

Hull Board of Selectmen

Minutes

December 3, 2013

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, December 3, 2013 at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

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

The local Wolf Boy Scouts troop along with Jason Freda led the Board in the Pledge of Allegiance.

APPOINTMENTS

7:30 p.m. – Anne Herbst – re: Conservation Office Activities

Herbst along with Ellen Barone presented to the BOS her presentation of the Conservation Office Activities.

The following topics include:

Massachusetts Wetlands Protection Act

- *Administration of the WPA is the primary work of the office. WPA is a state law – all timelines, requirements and standards are set by state law and regulation*
- *Permitting is done locally by 7 member citizen volunteer commission, appointed by the BOS*
- *Any appeals of commission decisions go to state DEP*

Hull WPA jurisdiction

- *If a project requires digging or altering the ground or water flow, a permit is needed. New buildings, additions, revetments, piers and paving a driveway may all require permits. Any interior work on a house would not. Please note need to check with the Conservation Office before starting work*

Eight Interests of WPA

- *Why our wetlands are protected; it is not for aesthetic value or esoteric reason*
- *Wetlands are regulated only to the extent that they protect one of the interests identified in the law*
- *Coastal dunes are protected because they serve the interests of storm damage prevention and flood control*
- *A salt marsh protects against flooding and storm damage and the pollution from reaching coastal waters and protects fisheries and shellfish*
- *Paving a driveway may not need a permit because it can have an effect on flooding to neighboring properties*

- *Blocking a view to the water would not be regulated because it does not involve one of these interests*
- *The Commission's job is to figure out what wetland areas are involved.*

Efficiency + Education = Better Outcomes

- *The goal is improving compliance with the law to protect our wetlands*
- *Hope to improve the permitting experience and encourage cooperation with the following steps: Commission changed procedures so that permits can be issued in the minimum time allowed by law, Streamlined permitting of minor projects, Provide applicants with help on state forms, Created a post-permit handout, Coordinated permitting with Building Dept. to avoid unnecessary enforcement.*
- *Send primer on the law to new home owners each month*
- *Send mailings in the light bill*
- *Provide education on special topics (protecting coastal banks and the dunes)*

Freeboard Incentive

- *In 2009 the BOS approved a program to rebate \$500 to building department fees for properties that elevate 2 ft. higher than required by flood map and building code*

CORRESPONDENCE

Read aloud by Richardson was correspondence from Robert DeCoste – re: Resignation from Parking Committee

In an email from DeCoste to Richardson, et al., dated November 26, 2013, he is resigning from his position as member of the Hull Parking Committee.

Motion - Reilly Accepts the resignation and to send a letter of regret to DeCoste

Second - Olivieri

Vote - Unanimous in favor

Brannan said he would like to post an opening in this regards and thanked DeCoste for his services as well.

LICENSE RENEWAL

*Unanimously approved the license for 5L, LLC, Paul Leeber, Managing Partner, 177 Atlantic Ave. – Class II Wholesale Auto on a Motion made by **Reilly**, seconded by **Olivieri**.*

*Unanimously approved the license for Tiger Wind dba Nantasket Liquors, Hong Jiang Wang, Mgr., 379 Nantasket Ave. – All Alcohol (Package Store) on a Motion made by **Reilly**, seconded by **Olivieri**.*

*Unanimously approved the license for Bartley Kelly dba Fascination, 189C Nantasket Ave., Fascination Game of Skill on a Motion made by **Reilly**, seconded by **Olivieri**.*

*Unanimously approved the license for Porta Bella Beverage, Inc. dba West Corner Liquors, Robert Hebert, Mgr., 18 Nantasket Ave. – All Alcohol (Package Store) on a Motion made by **Reilly**, seconded by **Olivieri**.*

*Unanimously approved the license for LMB Restaurant Group dba Barefoot Bob's, Marc CaraDonna, Mgr., 276 Nantasket Ave. (A) Common Victualer (B) All Alcohol (Restaurant) (C) Entertainment (Live, Jukebox, DJ & Karaoke) on a Motion made by **Reilly**, seconded by **Olivieri**.*

