

Hull Board of Selectmen

Minutes

November 29, 2018

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Thursday, November 29, 2018, at Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Present: Domenico Sestito, Chair; Jennifer Constable, Vice-Chair; John Reilly, Member, and Greg Grey, Member. Also present were Town Counsel James Lampke and Town Manager Philip Lemnios. Kevin Richardson, Clerk, was absent.

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APPOINTMENTS

Hull Police Chief John Dunn regarding recognition of Hull Police Officers

Police Chief Dunn was present at the meeting to commend Deputy Chief Neil Reilly, and Officers Michael Flaherty, Paul Kelly, and Steven O'Neill for their actions during an incident at Pemberton Point on November 14, 2018. The incident involved an individual with a loaded firearm. The board awarded certificates of appreciation to these members of the department as well as to Police Chief Dunn. Selectman Reilly also recommended that the commendations be placed in their personnel files.

APPROVAL

Affirmation of vote on Senate Bill 2566 regarding one-day licenses

The May 2018 Town Meeting passed an article requesting the Legislature to enact special legislation allowing the Chairman of the Board of Selectmen to approve one-day alcohol, common victualer, and entertainment licenses to be affirmed at the board's next meeting. Senate Counsel's office made some slight edits and requested that the Board approve same. Town Counsel has reviewed the changes and they are consistent with the intent of the proposal.

The board voted as follows:

Motion	Reilly	Motion that the Hull Board of Selectmen approves proposed changes to Senate Bill 2566, an act authorizing certain officials in the Town of Hull to issue one day licenses for the sale of alcoholic beverages, and common victualer and entertainment licenses as reflected in the attached draft from Senator Patrick O'Connor.
Second	Constable	
Vote	Unanimous	

APPOINTMENTS, CONTINUED

Recognition of Hull High Girls Soccer Team

The board commended the members of the Hull High School girls' soccer team for their performance and successes during the season. Coach Stuart Bell introduced the players and the coaching staff. The coach congratulated the team for its hard work. The team made it to the finals and lost by one point. In addition, the team raised \$3,000 for the Emma Ryan Scholarship and \$2,000 for breast cancer awareness.

Chairman Sestito read aloud a resolution commending the team and its season and declaring November 30, 2018 Hull High Girls Varsity Soccer Day.

LICENSE RENEWALS

The board renewed the following licenses:

Motion	Reilly	McDevitt Enterprises, Inc., dba Jo's Nautical, Stephanie Aprea, Mgr., 125 Main St. for renewal of (A) All Alcohol General on Premise (annual); (B) Entertainment (Live, Jukebox, DJ, Karaoke) Daddy's Ventures Inc., dba Daddy's Dry Dock, Jeffrey Lemkin, Mgr., 280 Nantasket Ave for renewal of (A) all Alcohol as a General on-Premise Licensee; (B) Entertainment (Jukebox, DJ, Live); (C) Automatic Amusement; (D) Common Victualer;
Second	Grey	
Vote	Unanimous	

Motion	Reilly	Porta Bella Beverage, Inc. dba West Corner Liquors, 18 Nantasket Avenue, George Duncan, Manager for renewal of All Alcohol as a Package Store Smart Save, Inc. dba Smart Save Variety Store, 169 Nantasket Avenue, Nilesh Patel, Manager for renewal of Wine and Malt as a Package Store
Second	Grey	
Vote	Unanimous	

Motion	Reilly	J&S Bakeries dba Weinberg's Bakery, Joseph Divito Jr., Mgr. 519 Nantasket Ave. for renewal of Common Victualer J&S Bakeries dba Weinberg's Coffee House, Joseph Divito Jr., Mgr. 169 Nantasket Ave. for renewal of Common Victualer
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		Placido & Gaetano Treviso dba Nantasket Seafood, 533B Nantasket Ave. for renewal of Common Victualer
Second	Grey	
Vote	Unanimous	
Motion	Reilly	Nantascot Lodging House, Kevin Mirise, Sunnyside Up, LLC., 475 Nantasket Ave- for renewal of Lodging House
Second	Grey	
Vote	Unanimous	

Motion	Reilly	Deborah A. Rock and Carmen Arroyo, dba Bayside Coach, 71 Kenberma St. for livery license for vehicle(s) (2014 Chrysler Town and Country and 2015 Chrysler Town and Country) and livery badges for Deborah A. Rock and Carmen Arroyo (renewal), subject to passing inspection by Police Department for the vehicles. Michael Ashe, Michael Ashe dba Seaside Transport 712 Avalon Dr. for livery license for vehicle (2012 Toyota Sienna) and livery badge (renewal), subject to passing inspection by Police Department for the vehicles.
Second	Conatable	
Vote	Unanimous	

