

**Hull Board of Selectmen**

**Minutes**

**March 10, 2015**

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, March 10, 2015, at the Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

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

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**APPOINTMENTS**

**7:30 p.m. Craig Wolfe – re: Auto Show**

Craig Wolfe presented on behalf of the Rotary Club and Police Department a brief overview of the June 14<sup>th</sup> auto show, which will raise money for Cops for Kids with Cancer, and local scholarships. Wolfe thanked the town, the Town Manager, the MDC, and Hull and State Police Departments for their support and assistance.

**7:35 p.m. Bob Cambra – re: HYFA Carnival**

Bob Cambra requested permission from the board to hold the HYFA carnival and fireworks. The carnival will arrive in town for setup on June 15, be open June 17-21, and be out of town on June 22. Fireworks will be held on June 20, with a rain date of June 21. The HRA has given its approval for the event.

<b>Motion</b>	Reilly	<ul style="list-style-type: none"><li>- To authorize the carnival to come to town for the dates as described</li><li>- To approve fireworks for June 20, with rain date June 21</li><li>- To waive the inspection fees for the carnival</li></ul>
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

**7:45 p.m. Bob DeCoste – re: Warrant Article**

Bob DeCoste of Samoset Ave. presented to the board a petition for a warrant article asking Town Meeting to amend the current bylaw regarding dogs on the beach by adding the following phrase to Chapter 90-3: “Between the hours of 7:30 a.m. and 7:30 p.m.” after the words “September 15<sup>th</sup>.” The current bylaw prohibits dogs on the beach from June 1 to September 15.

DeCoste had a supporting document presenting many of the concerns residents might have about amending the bylaw. He said that there are already people who break the current law and the amendment

would allow responsible dog walkers to set an example for irresponsible dog walkers. All dogs are required to be leashed.

Reilly noted that as soon as the irresponsible outnumber the responsible, problems will occur. Reilly asked whether a new bylaw it would be effective before the Attorney General's office approves it in October. Lampke said that it might be able to be expedited, otherwise the Attorney General's Office has up to 90 days to review and approve. Reilly asked Lemnios if the town would have an Animal Control Officer by summer. Lemnios said hopefully by July, as they are working with two other towns to share an ACO. Lampke said that the board could add a "sunset" provision to the article, allowing the town to evaluate its success at a future date.

Lemnios said that beach signs are replaced about every two years and that it would be a negligible cost to order signs that had the new regulation on them.

Fred Meltzer of Samoset Ave., co-sponsor of the article, Joseph Espinosa of Hillside Rd., Kelly Huxtable of Edgewater Rd., and Jon Mongeau of Hillside Rd., spoke in support of the article. Susan Aborn, Manomet Ave., spoke against it, saying that it would open the floodgates to people who let their dogs run unchecked and who fail to pick up after them.

DeCoste said that the petitioners are meeting with the Beach Management Committee and the Advisory Board to present the article. The selectmen decided to wait until the other boards heard the article before voting on it.

### **8:15 p.m. Town Warrant Discussion**

Lemnios presented the Town Meeting Draft Warrant, which currently contains all of standard and recurring warrant articles, plus the article regarding dogs on the beach.

Lemnios said that there are two or three other articles being considered. One regards bonding the purchase of DPW vehicles, including two Mack trucks and two sander bodies, for an approximated cost of \$600,000.

A second article would concern the possible refinancing of the Memorial School to lower the interest rate.

A third article would concern taking the positions of Police Chief and Fire Chief out of Civil Service. Lemnios said that the town is at a unique time in which both positions will soon be subject to being filled due to the state law mandated retirements of the permanent chiefs and this change would give the town control of the hiring process. Lemnios said that under Civil Service, hires are made according to test scores, without access to references, and that Civil Service hires are almost impossible to terminate. He said that a majority of towns in the Commonwealth have taken the positions out of Civil Service. Reilly noted that it wouldn't exclude hiring anyone in-house. Lemnios said that many communities hire internally if possible and that both technical skills and an understanding of the community are important. The change would require a Town Meeting vote. Reilly suggested having the proposed new hiring process outlined thoroughly before Town Meeting, with all steps explained.