*Unanimously approved the license for Nantasket Beach Resort, Inc. dba Nantasket Resort and Spa, Jackson Slomiak, Mgr., 45 Hull Shore Drive (A) Innholder (B) All Alcohol (Innholder) (C) Entertainment (Live and DJ) (D) Arcade on a Motion made by **Reilly**, seconded by **Olivieri**.*

*Unanimously approved the license for Park Ave. Reality Tr. LLC dba Nantasket Beach Lodging, Walter Campbell, Mgr., 12 Park Ave. – Lodging House on a Motion made by **Reilly**, seconded by **Olivieri**.*

*Unanimously approved the license for LaDalat & Co., Inc. dba LaDalat, Vo Nguyen, Mgr., 181 Nantasket Ave. (A) Common Victualer (B) All Alcohol (Restaurant) on a Motion made by **Reilly**, seconded by **Olivieri**.*

Motion - Reilly All licenses listed subject to all inspectional services
Second - Olivieri
Vote - Unanimous in favor

TOWN MANAGER

Lemnios said that he has items to discuss for executive session: collective bargaining and litigation regarding property in a tax settlement case and code enforcement cases.

OTHER BUSINESS

Reilly wanted to thank everyone involved in the bonfire ceremony, particularly the Fire and Police Chief, for allowing the bonfire and getting people together for the continuation of the bonfire.

Richardson wanted to thank Congressman Lynch for making his rounds in Scituate, Hull and then to Quincy.

Reilly wanted to thank Congressmen Lynch for the distribution of turkeys for Wellspring.

Brannan thanked everyone who took part of the Fort Revere Clean Up on November 23, 2013.

Richardson announced that the next BOS meeting will take place on Tuesday, December 17, 2013.

Richardson requested a Motion to move to Executive Session to discuss strategy with respect to collective bargaining and that I, as Chair, declare that an open meeting may have a detrimental effect on the bargaining position of the body; to consider the purchase, exchange, lease or value of real property and that I, as Chair, declare that an open meeting may have a detrimental effect on the negotiating position of the body; to discuss strategy with respect to litigation and 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 to the authority of the Attorney-Client Privilege; to consult with legal counsel or obtain legal advice pursuant to the Attorney-Client Privilege and not be reconvening into open session.

Motion- Reilly, so moved

Second: Olivieri

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

Unanimous in favor.

The following subject will be discussed during Executive Session:

1. Collective Bargaining
2. Litigation regarding property use
3. Tax Title
4. Land Registration Case
5. Employee Claim Matter

The Selectmen moved to Executive Session at 8:19 p.m. and not reconvening into open session.

Recorded by Karen Morgan

Approved by

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 the November 19, 2013, 2013 Meeting
2. License Applications as follows: 5L, LLC, Paul Leeber, Managing Partner, 177 Atlantic Ave. – Class II Wholesale Auto; Tiger Wind dba Nantasket Liquors, Hong Jiang Wang, Mgr., 379 Nantasket Ave. – All Alcohol (Package Store); Bartley Kelly dba Fascination, 189C Nantasket Ave., Fascination Game of Skill; Porta Bella Beverage, Inc. dba West Corner Liquors, Robert Hebert, Mgr., 18 Nantasket Ave. – All Alcohol (Package Store); LMB Restaurant Group dba Barefoot Bob's, Marc CaraDonna, Mgr., 276 Nantasket Ave. (A) Common Victualer (B) All Alcohol (Restaurant) (C) Entertainment (Live, Jukebox, DJ & Karaoke); Nantasket Beach Resort, Inc. dba Nantasket Resort and Spa, Jackson Slomiak, Mgr., 45 Hull Shore Drive (A) Innholder (B) All

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Alcohol (Innholder) (C) Entertainment (Live and DJ) (D) Arcade; Park Ave. Reality Tr LLC dba Nantasket Beach Lodging, Walter Campbell, Mgr., 12 Park Ave. – Lodging House; and LaDalat & Co., Inc. dba LaDalat, Vo Nguyen, Mgr., 181 Nantasket Ave. (A) Common Victualer (B) All Alcohol (Restaurant)

3. Email from Lemnios to Bennett dated November 28, 2013 re: resignation letter