

Hull Board of Selectmen

Minutes

April 26, 2018

The meeting of the Hull Select Board was called to order at 7:30 p.m. on Thursday evening, April 26, 2018, at Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Present: Kevin Richardson, Chair; Chris Mitchell, Vice-Chair; Domenic Sestito, Clerk; John Reilly, Member; and Jennifer Constable, Member. Also present were Town Manager Phillip Lemnios and Town Counsel James Lampke.

APPOINTMENTS

Town Website Committee interviews

The following members of the public were interviewed for seats on the Town Website Committee. There are three positions available.

- Adrian Muir is the owner of Good Geeks. He said the town website is dated and hard to navigate and that improvements would help not only residents, but also those interested in visiting town. He is on the board of directors for the Chamber of Commerce. He said that the end user and navigability are key issues for him.
- Allison Peterson is a website developer whose sites include the Chamber of Commerce, the Hingham Community Center, and the Hull Times. She says that organizing information is important to making the site accessible.
- Gene LaCava has worked in technology for 40 years and is Chief Information Officer for a school district in the Chelsea area. The most important thing to him is customer service and making things easier for the town’s residents. He noted the importance of having a strong mobile platform.

Motion	Sestito	Motion to appoint Adrian Muir, Allison Peterson, and Gene LaCava to the Town Website Committee for a term expiring in one year.
Second	Constable	
Vote	Unanimous	

Police Chief, John Dunn, regarding recommendations for police officers

Police Chief Dunn was present at the meeting to introduce the board to John (Jake) Mahoney, Brendan Sanders, and Kevin Olson, three candidates being recommended for employment as recruit officers. All three live in Hull. They were selected after a written exam, background checks, and an oral board exam with police professionals from other towns. Based on their backgrounds and performances, Dunn is recommending them for appointment. [Note: Reilly recused himself from the discussion and subsequent vote, as he has a family member who was in the candidate pool.]

Motion	Sestito	Motion to appoint the following three candidates to full time police officers for the Town of Hull pending the successful completion of medical, physical, psychological, and the MPTC required physical agility test PAT. The three candidates are Mr. Brandon Sanders, Mr. John
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		Mahoney, and Mr. Kevin Olson.
Second	Mitchell	
Vote	Passed 4-0	Reilly: Recused

Chris DiIorio, Planning Director, regarding 147-155 Nantasket Avenue

DiIorio was present at the meeting to discuss with the board a mixed-use development at 147-155 Nantasket Avenue, currently in site plan review with the Planning Board. Rocco Realty is proposing 14 condo units and two 700 square-foot commercial spaces. In the process of site plan review, the applicant was asked to fix up and install a concrete sidewalk with granite curbing along Berkley Road. Lemnios said that meetings on this issue have been held with Fire, Police, the Building Department, Hull Light, and Sewer. The board would approve this in their role as traffic commissioners.

Motion	Reilly	Motion to approve
Second	Sestito	
Vote	Unanimous	

APPROVALS

Approval of Hazard Mitigation Plan

Lemnios said that FEMA has approved the town’s new Hazard Mitigation Plan and it now needs the board’s official approval. Richardson read aloud a resolution form FEMA [see document] indicating such.

Motion	Sestito	So moved.
Second	Mitchell	
Vote	Unanimous	

The board also approved the following:

Motion	Sestito	Jim Callahan, Friends of the Paragon Carousel, 205 Nantasket Ave., for Annual Derby Night Fundraiser at the Paragon Carousel on Friday, May 4, 2018 from 6-11 p.m.
Second	Reilly	

Vote	Unanimous	

Motion	Reilly	Steve Austin, Austin Realty Properties 10 Park Avenue, for parking permit for 32 cars at 10 Park Avenue (RENEWAL) Justin Gould, Steamboat Wharf Marina, 48 George Washington Blvd., for parking permit for 50 cars at Steamboat Wharf Marina (RENEWAL)
Second	Sestito	
Vote	Unanimous	

Motion	Sestito	Renee Kiley and Kelly Johnson, Hull Parent Teacher Organization, for Color Run school fundraiser in Hull Village on August 25, 2018, with a 9 a.m. start. Note: Lemnios said that this will require closure of roadway for about an hour. They have met with police on this.
Second	Reilly	
Vote	Unanimous	

The board approved street corner dedications requested by Veterans Agent Paul Sordillo for James Murdock Gillis and Arthur Louis Hurley.

