

Hull Board of Selectmen

Minutes

October 6, 2009

The meeting of the Hull Board of Selectmen was called to order at 7:33 pm on Tuesday evening, October 6, 2009, at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts

Present: John Reilly, Chairman; Domenico Sestito, Vice Chairman; Christopher Olivieri, Clerk., Joan Meschino, and Dennis Blackall, Members. Also present were: Philip Lemnios, Town Manager, and James Lampke, Town Counsel.

7:30 – Joyce Sullivan –re: Flu Update

Joyce Sullivan, Town Nurse and Public Health Director, reported on the status of H1N1 shots that she said have been cancelled as there has been a delay in delivery. The State H1N1 Program. directly ships to 2600 distribution spots for the nasal batch. They are given first to health workers and pregnant women. She said there is no way of knowing when it will arrive or how much will be sent.

Sullivan also said the flu shots or spray are for ages 6-24, and 25-64. She described the symptoms as a cold with vomiting and diarrhea She mentioned a web site as state.flu.gov and said she will post notices and she will place the information on the Hull web site when the product has been delivered and the clinic set up.

7:35 pm – Ocean Club - re: Entertainment License Amendment.

The Chairman opened the public meeting and swore in those wishing to speak. He then recognized Greg Sullivan, Attorney for the Ocean Club.

Sullivan said that last spring his client had sought a modification of the Club's entertainment license for the interior of the building only. The Club is seeking the same hours as other establishments that are to 1:00 am. The present hours at the Club are Mom-Thurs to 10:00pm; Fri & Sat. to 11:00 pm and Sunday to 8:00 pm.

Sullivan spoke about the club's track record stating there have been no complaints over the past two years yet, the Board just approved a new establishment, the Dry Dock, with longer hours.

Ernesto Caparrotta, owner of a condominium building abutting the Ocean Club, stated he has concerns as his condo building is just 100' away and as a family place it does not need any disturbance.

Pat Finn of Telegraph Avenue spoke in favor and agreed that the hours should be fair. Rob Taub, 9 Meade Avenue, approved, stating that to deny to him sounds small to him; Steven Buckley, 51 Manomet Avenue said he patronizes both of the owner's establishment, DeNiro's in Hingham and the Ocean Club, and that the rules should apply to everyone. Phyliss Aucoin, 12 Sagamore Terrace had to be sworn in, then supported the request by saying everyone should be treated the same.

Continued

Sullivan argued that there have been no complaints: noise is regulated; the Board issued a seven -day 1:00am license to the Performing Arts Center; that his client's building has had entertainment licenses prior to the construction of the condominiums; there have been no noise complaints, so the track record is established, and he said, a denial to increase is unfair.

Sestito said that there is no report from the Police Chief stating that there are no complaints, and he would like to see the report. Ernesto Caparrotta said that he knows of no complaints.

Lampke stated that if the license is modified and there is a problem the Board may take action in a reasonable and fair manner. He also added that if there had there been any complaints they would have been brought to the Board of Selectmen..

In answer to a question from Olivieri asking that if approved would the outside hours stay the same, Lampke said if the license is approved by amending this application it is for inside hours only, if granted.

Meschino suggested approval with conditions: that the air conditioner shall be functional to replace window openings; the upstairs deck to remain closed as well as the upstairs door, and insulation.

Moved-Meschino: To approve the entertainment license amendment as requested with conditions

Second-Reilly

Following a short discussion Meschino withdrew the motion.

Reilly explained that this meeting was not a formal public hearing under the statute, and he would like to process a full hearing based upon there being no complaints; and that notice to be sent to abutters/ He said a hearing date would be scheduled for November 3, 2009.

The public meeting recessed at 820pm and the Board returned to open session returned to open session at 8:31 pm.

TOWN MANAGER

Unanimously approved Lemnios request to declare surplus and permit the sale of two vehicles: 1998 Ford Crown Victoria (DPW) listing the VIN and mileage 114543; and 1999 Ford Contour (Board of Health) listing VIN and mileage-87939, on a motion by Meschino, seconded by Olivieri

Lemnios announced the appointment of Elsa Miller as Assistant Assessor effective October 1, 2009 for 15 hours per week with no benefits and asks the Board to waive its right to object. Unanimously approved waiving the Board's 15-day right to object on a motion by Olivieri, seconded by Meschino.

