ability to lead, initiative, and the ability to think outside the box.
- Lemnios noted that there are many people with experience and poor judgement, but what you want is someone with experience and good judgement.

Morse asked about the relationship between the Town Manager and the Police Chief and how the selectmen envision that playing out. Sestito noted that it is critical for them to work well together. Lemnios said that in the Town Charter, the Town Manager is responsible for all matters of town operation, such as budgeting, policy, and hiring, but not giving directives relative to the exercise of the Police Chief's authority. He noted that the relationship is a collaborative one.

Morse asked the selectmen if it was important to them where the new chief came from and where they lived. There was a consensus that it would be helpful if they were able to live in town, but that is not considered a must. Richardson noted that they should understand the community. Morse asked where they thought the applicant pool should come from. Sestito said that they should understand the community and be engrained in it. Lemnios suggested that it mattered what size department they were coming from in terms of the resources they expected. Morse said that this is made an issue during interviews. Mitchell said that he wanted the best candidate for the position, regardless of their current location. Lemnios noted that they will be coming into a situation in which they will have a series of transitions to make in a short time.

Morse said that there would be one or more public sessions so that residents could come and make comments.

Rhoda Kanet, regarding application for Police Chief Screening Committee

The selectmen then interviewed Rhoda Kanet for the Police Chief Screening Committee. Kanet stated that she has lived in town on and off for 66 years and has been through a lot of search committees in and out of town. She said that she shows up and works hard and is not afraid to speak up and voice her opinions. She said that the new police chief should be someone able and used to dealing with the public at its worst; someone who knows when to lead, when to be a decision-maker, and when to be a consensus builder; someone committed to the town and not just using it as a jumping off place; and someone who will be part of the community. She also noted that she has experience as an educator, a nurse, and an attorney.

NEW BUSINESS, CONTINUED

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Lemnios said that the DCR is unveiling its plan for the Nantasket Beach Reservation on Wednesday, January 28, at 7 p.m., at the hotel. He noted that the report had not been published or made public by the DCR at this time.

Mitchell thanked the Town Manager, the Police and Fire Chiefs, the Emergency Management team, the Sewer Department, and the DPW for their efforts in the weekend storm.

Sestito noted that the Hull Alliance for the Prevention of Substance Addiction is hosting Drug Story Theater at the high school on Thursday, February 11, at 7 p.m. It is a free event. Sestito also said that he and Pat Finn had met with the French Consulate and invited him to attend a July 9 event at Fort Revere. In addition, he suggested that the board send letters of appreciation to those who were not reappointed to the committees on which they had served.

Sestito also asked if there was any news on the traffic situation in the Village. Lemnios said that he had received communication from Acting Police Chief Sawtelle recommending that they place signs in front of the house in question, as well as curve warnings. Sestito suggested that the selectmen review the suggestions and make a decision next week.

Rhoda Kanet reminded listeners and viewers that the Drowned Hogs swim will occur on Saturday, January 30, at noon, followed by the Chowderfest.

The meeting was adjourned at 10 p.m. The board will meet next at 7 p.m. on February 2, 2016.

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 January 26, 2016
- License application from Mohamed Zeidan dba Mohamed Auto Dealer, 55 Whitehead Ave. – Class II Wholesale (Renewal)
- License application from Hull Donuts, LLC. Db a Dunkin Donuts Restaurant, Gretchen O'Connor, Mgr., 1 B Bay St. – Common Victualer (Renewal)
- License application from Ragnar Relay Series – Road Race on Friday, May 13, 2016
- License application from Jason Means, dba Means Auto, 410 Nantasket Ave., - Class II Wholesale (Renewal)
- License application from Steven Austin, Sandpiper Inn, 165 Nantasket Ave., Lodging House (Renewal)
- Letter from Conservation Commission regarding the Community Preservation Act
- Email from Donna S.E. Bergamo regarding Zoning Board of Appeals
- Handouts from Planning Board regarding CPA
- Document regarding new traffic signage for Village intersection

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