Motion	Reilly	Motion to approve both of those requests.
Second	Sestito	
Vote	Unanimous	

ABCC 2018 Seasonal Population Increase Estimate

The board voted as follows to submit to the ABCC an estimate of seasonal population. Lemnios stated that estimates were based on information obtained from the sewer department and the assessor's office. The increase is estimated at about 800. An additional liquor license can be obtained per 5,000 increase in population. Richardson read aloud the motion. [See document.]

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Motion	Sestito	So moved
Second	Reilly	
Vote	Unanimous	

The board also approved the following:

Motion	Reilly	Lisa Powers, Local 02045, 2 A ST for one-day entertainment license on April 28, 2018 from 4:30-10:30 p.m.
Second	Sestito	
Vote	Unanimous	

CORRESPONDENCE

Sheila Connor, regarding letter of resignation from the Conservation Commission

Sheila Connor has submitted to the board a letter of resignation from the Conservation Commission. Richardson asked for the board's permission to sign a letter of appreciation to Ms. Connor on behalf of the board.

Request from Paul Sordillo regarding special municipal employment

Sordillo is the town's new Veterans Agent and asked the board if it would designate this position as a special municipal employee position. He has also been a substitute teacher in the Hull school system and wants to be one again and needs this designation so that he can hold two separate positions. Lampke had sent the Board an email memo on this with suggested language for the motions.

Motion	Sestito	Move to designate the position of veterans agent as a special municipal employee position under General Law, Chapter 268A, the Conflict of Interest Law, and ratify and confirm any prior designation.
Second	Mitchell	
Vote	Unanimous	

Motion	Sestito	Move to approve, under General Law, Chapter 268A, Section 20, the exemption of the interest of Paul T. Sordillo in a contract as a substitute teacher with the Hull School Department.

Second	Mitchell	
Vote	Unanimous	

NEW BUSINESS

Lemnios said that the town has met with representatives of National Grid regarding the condition of the two power lines serving Hull. They talked with them about their vegetation management and they are going to be doing some additional research and mapping of where the breaks occurred. The cost to revamp the entire line would be about \$3 million. Lemnios noted that the company did a vegetation cut in 2014 and 2015, and the next cut is due in 2019/2020. He said that the trees that fell in the big outage were outside the boundaries of the right of way and would not have been subject to cutting anyway. Private property abuts the easement.

APPOINTMENTS, CONTINUED

Discussion regarding Town Meeting roadway bond plan and election debt exclusion question

Lemnios made a presentation on the roadway work that will be done under the proposed roadway bond plan article, which will be subject to approval at ballot of a proposed debt exclusion. [See presentation on town website and at www.HullTV.net.] This identified the specific roads that will be covered under that bond. He said there is also a debt exclusion calculator on the town website. For an average home of about \$385,000 the property tax impact will be about \$200 in the first year and will decline thereafter. The debt exclusion would be for roads only and could not be spent for any other purposes.

NEW BUSINESS, CONTINUED

Sestito said that there is a struggle to get membership attendance at HAPSA, which is an 11-member group. He said that he would like to bring the number down to five, including representatives from safety personnel (Police or Fire), the Board of Health, the Select Board, the school administration, and either a citizen at large or a representative from Wellspring.

Motion	Reilly	Motion to reorganize the HAPSA committee to include a member of public safety, be it police or fire, a member of the Board of Selectmen, the Superintendent of schools or his or her designee, and a citizen at large or member of Wellspring, and a member of the Board of Health, and support staff. Amendment: Police Chief, Fire Chief or their designated appointee
Second	Mitchell	Amendment accepted by Mitchell.
Vote	Unanimous	

The board appointed Sestito as its representative as follows:

Motion	Mitchell	Motion to appoint Sestito.

