

## **Hull Board of Selectmen**

### **Minutes**

**December 11, 2012**

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, December 11, 2012 at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

Present: John D. Reilly, Jr., Chairman, Kevin Richardson, Vice-Chair, Domenico Sestito, Clerk, Dr. Christopher Olivieri, and, John C. Brannan, Members. Also present were: Philip E. Lemnios, Town Manager, James Lampke, Town Counsel and Karen Morgan, Recording Secretary.

### **MINUTES**

Unanimously approved in a Motion made by Olivieri, seconded by Sestito on the following minutes: October 2, 2012, October 16, 2012 and October 30, 2012.

### **APPOINTMENTS**

#### **7:30 p.m. – Parking Committee – Letter from Chief Billings re: Bay Street**

Robert DeCoste of the Parking Committee presented an overview of items to be discussed. A company came in and presented a Pay-Station presentation which might be more beneficial to the Town. When the meeting arises, he will make sure that the Chairman and the members know in case they would like to sit in on this meeting. Moving forward, he spoke of the sticker process about residents not waiting in the long lines to obtain one. The Committee is trying to find ways to make it more convenient for the employees and residents to get their stickers quicker. Involving parking west of Nantasket Ave., there have been issues. The Committee will be looking at that issue in another meeting. About resident parking, specifically Pemberton Pier parking lot, the Committee has not done a lot in terms of recommendations for it.

The first area for recommendation is of Milford Street. The residents signed a petition for Chapter 155.20 for each resident to have their own individual parking. After talking with the Chief, the Committee said that the best way would be to just put that street as part of the restricted parking area. The result of that meeting, the Committee recommended that Milford to be restricted parking with the reason being that with people going to A Street and the restaurant, people are not parking in the spaces provided and Milford Street residents found it difficult to park in front of their house.

Reilly suggested that if it was approved to try it for a one-year basis and see how it works out.

Olivieri commented that other residents might now be requesting restricted parking in their areas and there has to be a line drawn. Everyone in Town has the right to park anywhere in Town.

Reilly suggested in moving forward that the Committee should map out their strategy on how they are moving throughout the Town so if someone calls and wants certain parking, the Committee to have a systematic approach to schedule about when to get into that particular area.

DeCoste said that there are already a few Chapter 155.20's in place. He said that after speaking to the Chief, that the Chief feels that the Town is trying to stay away from Chapter 155.20 completely.

Brannan also suggested the one-year trial basis to see how the restricted parking works out.

Richardson said that the Board needs to sit down and have a discussion before any additional restricting parking is approved.

Gregory P. Cove, 2 F Street, commented about restricting the whole Town so he can go to the east side of F Street and park and not get a ticket for it. It is a major pain in his opinion and disruptive to the Town.

DeCoste then spoke of Bay Street. He said that the BOS implemented restrictions on Bay Street. There was a meeting with 70 residents in July and that started the process to evaluate how the program was working. It was found out that some of the areas that were restricted, the residents expressed the need to not have that restricted. They came up with the recommendation for the Bay Street area was to remove Sagamore Terrace, Islandview Rd, Fairmount Way, Roosevelt Ave., Merrill Road, Marginal Road and Moreland from the restricted parking area and keep all of the Bay Street, Porrazzo, Eastern and Hillside. This was the recommendation that they came up with for the Chief.

Reilly then read a portion of the December 11, 2012 letter from Chief Billings: *"I am opposed to the suggested change of the restricted area on Bay Street, first I believe there could be some confusion from the motoring public as to just exactly where the restricted areas lie, under this new plan where would people park that are guests of the non-restricted residents and where will the guests from the restricted residents park when the restricted street is full, I suggest overflow onto the non-restricted area pitting neighbors against neighbors. I recall all of the effort and time that went into changing the Bay Street area to restricted parking and all of the evidence and meetings provided that supported the change. But I have not heard that amount of reasoning supported by numerous statements and complaints to the Police Department to support the change."*

In conclusion, no motion was made on behalf of this appointment. Reilly would like to schedule another meeting in January to hear about this further. He supports the Police Chief recommendations and the one year trial basis for the restricted parking. DeCoste will write a summary for each area and present it to the Board members. The Board expressed its appreciation to DeCoste and his committee members for their work on this complicated issue.

