

Hull Board of Selectmen

Minutes

March 18, 2014

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, March 18, 2014 at the Hull Municipal Building, 253 Atlantic Avenue, Hull, Massachusetts.

Present: Kevin Richardson, Chairman, Domenico Sestito, Vice-Chair, Christopher Olivieri, Clerk.

Also present were: Philip E. Lemnios, Town Manager, James Lampke, Town Counsel and Karen Morgan, Recording Secretary.

Absent: John D. Reilly, Jr., and John C. Brannan, Members

MINUTES

Unanimously approved in a Motion made by Sestito, seconded by Olivieri on the following minutes: March 4, 2014.

APPOINTMENTS

7:30 p.m. – Beach Management Committee – re: Surfing and Planning for Coastal Storms

Members of the Beach Management Committee (Rhoda Kanet, Peter Larsen, Robert Gilman and Paul Epstein) updated the BOS about various topics including beach grass planting, the weather and surfing issues.

P. Larsen spoke about the beach grass planting taken place on March 29th with the registration beginning at 9:00 a.m. on A St. There will be 15,000 beach grass plantings along A Street to Phipps Street to maintain the integrity of the dunes which protect our homes and businesses from storms and surges.

R. Gilman spoke of the atmosphere and weather and how it affects the ocean and Town. Some recent issues involved coastal flooding and erosion. There is an increase in moderate coastal storms from the last 30-40 yrs. We address this when it affects residents in Hull. One major concern has been the change in flood insurance and we are paying more attention to the modeling and how scientists model the atmosphere and get a sense of what the risk is. We are working on this and asking for endorsement to monitor these models as it is a broad model and we don't have the same type of coastal effects as we have in the Pacific Ocean as it was modeled upon.

P. Epstein spoke of the Presidential Task Force and that they said we need to be more proactive with the storms. As the sea level rises, the normal tide will be closer to the dune than it is now. We have to find a way to make the dune larger, the problem with that is that you cannot go more seaward or higher; you have to go landward because you have to build there to make the dunes larger. When the dune gets destroyed, then the houses will get destroyed. Moving it landward means that there will not be a Beach Ave and you have to move the dune that way to save the properties and the properties behind the

Selectmen Minutes; 3/18/2014

Page 1

properties. We have over 50 properties that are land locked. The solution and cost will be incredibly difficult but needs to be done. The question is when do you start planning for it. One issue may be to start up a task force to look at these issues and about how to put a dune on Beach Ave.

R. Kanet spoke of the surfing issue. We had some issues with surfing last year and wanted the BOS to examine the issue of commercial activity on the beach. The BOS did approve of one surfing company to offer surfing camping on the beach. {note: this is done as part of a Town Park and Recreation Committee activity.} That company has been very responsible. The unauthorized camps have proliferated. Surfers are in the water from A Street to Kenberma. It was very dangerous to swimmers and the camps were not responsive to requests to move between street openings. She wanted the BOS to examine the commercial activity on the beach, and if in fact that surfing will be allowed, to ask Park and Rec to oversee that process where they can interview prospective camps, if there are rules and regs that are applicable regarding the camps and surfers so that they can be limited in terms on number, location and times/days of operation.

8:43 p.m. – John D. Reilly, III – re: Applicant for War Memorial Commission

Mr. Reilly introduced himself and spoke of his experience. The Board expressed its appreciation to Mr. Reilly for his service to the Town and country.

8:47 p.m. – Maroun Habchy dba L Street Pizza, 754 Nantasket Avenue – Common Victualer – NEW

Habchy spoke to the BOS about being issued a license for 754 Nantasket Avenue. He has been in this type of business for 10 yrs. He is looking forward to operate at this business. He is in the process of moving his home address to Hull from Rhode Island.

Motion - Sestito To approve a new Common Victualer license for Maroun Habchy dba L Street Pizza, 754 Nantasket Avenue

Second - Olivieri

Vote - Unanimous in favor

8:51 p.m. – Hull Harbormaster – re: Mooring fee increase

K. Bornheim, Harbormaster spoke to the BOS re: a Mooring fee Increase. In accordance with the Code of the Town of Hull, Section 111-4, A, B, and C, he proposed the following change to the Town of Hull mooring fee from \$5.00 per ft. to \$6.00 per ft. for the 2014 boating season. The last increase was in 2005 and over the past 9 years, the department has seen increases in all line items of the budget and more funding is needed for the continued repair and maintenance of the town piers, floats and new Harbormaster Office.

Motion - Olivieri To approve the increase from \$5.00 to \$6:00 per ft. for the 2014 boating season

Second - Sestito

Vote - Unanimous in favor

CORRESPONDENCE

Read aloud by Richardson was correspondence from Kat Van Tungeln – re: Permission to hold annual Team Rachel Race 4 A Cure

In a letter from von Tungeln he requested permission to hold their 3rd Annual Team Rachel Race 4 A Cure in order to raise more money to research Juvenile Batten Disease. The race would take place from Hull High School, past the “Kennedy” house and back to the HHS for the 4 mile run and take place on Sunday, May 18th.

Motion - Sestito To approve the Team Rachael Race 4 A Cure race subject to police and fire assignments

Second - Olivieri

Vote - Unanimous in favor

Read aloud by Richardson was correspondence from Cohasset Board of Selectmen re: Thank You to the Firefighters

In a letter from the Town of Cohasset BOS to Hull BOS dated February 25, 2014, they acknowledged and thanked the Hull firefighters who responded to the fire at the Reflections Antique store on Tuesday, February 11th.