Second	Constable	
Vote	Unanimous	

APPOINTMENTS, CONTINUED

Public Hearing: Bhavesh Patel, regarding new seasonal wine and malt license

This hearing was cancelled, as Patel has asked to withdraw his application. Lampke said that per the ABCC there was no available seasonal license and the annual increase in population was not sufficient to allow one.

Motion	Reilly	Motion to authorize their withdrawal without prejudice.
Second	Sestito	
Vote	Unanimous	

The board took a brief recess at this time.

NEW BUSINESS, CONTINUED

Lemnios notified the board that on Wednesday, May 2, at 7 p.m. in the high school exhibition room there will be a presentation on Town Meeting warrant Article 20, which concerns bonding authorizations for the Waste Water Treatment Plant.

He further stated that the DCR is in the process of trying to get sand from a dredging project for beach nourishment. They will be before the Conservation Commission on Monday at the high school.

Lemnios also stated that the town met with the contractor for the Gunrock beach seawall project, which has stalled over a dispute over an element of the design, which the contractor states was in error. The town is working its way through the legal process with the help of Attorney Bob Garrity, who specializes in these matters and is working with Lampke on this issue. The original completion date was to be the end of November. About 40% of the project has been completed.

Lemnios reminded all that the Ragnar Relay Race will start in Hull on May 10-11.

APPOINTMENTS, CONTINUED

Public Hearing: Paragon Entertainment Ventures, LLC

Paragon Entertainment Ventures, LLC, is seeking a new annual all-alcohol license and a new entertainment license, and an amendment to a common victualer license for 189-197 Nantasket Ave, Charles Boggini, Manager.

Attorney Jeff Tocchio spoke on behalf of the applicant, explained that there will be the following areas in the project:

- Kitchen areas
- Pass-through to boardwalk
- Arcade area
- Craft beer gallery

- Connector to Fascinations
- Fascination
- Pennyland arcade space
- Patio

He stated that there will be 397 seats in total. This will be a year-round venture and will also host corporate events. He noted that Pennyland will not be renovated at this time. He stated that no entertainment license is proposed for outdoors, just background music. The kitchen will serve both interior diners and walk-up service. He stated that the arcade machines are already in place. He stated that the emphasis will be on quality food and beverages, including craft beer and cocktails, and family entertainment. He stated that the common victualer’s license already in place applies to the kitchen and arcade space and they would like to expand it to the rest of the areas. The entertainment license is for karaoke, a DJ, a 5-piece instrumental group in the interior only. Hours for alcohol service will be as follows:

- Beer gallery and Fascination - 11 a.m. to 1 a.m.
- Outdoor deck - 11 a.m. to 11 p.m.
- Arcade - 5 p.m. to 11 p.m.

The mini-golf area will be occasionally used for events and at those times will have “crack and serve beer” served at one location in the area. Lampke suggested that they define where the beer cart will be.

Tocchio stated that the applicant is very excited about the project and is committed to investing in the property on a year-round basis with the goal of making sure that everything functions well. He stated that the dumpsters and grease buckets out back will be moved and put in an enclosure with an opaque closure.

Reilly suggested having the business apply for one-day alcohol licenses for the golf area when needed. He stated that he would also want the police and fire chiefs to review the plans for the whole complex. Lampke said that one-day licenses might not be allowed since they already have a liquor license. He said that if the mini-golf area is not in the permanent license they could do one-day all-alcohol. Lemnios suggested writing the license so that there is a number limit on special events, with other conditions possible. Reilly also suggested a police detail for larger events.

Constable wanted to know if the project triggers site plan review. Lampke said that the Building Department would refer them to the Planning Board for site plan review if needed. Tocchio said that the work is mainly painting and window work. The back patio will be looked at by the Conservation Commission. Lemnios suggested not licensing the deck and getting an amendment after going through Conservation Commission approval.