## **MINUTES**

The selectmen approved the January 16, 2015 minutes.

## LICENSES AND RENEWALS

The board approved a license renewal for Bayside Marketing Systems, dba Nantasket Lobster Pound, for (A) Common Victualer and (B) All Alcohol, seasonal, as a restaurant.

<b>Motion</b>	Richardson	To approve a license renewal for Bayside Marketing Systems, dba Nantasket Lobster Pound, for (A) Common Victualer and (B) All Alcohol, seasonal, as a restaurant.
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

The board approved a license renewal for Nantasket Beach Salt Water Club, Inc. for (A) Common Victualer and (B) All Alcohol, seasonal, as a club, (C) Entertainment (Jukebox, DJ, Karaoke, and Live).

<b>Motion</b>	Richardson	To approve a license renewal for Nantasket Beach Salt Water Club, Inc. for (A) Common Victualer and (B) All Alcohol, seasonal, as a club, (C) Entertainment (Jukebox, DJ, Karaoke, and Live).
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

The board approved a license renewal for Hull Yacht Club for (A) Common Victualer and (B) All Alcohol, seasonal, as a club, (C) Entertainment (Jukebox, DJ, Karaoke, and Live).

<b>Motion</b>	Richardson	To approve a license renewal for Hull Yacht Club for (A) Common Victualer and (B) All Alcohol, seasonal, as a club, (C) Entertainment (Jukebox, DJ, Karaoke, and Live).
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

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The board approved licenses for Richard Laws, 58 Lynn Ave. for Livery Vehicle License (4 renewals, one new) and Livery Badge (renewal).

<b>Motion</b>	Richardson	To approve licenses for Richard Laws, 58 Lynn Ave. for Livery Vehicle License (4 renewals, one new) and Livery Badge (renewal).
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

The board approved a license renewal for Jason Means, dba Means Auto, for Class II Auto License

<b>Motion</b>	Richardson	To approve a license renewal for Jason Means, dba Means Auto, for Class II Auto License
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

The board approved a license renewal for John W. Koutrobis, Inc., dba Josephs, for Common Victualer.

<b>Motion</b>	Richardson	To approve a license renewal for John W. Koutrobis, Inc., dba Josephs, for Common Victualer.
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

**CORRESPONDENCE**

**Read aloud by Olivieri: Treasurer Collector – re: Barnstable St. Parcel 45-264.** A letter from the treasurer-Collector informed the board that the Land Court entered a final judgment in favor of the town’s request for tax foreclosure on the Barnstable Street property. Brannan asked what gets done with the money when there is a one-time income. Lemnios said that it may be possible to draft a warrant article designating the proceeds into a particular fund. Brannan said that the money should not go into the general operating budget but into improving the town.

**Read aloud by Olivieri: Hull Lifesaving Museum – re: 36<sup>th</sup> Annual Snow Row.** A letter from Peter Wild, Executive Director of the Lifesaving Museum, requested the board’s support of the March 21 Snow Row. Predicted impacts to town included access to Pemberton Pier, vehicles parked at the high school and Windmill Point Boathouse, and cars and boat trailers moving to and from the event. Sestito asked if school is in session on that day and whether signs can be posted directing vehicles to the back of the school.

<b>Motion</b>	Sestito	To approve
<b>Second</b>	Richardson	
<b>Vote</b>	Unanimous	

**Memo from Robert Fultz – re: New parking meters at Surfside Project.** The selectmen considered a memo from Community Development and Planning Director Robert Fultz regarding the installation of new parking meters in the surfside rebuild area. Twenty four two-space meters, and eleven single-space meters would be purchased at an estimated cost of \$20,000-25,000. Fultz has met with Lemnios, Police Chief Billings, and Captain Sawtelle to discuss the meter acquisition. Lemnios said that the meters have a mechanical as well as digital capabilities and that coin operation can be upgraded to credit card.