CORRESPONDENCE

One of Two Small Roadways off George Washington Boulevard entrance to Hull Shore Drive

Police Chief Billings wrote, in a memo Sgt. Reilly's findings as a Safety Officer, and his own findings over a year-long observation of the temporary closing of the road at Pocket Park. Based on the positive information from the study and observations he recommends the temporary closing be made permanent. He also recommends that the extra asphalt roadway be made into additional parking area for the Beach Food Market. Billings wrote, that if the Board agreed and approved sending a petition to the DCR requesting the permanent closing of the roadway, the Chief stated he would submit the petition if approved by the Board, and include all of the documents,

Olivieri thanked the Chief, and the Safety Officer, Sgt. Reilly, for their work on the project.

Moved-Olivieri: To approve the petition to the DCR requesting permanent closure of the road at Pocket Park

Second-Meschino

Vote: Unanimous in favor

Unanimously approved Trick or Treat Hours for Halloween as submitted by the Police Chief from 3:00 pm to 8:00pm on a motion by Meschino seconded by Sestito.

Unanimously approved the request of Lori Newmyer, of the Hull Lifesaving Museum to hold "The Icebreaker: Northeast Regional Youth Open Water Rowing Championship" on Saturday November 21 at the Windmill Point Boathouse starting at 9:00am and other events show in her letter dated September 28, 2009, on a motion by Blackall, seconded by Sestito..

MINUTES (CORRECTED)
April 7, 2009 Held (Blackall)

Additional Motion re Lifesaving Museum

Moved-Meschino: To approve the request of the Life Saving Museum for the October 31st event on Monday, Tuesday, Wednesday and Thursday

Second-Sestito

Vote: Unanimous in favor.

9:00 pm – Continued Hearing re Ocean Club

The Chairman opened the continued hearing at 9:00 pm and recognized Sestito who asked why the license could be approved subject to the letter from the Police Chief stating there had been no complaints.

Continued

Moved-Sestito: To approve the entertainment license application amendment for inside use only with hours to be Mon-Sat as 1:00pm to 1:00am and Sun. 1:00pm to 10:00am with other conditions remaining provided the report from the Police Department for the time period shows no complaints.

Second-Meschino

Roll Call Vote: Aye, Sestito; aye, Meschino; nay, Olivieri; nay, Reilly; nay, Blackall

Sullivan asked the Board why it was denying the amendment. Reilly responded that the Board needs to hold a full Public Hearing and added that there needs to be certified notice to abutters at 45 days prior to the scheduled hearing date.

Meschino suggested that the review of the DOR report scheduled for 9:00pm be postponed and Board Members agreed.

8:30 – Atlantic Avenue Reconstruction Proposal

Joe Stigliano, DPW Director, introduced two Members of Coler and Colantonio, who had been the engineers on the successful TIP Program for the reconstruction of Main Street, and has been the successful bidder for the reconstruction of Atlantic Avenue. They will be assisting the Town in securing funds from the TIP for the project.

Stigliano spoke about the many issues involved on Atlantic Avenue, a heavily traveled roadway to other towns and Route 3A. Some of the issues he discussed were: environmental as the road is bordered by Straits Pond; new handicapped sidewalks, a bicycle path, and most important easements. He then introduced the engineers who presented a Power Point.

Jim Colantonio opened the Power Point by stating that the plans must qualify for the Federal and State monies for the \$3,300,000 grant to reconstruct the 1.3mile road.

Following the extensive Power Point, they discussed the importance of citizen participation needed for being awarded the grant, and said it is extremely important Anne Murray, who lives on Summit Avenue off Atlantic, offered to work to gather the citizens together when needed. Chapter 90 monies may be used to fund the planning and \$136,000 should carry the program to spring or next summer, Lemnios said.

Moved-Olivieri: To proceed with the 25% phase not in excess of \$136,000

Second-Blackall

Vote: Unanimous in favor.

Reilly said the Board is to meet next week and the Ocean Club would be scheduled for November 3, 2009, and closed the meeting at 11:16pm.

Approved
January 26, 2010