

## Hull Board of Selectmen

### Minutes

October 18, 2011

The meeting of the Hull Board of Selectmen was called to order on Tuesday evening, October 18, 2011, at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

Present: John Reilly, Chairman; Kevin Richardson, Clerk; John Brannan and Domenico Sestito, Members. Also present were: Philip Lemnios, Town Manager and James Lampke, Town Counsel.

Not Present: Christopher Olivieri, Vice-Chairman

#### **7:30 pm – Harry Hibbard, Aquarion Water Company**

This appointment was cancelled by Mr. Hibbard. Lemnios discussed the issues he said were going to be discussed, Atlantic Avenue, Beach Avenue and the rate increase. Ms. Murray and Mr. Blackall from the audience expressed their displeasure with the work done on Atlantic Avenue.

#### **Correspondence**

#3 – Lemnios announced the Appointment of Katherine Rebel as Assistant Assessor and asked the Board to waive the 15 day power to reject the appointment. This is a part-time position.

Motion – Richardson: To waive the 15 day right to review.

Second – Sestito

Vote - Unanimous in favor

Reilly asked Lemnios if the wording was review or reject. Lemnios said in the personnel by-laws it is “right to reject”.

#1 - letter from the Police Chief regarding a Traffic survey at Kingsley Road and Revere Street was read by Richardson. Reilly told the Board that there is a citizen’s petition that will be scheduled at a later meeting. Audience members expressed concerns with the increased traffic at this intersection.

#2 - Richardson read the letter from the Police Chief regarding the alcohol compliance check. No licensee’s were caught in the sting operation.

#### **8:00 pm - School Committee and Advisory Board**

School Committee Members present are: Stephanie Peters, Kristen Evans, Eric Hipp, David Twombly and Maryann Harte. Also present are Dr. Kathleen Tyrell, Superintendent; Mike Devine, Principal at Hull High School; Mickey McGonigle and Scott Silvo.

Advisory Board Members who were present are James Canavan, Charlie Ryder, John Polito, Richard Kenney, Joan Senatore, Peter Lawson and David Clinton. A power point presentation was shown and the topic is "What is NEACS". Mr. Devine read this statement from the presentation. New England Association of Schools and Colleges provides accreditation services for more than 2,000 public and private institutions in the 6 state region, Pre K through university. Emanating from high quality standards NEASC accreditation uses self-reflection, peer review and best practices as integral components of its assessment process and monitors the follow up endeavors leading to continuous school/program improvements. How the study will be conducted and the guidelines were shown on the power point presentation. The NEASC will be conducting the study the first week of November. Mr. Devine told the Board what documents teachers and administrators are required to submit. A lengthy discussion continued. Advisory Board members asked about the budget for the School. Mr. McGonigle passed out the budget information and explained in detail how the funds are expended.

Sestito asked about bullying and how the schools and teachers handle it. Dr. Tyrell told the Board that there will be an upcoming presentation similar to the one last year.

**9:00 pm – Kenneth and Donna Kaplan – Request to use railroad bed.**

(Richardson recused himself because he owns property that abuts a railroad bed). Attorney Neusse was present representing the Kaplan's. He showed diagrams of the property and railroad station and another resident who currently uses railroad bed property, there is a pool on it and he would like to know if they have permission or a permit. Mr. Kaplan spoke of this request and gave the Board a letter from Lampke which Mr. Kaplan interpreted as denying his request. Based on his research he does not think the Board has the authority to grant permission to use the railroad bed. Lemnios wanted to know why he needed a license if it was going to be kept as open space.

Reilly said that the Board will hear the next appointment and then make a decision.

**9:15 pm – Bill and Mary Costello Request for use of Railroad bed**

Attorney David Kellem representing the Costello's handed the members a packet. The original license was granted to the previous owner in 1998. He had aerial photos of the properties in question and gave the Board the history of the railroad bed use. He stressed the fact that the use has not changed and that there have never been any complaints. Attorney Kellem told the Board about the numerous e-mails, letters to Conservation Dept, and the Hull Times from Mr. Kaplan regarding the Costello's use of the railroad property that is "public land". He asked the Board to approve his request and deny the Kaplans.

Reilly asked if any audience members would like to speak, Dennis Johnson and John Silva spoke in favor of the Costello's. Lemnios asked Mr. Kaplan specifically if he wants the Board to reject the whole request or just certain parts. Reilly told the Members that was the end of the audience discussion and asked if they had any questions.

Motion – Sestito: To approve the license request by the Costello family that has been diagramed in the request for grant of license to use the former railroad property adjoining 2 Alden Street in a packet that was provided by Counsel Mr. Kellem as described in the page area request of the license use of 2011.

Second – Brannan: with discussion about the railroad property and that this is not the time to address it. The Board should make it town wide and not on a one by one basis.

Vote – Unanimous in favor

Motion – Sestito To go into executive session to discuss strategy with respect to litigation and the chair declares that an open meeting may have detrimental effect on the litigating position of the public body, and to comply with the provision of a general or special law, here the Attorney-Client Privilege and to consult with legal counsel and obtain legal advise pursuant to the Attorney-Client Privilege and to not reconvene in open session.

Roll Call Vote – Aye, Reilly; Aye, Brannan; Aye, Richardson; Aye, Sestito

The subject to be discussed is Cope-Allen vs Town of Hull et al

APPROVED: February 12, 2013