Motion	Reilly	David B. Kenyon, 214 Atlantic Ave, Unit #7 for renewal of livery badge for Seaport Livery Service.
Second	Grey	
Vote	Unanimous	

Motion	Reilly	William K. Trapp, dba Beach Front, 297 Nantasket Ave., for (A) All
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		<p>Alcohol as a Restaurant (B) Common Victualer (C) Entertainment (Live, Jukebox, DJ, Karoke) (RENEWAL)</p> <p>C Note LLC, dba The C Note, Charles J. Fruzzetti, Mgr., 159 Nantasket Ave., for (A) All Alcohol as a General on Premise Licensee; (B) Entertainment (Jukebox, DJ, Live Karaoke; (C) Automatic Amusement (Video Game, Pool Table) (RENEWAL)</p> <p>Red Parrot, Beatrice D'Angelo, Mgr., One Hull Shore Dr., for (A) All Alcohol as a Restaurant (B) Common Victualer (C) Entertainment (Live, Jukebox, DJ, Karoke) –(RENEWAL)</p>
Second	Constable	
Vote	Unanimous	

Motion	Reilly	L Street Pizza, Maroun Habchy, Mgr., 754 Nantasket Ave., for Common Victualer (RENEWAL)
Second	Constable	
Vote	Unanimous	

CORRESPONDENCE

Police Chief John Dunn, regarding winter parking ban from 12/01/2018 to 03/31/2019

A memo from Police Chief Dunn asked the board to approve a winter parking ban from 12/01/2018 to 03/31/2019. The ban would prohibit parking on Nantasket Ave., Atlantic Ave., Spring St., and Main Street. During inclement weather parking will be allowed on the even-numbered side of each street, except in areas where such parking is always prohibited. This is posted on the town website and Facebook page.

Paragon Entertainment, regarding upcoming renovations and temporary closing

The board received communication from Chas Boggini, Manager, Paragon Entertainment, 189 Nantasket Avenue, to notify the board that Paragon Entertainment is planning to conduct renovations and will be temporarily closing in order to do so. Lemnios said that they are now doing remodeling, possibly taking part of the building down and will use the winter months to do the work, to open no later than April 1, 2019. Reilly noted that they have been closed for a couple of months and would like an earlier notification in the future. He also said that if they plan to close during off months, they should change their license to seasonal.

NEW BUSINESS

Lemnios provided the following updates:

- Work on Crescent Beach is wrapping up. Stone used during the temporary fix can be re-used in the final work.
- The town is meeting with Aquarion and the DPW and Sewer Department to get a sense of the sequencing of water main work. Conrad Ledger will be present. to coordinate work with Hulls roadway plans.

APPOINTMENTS, CONTINUED

Public Hearing: Mike Buckley regarding FY19 Setting of Annual Tax Rate

Town Accountant Mike Buckley was present at the meeting to conduct the town's FY19 tax classification hearing.

The Board of Assessors annually asks the Board of Selectmen to vote to adopt the Tax Rate Policy as either:

- A single or unified tax rate
- A multiple or split tax rate
- Small commercial exemption
- Residential exemption

The overall percentage of classifications of property for FY18 is:

- Residential: 96%
- Commercial: 3%
- Personal: 1%

An overview of key changes assuming a unified tax rate included:

- The estimated tax rate will decrease from \$13.42 to \$13.05 per thousand.
- Based on an average single-family value of \$440,000 the average single family FY19 tax bill would be \$5,742.
- Based on an average commercial value of \$586,100, the average commercial tax bill would be \$7,648.

The Board of Assessors recommended that the Board of Selectmen adopt a unified tax rate, along with no residential, commercial, or small business exemptions.

The selectmen voted as follows:

Motion	Reilly	Motion that the residential factor for the fiscal year 2019 be set at "1". Motion that Hull will not adopt a residential exemption. Motion that Hull will not adopt a small business exemption.
Second	Constable	
Vote	Unanimous	

Motion	Reilly	Motion to authorize Town Manager to sign form LA5.
Second	Constable	

Vote	Unanimous	
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The selectmen signed a document indicating thus.