Read aloud by Richardson correspondence from Weir River Estuary Park Committee – re: North Truro Street

In a letter from Vann Hamm to the BOS dated February 27, 2014 re: North Truro St. Vann Hamm who was present at the BOS meeting, requested that the BOS deny allowing the Town-owned right-of-way at the end of North Truro St. to be built on by private citizens to provide access to Assessors Lot 47-022, known as the Horne property and to have this opinion on file.

Richardson said he would take this letter under advisement if it does come back before the BOS.

LICENSE RENEWAL

*Unanimously approved the license for John W. Koutrobis dba Joseph’s, 183A Nantasket Avenue – Common Victualer - on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Kirby A. Mansfield dba Marvel’s Lunch Box, 163 Nantasket Avenue – Common Victualer - on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Sunset Bay Marina, LLC Robert Folsom, Manager, 2 A Street (A) Common Victualer (B) All Alcohol (Seasonal) as a Restaurant (C) Entertainment (Live & DJ) - on a Motion made by **Olivieri**, seconded by **Sestito**.*

*Unanimously approved the license for Jeffrey W. Wicks dba Hull’s Kitchen, 19 Hull Shore Dr. - (A) Common Victualer (B) All Alcohol (Seasonal) as a Restaurant (C) Entertainment (Live & Guitar) on a Motion made by **Olivieri**, seconded by **Sestito**.*

OLD BUSINESS

Transient Rental Bylaw Update

Lemnios updated the BOS about the latest meetings that were conducted about the rental bylaws. The latest item discussed would be that any changes take place in June 2015 and to examine the concept of a licensing body. We are trying to incorporate some of the changes that were heard at the past meetings. He would like to have a meeting on the 25th for the BOS to review it, approve the warrant article and the warrant will be signed.

OTHER BUSINESS

Lampke spoke to the BOS about a citizen's petition article seeking to have Town Meeting direct the BOS to seek proposals for Town Counsel's services. As this is a citizen's petition with the required number of signatures it goes on the warrant automatically. He is advising the BOS of his potential financial interest in it as it affects his employment as Town Counsel and possible consequences to same if this article is passed and implemented. In order for him as Town Counsel to answer questions, discuss or provide information on it he is seeking authorization from the BOS.

Motion - Olivieri To move to G.L. c 268A, section 19 to determine that the financial interest Town Counsel James B. Lampke has in the citizens petition article seeking to have Town Counsel services put out for proposals is not so substantial as to be deemed likely to affect the integrity of the services which the Town expects from him in his providing legal services to the Town

Second - Sestito

Vote - Unanimous in favor

Richardson also spoke of a request from Kenneth Kaplan to come before the BOS on this citizen's petition. Lemnios will advise that the BOS is not interested in meeting with him on this.

Motion - Olivieri To have Lemnios advise Kenneth Kaplan that the BOS will not be meeting with him on this.

Second - Sestito

Vote - Unanimous in favor

AT THIS POINT, THERE IS A TWO-MINUTE RECESS

Sestito announced that the Hull Hero Committee is accepting nominations for Hull Heroes. You can get nomination forms at the Hull library, Town Hall, Hull pharmacy and the Hull website.

Richardson announced that the next BOS meeting will take place on Tuesday, March 25, 2014.

Richardson requested a Motion to move to 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 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- Olivieri, so moved

Second: Sestito

Vote: Unanimous in favor.

The following subject will be discussed during Executive Session:

1. litigation on personnel claims

Roll Call Vote: Aye, Olivieri, Aye Richardson, Aye, Sestito

The Selectmen moved to Executive Session at 9:24 p.m. and not reconvening into open session.

Recorded by Karen Morgan

Approved August 26, 2014

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 March 13, 2014 Meeting
2. Added Agenda for the March 13, 2014 Meeting
3. Minutes from March 4, 2014
4. Email from Kanet to Bennett dated March 13, 2014 re: BMC meeting with Selectmen Applications as follows: West Coast Inc., dba Pizza Box, 14 Nantasket Avenue – Common Victualer
5. Letter from Reilly to BOS re: applying for the vacancy on the War Memorial Commission
6. Letter from von Tungeln asking for permission to hold 3rd Annual Team Rachel Race 4 a Cure
7. Memo from Bornheim to Lemnios dated February 28, 2014 re: Mooring Fee Increase
8. Letter from Cohasset BOS to Hull BOS dated February 25, 2014 acknowledging and thanking the Hull firefighters
9. Letter from Van Hamm to BOS dated February 27, 2014 re: requesting the denial to allow the Town-owned right-of way at the end of North Truro Street be to built.
10. Email from Lampke to BOS re: Request for approval under G.L. c 268A, sec. 19, Conflict Law
11. License for John W. Koutrobis dba Joseph's, 183A Nantasket Avenue – Common Victualer; Kirby A. Mansfield dba Marvel's Lunch Box, 163 Nantasket Avenue – Common Victualer; Sunset Bay Marina, LLC Robert Folsom, Manager, 2 A Street (A) Common Victualer (B) All Alcohol

Selectmen Minutes; 3/18/2014

(Seasonal) as a Restaurant (C) Entertainment (Live & DJ); Jeffrey W. Wicks dba Hull's Kitchen, 19 Hull Shore Dr. - (A) Common Victualer (B) All Alcohol (Seasonal) as a Restaurant (C) Entertainment (Live & Guitar)