Brannan asked if the meters would be removable. Lemnios said they were and that it was better for longevity to move them during the winter, but the businesses wanted them there and the board has generally taken guidance from the businesses.

<b>Motion</b>	Richardson	To approve
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

**NEW BUSINESS**

Lemnios announced that there would be a joint meeting of the Board of Selectmen and the Advisory Board on Monday, March 17, at 7 p.m.

Lemnios announced that the town had submitted its MEMA filing documenting the cost of the snow-related State of Emergency. The state will submit the filings of all towns to FEMA. Lemnios said that the town has spent about \$550,000 on snow removal.

Lemnios said that the town is applying for another three-year grant funding four firefighter positions.

Olivieri asked that a flood insurance discussion be put on the agenda. Lemnios said that the town has received two quotes for services and is investigating the comparative details.

Sestito asked that a discussion on the opiate epidemic be put on the agenda. He has spoken to the Health Department, which would like to put together a regional task force for which a small grant may be available.

Sestito thanked Lemnios for his assistance in working out the ferry service issues while the Hingham ferry was not running.

Richardson asked if DPW director Stigliani could come in to discuss a plan for repairing fences and curbs damaged in the snow. Lemnios said that the town is in discussion about which claims the town is responsible for and which are natural occurrences due to the amount of snow. Richardson also asked about the repair of potholes and frost heaves. Lemnios said that installation of new software will make it possible to report and track potholes online.

Richardson also expressed the need for a better way to promote the positive events and good works in town, referencing the successful policing efforts in the recent arrest of an armed and dangerous individual.

Reilly asked for an update on Atlantic Ave. Lemnios said that TIP would get active again in the spring.

Brannan asked if there was a way to chip away at the snow at the corners at intersections. Lemnios said he would ask the Highway Department.

### **MOVE INTO EXECUTIVE SESSION**

Olivieri 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 go into Executive Session to comply with or act under the authority of the Attorney-Client privilege; and to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and to not reconvene in open session.

The following subjects were to be discussed in the executive session:

- Cope Allen v Hull, et al
- Hull v Hartford Steam Boiler Ins. Co.
- Love v Hull
- McDonald v Saunders: Police Union/Saunders v Hull

<b>Motion</b>	Olivieri	To go into Executive Session to discuss strategy 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 go into Executive Session to comply with or act under the authority of the Attorney-Client privilege; and to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and to not reconvene in open session.
<b>Second</b>	Sestito	
<b>Vote</b>	Approved	Aye, Olivieri Aye, Richardson Aye, Sestito Aye, Reilly Aye, Brannan

The board will meet again on March 24, 2015.

**The board moved into Executive Session at 9:25 p.m., not reconvening into open session.**

*Recorded by Catherine Goldhammer*

Approved May 12, 2015

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## Documents

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:

- Letter from Eileen White, Treasurer Collector, regarding Barnstable St., Parcel 45-264
- Letter from Hull Lifesaving Museum, regarding Snow Row
- Memo from Robert Fultz, regarding new parking meters
- Draft Warrant
- Board of Selectmen minutes for January 16, 2015
- List of towns with police and fire chief Civil Service appointments
- Warrant article petition regarding dogs on beach
- Nantasket Beach piping plover information handout
- License renewal application for Bayside Marketing Systems, dba Nantasket Lobster Pound, for (A) Common Victualer and (B) All Alcohol, seasonal, as a restaurant
- License renewal application for Nantasket Beach Salt Water Club, Inc. for (A) Common Victualer and (B) All Alcohol, seasonal, as a club, (C) Entertainment (Jukebox, DJ, Karaoke, and Live)
- License renewal application for Hull Yacht Club for (A) Common Victualer and (B) All Alcohol, seasonal, as a club, (C) Entertainment (Jukebox, DJ, Karaoke, and Live)
- License applications for Richard Laws, 58 Lynn Ave. for Livery Vehicle License (4 renewals, one new) and Livery Badge (renewal).
- License renewal application for Jason Means, dba Means Auto, for used autos
- License renewal application for John W. Koutrobis, Inc., dba Josephs, for Common Victualer.