**Concluded: 8:16 p.m.**

**8:16 p.m. – Hearing – Lighthouse Enterprises, Inc. dba A Street Liquors – Change of Manager**

**Richard Tibbetts and Stephen Licare were sworn in by Reilly.**

Reilly spoke of the Police Department having no objections of Stephen Licare as new manager. The Police Dept. felt Licare is a qualified person to be a manager and has no objections to the applicant's request. They request to the applicant that all employees, including the manager to be TIPS trained and certified for identification class. Licare said that he completed those courses but needs to submit it to the Police Dept.

Motion -	Olivieri	Approve change of manager of Lighthouse Enterprises, Inc. dba A Street Liquors.
Stipulation	Reilly:	To present the certification of those classes to the Town Clerk
Second -	Richardson	
Vote -	Unanimous in favor	

**Concluded: 8:20 p.m.**

**8:20 p.m. – Proposed 2013 Annual & Special Town Meetings & Election Schedule**

The following is the proposed schedule from Lemnios in a memo dated December 4, 2012 for 2013 Annual and Special Town Meetings and Elections:

1/04/13	Advertise warrants close (Friday)
2/07/13	Warrants close 3:00 p.m. (Thursday)
3/19/13	Selectmen sign warrants (Tuesday)
4/04/13	Deadline for posting warrants (Thursday)
4/15/13	Deadline for submitting ballot questions (Monday)
4/29/13	Deadline for posting election warrants (Monday)
5/06/13	Town Meeting (Monday)
5/20/13	Town Election (Monday)

Motion -	Richardson	To adopt the memo dated December 4, 2012 from Town Manager for the Annual and Special Town Meeting and Elections.
Second -	Sestito	
Vote -	Unanimous in favor	

Concluded: 8:22 p.m.

#### TOWN MANAGER

Lemnios spoke of the commuter float at Pemberton that is back in Town. We are now waiting for the MBTA for the removal of the temporary float.

#### CORRESPONDENCE

Read aloud by Reilly correspondence from the Office Manager – re: New Year's Eve Closing

*In a memo dated December 4, 2012 to the BOS from Janet Bennett spoke of the New Year's Eve Closing. She is asking if the Board wanted to allow liquor establishments (on premise) to remain open until 2:00 a.m. New Year's Eve.*

Motion - Olivieri To allow liquor establishments to remain open until 2:00 a.m. New Year's Eve. (A form that the license holder must fill out requesting these times).

Second - Sestito

Vote - Unanimous in favor

#### LICENSE RENEWALS

*All renewals are subject to inspectional review and are for the same license with the same conditions applicable to the license expiring.*