EXECUTIVE SESSION

At 8:15 p.m., Sestito asked for a motion that the board go to into Executive Session to 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; to go into Executive Session to comply with, or act under the authority of the private laws including G.L Chapter 214, Section 1B; to go into Executive Session to comply with, or act under the authority of the Attorney-Client privilege; to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and to reconvene in open session.

Matters to discuss were:

- Crescent Beach legal matters and claims
- Personnel-related claims
- Chaput vs. ZBA
- Cummings vs. Hull

Motion	Reilly	So moved.
Second	Constable	
Vote	Unanimous	Reilly – Aye Sestito – Aye Constable – Aye Grey – Aye

The board reconvened in open session at 9:05 p.m.

Andrew Spinale and Justin Gould, regarding lease amendment

Andrew Spinale and Justin Gould were at the meeting to request a lease amendment for the Steamboat Wharf, 48 George Washington Blvd. Attorney Louis Sorgi was present to represent the Steamboat Wharf.

The following information was included in the presentation:

- Spinale and Gould are seeking to open a seasonal marina restaurant to serve mainly marina patrons in the space formerly occupied by the Lobster Express.
- This will also provide public access to people who don't own boats.
- The restaurant will seat approximately 50 inside and 60 outside. In addition, there will be a delivery service to boats.
- A counter-service model will be used, with a menu consisting of bar snacks, flatbreads, burgers, and sandwiches.
- They will be seeking a seasonal alcohol license. Alcoholic beverages will be consumed inside or on a fenced patio. Servers would be TIPS certified.

- The season would be from mid-April to November, with hours of operation to be determined, operating seven days a week during peak months. They do not anticipate any closing time later than 10 p.m.
- Current owners will retain ownership of the marina. Andy and Mary Ann Boothroyd would manage and run the restaurant.
- Current and proposed parking plans were provided to the board. [See documents.] Gould said that there was ample parking at the site.

Town Planner Chris DiIorio noted that the project would have to go before the Planning Board for parking and site plan review. Lemnios noted that there is a difference between what the zoning bylaw requires and what site plan review by Planning Board may require regarding the use of the property, including parking. Gould noted that there would be some adjustments from current parking procedures to accommodate the new restaurant use, including dealing with boat storage issues.

Lemnios pointed out that the applicants would have to be specific on their license request regarding what date they would be opening the indoor and outdoor seating areas.

Ron Patuto, who is a former tenant of the Steamboat Wharf and ran Lobster Express, stated that he thinks the plans are great but that parking could be a problem.

Boothroyd was also present at the hearing. Lemnios asked how much of the menu would be seafood. Boothroyd said that there would be seafood, but it would probably be 10% of less of the menu. Sorgi said that the restaurant would be different than Jake's because it has a delivery aspect and is intended for boaters. Constable also noted that the concept is very different than that of Jake's. Reilly suggested that board members submit any questions they may have to the chair or to Lemnios for discussion at the next hearing.

Sestito noted that the board would not be making any decisions this evening, as one of the board members was not present and other local businesses would be present at future meetings.

NEW BUSINESS, CONTINUED

Reilly thanked those involved in setting up the Thanksgiving bonfire.

Sestito congratulation the boys' football team for their season.

The meeting was adjourned at 9:35 p.m. The board will meet next on December 13, 2018 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:

- Agenda and added agenda for November 29, 2018
- License renewal requests from:
 - McDevitt Enterprises, Inc. dba Jo's Nautical
 - Daddy's Ventures Inc., dba Daddy's Dry Dock
 - Porta Bella Beverage, Inc. dba West Corner Liquors
 - Smart Save, Inc. dba Smart Save Variety Store

J&S Bakeries dba Weinberg's Bakery
J&S Bakeries dba Weinberg's Coffee House
Placido & Gaetano Treviso dba Nantasket Seafood
Nantascot Lodging House, Kevin Mirise, Sunnyside Up, LLC
Deborah A. Rock and Carmen Arroyo, dba Bayside Coach
Michael Ashe, Michael Ashe dba Seaside Transport
David B. Kenyon, Livery Badge
William Trapp, Beach Front
C Note, dba C Note
Red Parrot, dba Inspire Eat and Drink
Maroun Habchy, dba L Street Pizza

- Town of Hull Property Classification presentation
- Steamboat Wharf presentation packet
- Letter from Paragon Entertainment regarding licensing
- Memo regarding winter parking ban
- Memo regarding approval of one-day alcohol and common victualer license