

**Hull Board of Selectmen**

**Minutes**

**May 21, 2013**

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, May 21, 2013 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.

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John Coggins, Chairman of the War Memorial Commission announced Memorial Day observances will begin at 9:00 a.m. with a parade from the High School to the cemetery where the ceremony will take place. There will also be several square dedications that morning. He also announced that on June 23, 2013 at 12:00 p.m. at the War Memorial Monument there will be the Vietnam Plaque Dedication.

Richardson stated that on May 25, 2013 at 9:00 a.m., the Little League will replace the missing and/or damaged flags at the cemetery and additional volunteers are needed as well if anyone would like to participate. This is open to anyone in Town. All are welcomed.

**APPOINTMENTS**

**7:35 p.m. – DCR – Re: Update on Projects**

*Members of the DCR updated the public with a presentation discussing their recent updates for the front part of the Mary Jeanette Murray Bathhouse. Topics include: Intro and Background, Stability Assessment/Wall Monitoring, Beach Profile/Monitoring, Proposed Work, Construction Sequence/Schedule, Environmental Permitting/Impacts and Summary. They are seeking Emergency Certification from the Hull Conservation Commission for certain retaining wall work.*

*In summary, to implement proven and cost effective stabilization measures as soon as possible, the proposed work includes a 38' seaward projection, 6" layer of crushed stone, stone steps proposed, safe beach access, 30 days of work, and the sidewalk to remain open w/police detail.*

*Questions/Comments from Board and Public:*

*John Brannan – Asked the DCR what can the Town do to expedite getting the work done faster, if the DCR expects repercussions with this event and are there steps in the interim part of the long-term plan or are they just steps to just to stop it. Mr. Murray from DCR answered by supporting the Con. Com. to issue an emergency order. It would be a good idea to wait until we can get the apparatus in place to move forward and to come out and talk to the BOS to explain what we are doing, rather than receive an emergency order and not share the info with the Board. Mr. Galvin from DCR answered that this project would help structures and protect against future storms coming from the North. Part of the long-term*

*plan is that the analysis which was long and lengthy was that the ultimate recommendation was to basically stabilize the entire, middle section of the seawall.*

**Domenico Sestito** – *Asked the DCR about how many truck loads with materials that will be anticipated. Galvin answered that there might be about 150 to 200 truck-loads. Sestito then asked about the costs. Murray said that the estimate would be about \$250, 000.*

**Christopher Olivieri** – *Thanked the DCR for the repair on the sidewalks on Hull Shore Drive.*

**Roger Jackson** – *Asked about the wall falling down or change/shift dramatically between now and October, why must it be done right now. Murray answered that we think the instability of the wall has been caused by series of erosions as a result of three major storms since Oct.; that is why they are here today. If we lose that wall, we would lose all the economic vitality. Galvin answered that there are a number of things that can happen between now and then and this work needs to be done as quickly as possible.*

**Robert Cebula** – *Asked if artificial reefs can be utilized. Galvin answered that back in 2000 where it was used before and there were a lot of negative impacts.*

**Philip E. Lemnios** - *Whether or not this project will be done by June 30<sup>th</sup>, the reality is that we heard these dates many times. The suggestion that during key weekends where there is a lot of traffic to perhaps implement additional parking. The master plan is to have this completed which is a very important step to receive state and federal funding to have representatives from the Town to revisit the master plan again, to use the trust fund to pay for the balance of the master plan and then we can jointly go to State and Federal officials with their findings. We cannot make a good argument with anyone that we have a good plan unless it is completed. We have to go as one voice to the State and Federal Government. We need to be on the same page as to how to pursue this long term and identify who we need to speak to for funding because the economy is coming back and we have been in a very poor period in the last 4-5 years with capital projects. We should get a small group together to look at the plan and get it down to a manageable dollar amount and jump start that process with the goal of having the master plan completed very quickly. Murray said that they will look into funding options as stated.*