*Unanimously approved the license for Bridgeman Enterprises, Inc., dba Bridgeman's Restaurant, Joseph G. LaSpada, Manager, 145 Nantasket Avenue – (A) Common Victualer (B) All Alcohol as Restaurant on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Tiger Wind, dba Nantasket Liquors, Hong Jiang Wang, Manager, 379 Nantasket Avenue – All Alcohol as a Package Store on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Red Parrot, Inc., dba, The Red Parrot, Beatrice Brooke-D'Angelo, Manager, 1 Hull Shore Drive - (A) Common Victualer (B) All Alcohol as Restaurant (C) Entertainment – Jukebox, DJ, Karaoke & Live on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for C Note, LLC, dba The C Note, Charles J. Fruzzetti, Manager, 159 Nantasket Avenue (A) All Alcohol as a General on Premise (B) Entertainment – Jukebox, DJ, Karaoke & Live on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Gun Rock House, Inc., dba The Gun Rock House, Tracey M. Connors, Manager, 175 Atlantic Avenue - (A) Common Victualer (B) All Alcohol as Restaurant (C) Entertainment – Jukebox, DJ, Karaoke & Live (D) Automatic Amusement Devices – One Pool Table and One Video Game on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Nantasket Resort, Inc., dba Nantasket Resort and Spa, Jackson Slomiak, Manager, 45 Hull Shore Drive – (A) Inn holder (B) All Alcohol as an Inn holder (C) Entertainment – DJ & Live (D) Automatic Amusement Devices – 3 Video Games, 5 Prize Games, 2 Table Top (Hockey and Pool) on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Joseph Agostino, dba Beach Food, 245 Nantasket Avenue - (A) Common Victualer (B) All Alcohol as Restaurant on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Knights of Columbus, 440 Nantasket Avenue – On day all alcohol for December 31, 2012 from 7 p.m. to 12 midnight on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Knights of Columbus, 440 Nantasket Avenue – One day all alcohol for February 9, 2013 from 7 p.m. to 12 midnight on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Bermaken Hotel, LLC, William Reading, Manager, 102 Revere Street – Lodging House License on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for James M. Milligan, dba Nantascot Lodging House, Rich Mellish and Sheryl Connor, Managers, 475 Nantasket Avenue – Lodging House License on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for LaDalat & Company, Inc., dba LaDalat, Vo Nguyen, Manager, 181 Nantasket Avenue (A) Common Victualer (B) All Alcohol as Restaurant on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Estate of Beverly I. Tullish, dba A Street Deli, Stephen Tullish, Manager, 675 Nantasket Avenue - (A) Common Victualer (B) All Alcohol as Restaurant (C) Entertainment – Jukebox, DJ, Karaoke & Live on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for LMB Restaurant Group, dba Barefoot Bob's, Marc Cara-Donna, Manager, 276 Nantasket Avenue - (A) Common Victualer (B) All Alcohol as Restaurant (C) Entertainment – Jukebox, DJ, Karaoke & Live on a Motion made by **Olivieri**, seconded by **Sestito**.*

*HOLD BY BRANNAN - for Daddy's Ventures, Inc., dba Daddy's Dry Dock, Jeffrey Lemkin, Manager, 280 Nantasket Avenue - (A) Common Victualer (B) All Alcohol as Restaurant (C) Entertainment – Jukebox, DJ, Karaoke & Live.*

*Brannan mentioned about the sound of the music resonating from this establishment. Reilly said we can take no action and the license renewal is approved by operation of law or vote to renew and schedule for*

*the owners to have a discussion about the sound. Reilly said that we cannot turn this down without show cause. Reilly said he would schedule for the owners to come in January for discussion.*

Motion -      Olivieri                      To approve license for Daddy's Ventures, Inc., dba Daddy's Dry Dock.  
Second -      Sestito  
Stipulation    Reilly                      For the owners to come in either in January or February to discuss  
noise from their establishment.  
Vote -           Unanimous in favor

*Unanimously approved the license for Ric Ray, Inc., dba Schooners, Raymond Chase, Manager, 157 Nantasket Avenue - (A) Common Victualer (B) All Alcohol as Restaurant (C) Entertainment – Jukebox on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for William Dwyer, dba, Pemberton Bait and Tackle Co., 173 Main Street – Common Victualer on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Lorretta H. West, dba LW Auto Sales, 4 Lincoln Street – Class II Wholesale Auto on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for 5L, LLC, Paul Leeber, Manager Member, 177 Atlantic Avenue – Class II Wholesale Auto on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Placido & Gaetano Treviso, dba Nantasket Seafood, 533B Nantasket Ave., Common Victualer on a Motion made by **Olivieri**, seconded by **Sestito**.*

#### **CORRESPONDENCE CONT.**

Read aloud by Sestito correspondence regarding Alysia Belisle and Aimee Shanahan – re: Request to hold wedding on the A Street Beach. On recommendation of Lt. Shea, the wedding has been changed to the Gazebo at Mariner's Park for April 13, 2013 at 4:30 p.m. for 100-125 people, ceremony will be about 20 minutes.