The applicant did not have copies of the receipts for mailing to abutters, but will provide these. An abutter was present and said that he had received a notification.

Motion	Reilly	Motion to amend the common victualer license to include all exterior areas, the deck as proposed in the diagram, and mini-golf, subject to them correcting the number of seats on the application to 397 and designating an area where alcohol and food will be served on the golf course.
Second	Sestito	
Vote	Unanimous	

Motion	Reilly	Motion to approve entertainment license for Paragon Entertainment Ventures, LLC, doing business as Paragon Arcade, to approve jukebox,
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		DJ, and instrumental music of five instruments, vocal music of five people, and dancing by patrons, for the hours of 11 a.m. to 1 a.m. Monday through Saturday and 2 p.m. to 1 a.m. on Sunday. On the deck area there will only be piped-in music.
Second	Sestito	
Vote	Unanimous	

The board took a five-minute recess at this time.

Motion	Reilly	<p>Motion to approve an all alcohol license for Paragon Entertainment Ventures, LLC, 189-197 Nantasket Ave, Charles Boggini, proposed Mgr. This is a motion to approve an all-alcohol license in all interior areas: Fascination area from 11 a.m. to 1 a.m.; craft beer gallery from 11 a.m. to 1 a.m.; arcade area from 5 p.m. to 11 p.m.; deck area from 11 a.m. to 11 p.m.; the golf course for beer only and allowing up to 25 events from 12 p.m. to 11 p.m., with beer to be dispensed in area as defined in the plan presented this evening. Further move that the Police Chief and Fire Chief will review the security, staffing and safety plan for the premises. Further move that the Police Chief will have the discretion as to the need for a police detail for interior or exterior activities.</p> <p>There will be proper signage warning not to remove alcohol from the premises. Before Pennyland or the deck are licensed, there will be a final sign-off by the building inspector. The license is to be issued for those areas but won't be exercisable until the town has approved that the construction is in accordance with the board's approval. If anything should stray from the plans presented this evening the applicant will come back before the board to seek the board's approval</p> <p>Amendment from Lemnios: 25 events would be allowed for the first year of operation. At end of the first year there will be a review as to how that process worked.</p>
Second	Sestito	Accepted amendment.
Vote	Unanimous	

Motion	Reilly	In the event that anything has to be modified, authorize the Town Counsel to work with the applicant's attorney to authorize the chair to sign off on behalf of the board.
Second	Sestito	

Vote	Unanimous	
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Other business

The board will schedule a show-cause hearing for Rinato Bistro, as it appears to have ceased operation.

Motion	Reilly	Motion to schedule a show cause hearing for Rinato Bistro.
Second	Sestito	
Vote	Unanimous	

EXECUTIVE SESSION

At 10:30 p.m., Richardson asked for a motion to go into Executive Session to conduct strategy with respect to collective bargaining and that the chair declares that an open meeting may have a detrimental effect on the bargaining position of the body; to also discuss strategy with respect to litigation and that the chair declares that an open meeting may have a detrimental effect on the litigating position of the body; also to go into executive session to discuss deployment of security personnel devices or strategy with respect thereto, also to go into Executive Session to comply with, or act under the authority of the Attorney-Client privilege; and to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and to not reconvene in open session.

Matters to be discussed were:

- Collection actions to recover funds owed the town
- Police collective bargaining
- Cummings v Hull
- Property rights and access dispute regarding public property

Motion	Sestito	
Second	Reilly	
Vote	Unanimous	Richardson – Aye Mitchell – Aye Constable – Aye Sestito – Aye Reilly – Aye Note: Reilly will abstain from discussion or vote on police matters.

The meeting was adjourned at 10:35 p.m. The board is scheduled to meet next on Thursday, May 3 at 7:30 p.m.

Recorded by Catherine Goldhammer

Approved by:

Documents

The following documents were included in the members' packets or were presented during the meeting and are available in the Select Board's office upon request:

- The Select Board's agenda and added agenda for April 26, 2018
- Site plan for 147-155 Nantasket Avenue