**Rhoda Kanet** – *Stated that she is angry and disgusted. In Oct., the profile was decreasing; on the presentation the picture was from Dec. 19, 2012, so the DCR has known for months that we had a problem and now they are here at the end of May and she wanted to know what happened since the DCR knew there was a problem in Oct. and by Dec., why it took the DCR so long to decide to do this now. Also, there is a big difference with the North end of the beach vs. the boulders that the DCR got and plan to do again. The Beach Management Committee has come back for 10 years telling the DCR that this was going to happen, another emergency. She is not opposed to the engineering but wanted them to look at different ways as she did some research on the web about other ideas. By doing this, the DCR said it might last for 10 years, but Kanet continued that we still need a long-term plan. In the last 3-7 years, if we will still have a problem even after that happens and there is no guarantee that there will be funding to continue to re-nourish if necessary. We tend to have no major storms in the summer, just southern exposure, not so much northern exposure. To wait until Sept/Oct to actually do something so that the people are not at risk and still have some time to sit together and come up a long-term solutions that will make a lot more sense than what is proposing now. Murray answered that we did come down to analysis back in 2004 and came back with thoughts of whether or not to replace the wall. The Town has a huge problem with this and the Town hired an engineer and sat down with the Commissioner and spoke of all the results from their analysis. There have been numerous discussions during those years and the recommendations were to repair the wall and it remained the goal and what the DCR is working toward. Galvin answered that there is no easy way to maintain safety by waiting.*

**Sheila Connor** – *Questioned about the size of the rocks near the southern end of the rock and wants assurance that rocks will not be as big as the rocks shown the slides. Galvin answered by that they will*

*not be that size as shown in the picture.*

**John Brannan** – *Asked Town Manager if our police dept. becomes part of this group maintaining traffic flow. Lemnios said yes. Brannan questioned as to whether in doing this action like this make business interruption insurance come into play. Murray said that he cannot give a definitive answer.*

**Alana Swiec** – *Expressed that she can speak to the credibility of the presentation that DCR would not be here unless they felt it was absolutely necessary. While there is concern with the economy and day trippers coming in, she thinks the best thing for the Town to do, is to give the DCR the widest path allowing them to come in and set up in the site that they feel is beneficial to this project and allow them to work as long as they can during the day so they can get in and get out. To please allow the DCR what they need to do as they have other projects. We will probably see better traffic flow with all the police and rangers in force.*

**Paul A. Epstein** – *Stated that a few years ago that the DCR asked the Town to form a CAC which we did. The proposal was for beach nourishment and to move the seawall back. The way they explained it, they said it was completely impractical. They were talking about thousands of truckloads of sand coming into Hull. Then the second proposal was about the seawall. They completely ignored it or brought it up. The only proposals that were made were impractical and only came up with putting big boulders up to stabilize the wall and the BOS said no. Then someone said that the seawall was in the right place and it is not. Then you bring up some guy that said that the seawall was too far seaward was in the right place, then the Berger Group comes in and talks about boulders and gave us an inaccurate story to the point that Epstein said something to the BOS that the information was inaccurate. First we were ignored, then played for fools and then we got inaccurate information. The DCR comes up with no plans, except for this. The DCR needs to come up with a long-term plan and do it.*

**Robert Gilman** – *Said that the Town Manager is the reason why we have a better relationship with the DCR. This is a long-standing relationship. The Beach Management Committee is in place to maintain the infrastructure and to ensure storm protection to this storm and to allow access population of the beach aging.*

**Robin Flint** – *Said that there has been a lot of news about emergencies, whether man-made or nature-made; if there is any such thing for Hull businesses to look into insurance or government programs for when these types of elements occur. To open an “Open During Construction” campaign for visitors to know that they are still welcomed. Reilly said that it was a good idea to have temporary signs.*

**John Donahue** – *Stated that the work will be done anyway no matter what is said, it is their beach, their wall.*

**Patrick Finn** – *Addressed Ms. Kanet about a study being done and this was the results because of this. He would rather have actions, than meetings.*

*Reilly stated that the DCR is not here this evening seeking an approval from the BOS, they are doing this as a courtesy for the Town and the public and hopefully will take any recommendation from the Town and incorporate them into their plans.*

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

**9:20 p.m. – PUBLIC HEARING – Marvels’ Lunch Box, LLC dba Marvels’ Lunch Box, Kirby A. Mansfield, Manager, 163 Nantasket Avenue – Common Victualer – NEW**

*After being sworn in, Mansfield addressed the BOS about his business. He summarized his prior activities and current plans. In 2013, Marvels’ Lunch Box: entered a long-term lease for both store fronts at 163 Nantasket Ave, transformed a former slushy stand/tattoo shop into an inviting family dining room,*

*invested in a kitchen exhaust hood system, replaced kitchen hand-sink, installed grease trap, added exterior signage, awnings and lighting, employed local contractors, suppliers and local help.*

Motion - Richardson: To allow the amendment of the application for an 11:00 p.m. closing time.