Motion -      Olivieri                      To approve the use of the Gazebo at Mariner's with the customary  
stipulations  
Second -      Richardson  
Vote -           Unanimous in favor

Read aloud by Sestito correspondence regarding Town Clerk – re: Resignation from Advisory Board

*In a memo dated December 3, 2012 to the BOS from Janet Bennett spoke of the resignation of Joan Senatore, as a member of the Advisory Board became effective on November 19, 2012.*

Reilly spoke of sending a letter of regret to Ms. Senatore and to thank her for her service.

**AT THIS POINT THERE IS A FIVE MINUTE BREAK**

#### **APPOINTMENTS CONT.**

**8:45 p.m. – Charles E. Gould – re: Storage of Boats**

Gould, 61 Halvorsen Avenue spoke of the storage of boats on the public streets in the area. When Bob Fulsom acquired the Sunset Marina, he held several public meetings and said he would be obtaining land from Bay Avenue East to park cars and store boats. He also said he would follow the zoning of the area. About five years ago, Gould noticed that Fulsom was using an area for storage and parking of boats on a Town Street for public land. He told Bob of his concerns and had a meeting with previous Board Chair. Lampke pointed out at that time about the boats being stored on public land. Bob agreed and said he would stop. Gould tried to call Bob several times about some concerns of his. Recently Gould noticed that Bob is still parking boats and when he tried to call him on the phone, Bob would not return his calls.

Gould said that he has always been diligent of his neighborhood throughout the years. He wants to know what and when the BOS will do about the illegal storage of boats, etc. on public property.

Janet R. O'Neill, 3 Prospect Avenue spoke as well about the storage problem. There is supposed to be public parking available in that area and it is not. It is very unsafe in the summer because of all the cars that are parked illegally in the area.

Cove also spoke and expressed his opposition to improper use of Town property. Building Commissioner Peter Lombardo commented that he called Mr. Fulsom today and he said he was going to have the one boat that belongs to another person removed in a couple of days. The other boat is ready to have a lift truck about to move it out shortly. These both will be moved in three days. If they are not, Lombardo will follow-up. Lombardo will speak to the Police Chief and DPW about stop signs and as well as trimming back the trees. He will speak with Mr. Fulsom about the other items present.

Reilly said that he will sent a letter to the Police Chief about patrolling the area in question and contact the highway department as well.

Brannan commented about the boats being cleaned and scraped as there can be an environmental concern.



Reilly recapped about speaking to the Police Chief about the stop signs and a letter to the highway in case there has to be any cut back of vegetation in the area. Lombardo will keep on track of that and report back to the Board in January.

**Concluded: 9:03 p.m.**

Brannan would like to wish everyone happy holidays.

Reilly looks forward to the year 2013 and is looking forward to seeing everyone again in January.

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Motion - Reilly requested a motion to go into executive session: To discuss strategy with respect to litigation and that I as Chair declare that an open meeting may have a detrimental effect on the litigating position of the body, to comply with, or act under the authority of the Attorney-Client privilege, to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege. We will not be reconvening into Open Session.

Moved – Sestito

Second – Olivieri

Roll Call Vote: Aye, Olivieri, Aye, Sestito, Aye, Reilly, Aye, Richardson, Aye, Brannan.

Reilly states that the following subjects will be among those discussed in the Executive Session:

- a.) Strategy with Respect to Litigation

*Reilly announced that the next Board of Selectmen meeting will take place on January 8, 2013.*

**The Board moved into executive session at 9:15 p.m. not reconvening to open session and adjourned thereafter.**

Respectfully submitted

*Karen Morgan*

Karen Morgan, Recording Secretary