Second - Sestito

Vote - Unanimous in favor

Motion - Olivieri: To approve a Common Victualer license of Marvels' Lunch Box, LLC dba Marvels' Lunch Box, Kirby A. Mansfield, Manager, 163 Nantasket Avenue

Second - Sestito

Vote - Unanimous in favor

#### LICENSES

*Unanimously approved the license for Knights of Columbus, 440 Nantasket Avenue – One day all alcohol for June 8, 2013 from 7:00 p.m. to 12 midnight on a Motion made by **Richardson**, seconded by **Olivieri**.*

#### LICENSES RENEWAL

*Unanimously approved the license for Justin Gould and Andy Spinale, dba Steamboat Wharf Marina re: Parking for 100 cars at 48 George Washington Boulevard on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Temple Beth Sholom, J. Gerson Bloch, President, 600 Nantasket Ave., parking for 50 cars at the corner of Nantasket Ave. and Hadassah Way "SUBJECT TO THE SAME CONDITIONS ON LAST YEAR'S LICENSE" on a Motion made by **Olivieri**, seconded by **Sestito**. [**Abstain: Richardson**]*

#### CORRESPONDENCE

##### Correspondence from Town Counsel - re: Re-Appointment

*In a letter dated May 13, 2013, Lampke wrote to the BOS about the Code/By-Law of the Town providing that the BOS is to appoint a Town Counsel in May and his request for re-appointment.*

Motion - Richardson: To re-appoint Mr. Lampke as Town Counsel.

Second - Sestito  
Vote - Unanimous in favor

**9:35 p.m. – REORGANIZATION**

*The Reorganization was discussed amongst the Board of Selectmen. Reilly congratulated all those elected and re-elected into office. He also looks forward to another three years. Brannan also thanked the voters and his supporters. Olivieri thanked the Town Manager and the Board members for their hard work.*

Motion - Olivieri: To appoint Kevin Richardson as Chair and Domenico Sestito as Vice-Chair.

Second - Reilly/discussion

Reilly asked Richardson and Sestito if they would like to have this position, both said that they will be honored to. Brannan asked the BOS about what the criteria is for being nominated and put into positions of Chairman, Vice-Chairman and Clerk. Also, how are these positions aligned as he hasn't been part of these negotiations in three years. Olivieri stated that sometimes if two people that are up for re-election, they have the opportunity to see how it works, gives them a chance and show the public what they learned over the past couple of years. John has asked them if they were willing to hold that position. He has full confidence that they will fulfill their duties with their new positions. Richardson stated he had served as Chair for a number of years on the school board. He never had any negotiations as to himself being Chair for the year. He wants it to be the direction of the Board, not the individual.

Vote - Unanimous in favor

Abstain - Brannan

Motion - Sestito: To appoint Olivieri as Clerk of the Board.

Second - Richardson

Vote - Unanimous in favor

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Reilly stated that there is a concert at the band stand on Memorial Day, May 27th dedicated to Officer Sean Collier. The next concert will be July 4<sup>th</sup> and then each Sunday after that.

Brannan stated June 9<sup>th</sup> is the ninth annual car show on Nantasket Ave. starts at 9:00 a.m. to 2:00 p.m. The rain date is June 16<sup>th</sup>.

Richardson stated that the next Selectmen's meeting will be held on June 4, 2013.

**At 10:02 p.m., the Board adjourns and does not move into Executive Session**

**Motion:** Richardson requested a Motion to Adjourn.

Motion- Olivieri, so moved

Second: Sestito

Vote: Unanimous in favor.

*Recorded by Karen Morgan*

Approved: June 4, 2013

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The following documents were included in the Board of Selectmen's packets or were presented during the meeting and are available in the Board of Selectmen's Office upon request:

1. Agenda for May 21, 2013 Meeting
2. Added Agenda for May 21, 2013 Meeting
3. Marvel's Lunch Box Common Victualer application and Informational Packet (Handed out at meeting)
4. Letter from Lampke to the BOS dated May 13, 2013 re: Re-Appointment
5. License Applications as follows: Hull Knights of Columbus, 440 Nantasket Avenue – One day all alcohol for June 8, 2013 from 7:00 p.m. to 12 midnight; Justin Gould and Andy Spinale dba Steamboat Wharf Marina re: Parking for 100 cars at 48 George Washington Blvd. and Temple Beth Sholom, J. Gerson Bloch, President, 600 Nantasket Ave. – Parking for 50 cars at the corner of Nantasket Ave. and Hadassah Way