

## Hull Board of Selectmen

### Minutes

December 8, 2015

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Tuesday evening, December 8, 2015, at the Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Present: John C. Brannan, Chair; Domenico Sestito, Vice-Chair; Christopher Mitchell, Clerk; John D. Reilly, Jr., Member; and Kevin Richardson, Member. Also present were James Lampke, Town Counsel and Acting Town Manager; and Catherine Goldhammer, recording secretary.

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### APPOINTMENTS

#### **Senator Robert Hedlund update**

Senator Hedlund was present at the meeting to update the selectmen on his recent activities and also say farewell, as he will be departing the local legislature and moving on as Mayor of Weymouth.

Hedlund noted that after a productive meeting regarding the land transfer in Fort Revere they were all surprised by the letter that the town had then received from the DCR. He said that the new DCR Commissioner is someone who has more experience with the institution than the previous one. Hedlund said that he has asked the Governor's people to see if they can try a top-down approach to the issue. He also noted that the letter from the DCR could be used as the template to see if the legislature can make some of the identified studies and improvements happen.

After a question regarding the part of the land swap relating to HRA property, HRA member Bob DeCoste said that as a result of the meeting with the DCR the HRA voted to have the HRA Chairman draft a letter regarding the DCR lot at the HRA property site. A swap of these properties would give the HRA a contiguous land area. DeCoste also noted that the HRA has had a good relationship with the DCR, which paid for one half of the two-way road study recently completed.

All of the selectmen thanked Hedlund for the many things he has done for the town over the course of his many years representing Hull in the legislature and they wished him well as Mayor of Weymouth. Brannan read and presented to Hedlund a proclamation from the Board of Selectmen on behalf of the town thanking him for his service.

#### **Public Hearing: Bridgeman's Restaurant, Inc., dba Bridgeman's Restaurant, Harold J. Paine, Mgr. regarding application for entertainment license**

Harold J. Paine, Manager of Bridgeman's Restaurant was present for an open hearing on Bridgeman's application for an entertainment license. Paine stated that the intention was to start with a Sunday jazz brunch with one to three acoustic musicians and possibly expand to a Thursday dance evening with a similar group. Paine said that he also hoped to expand to music on the patio in the warmer months. A petition from abutters stated that they had no opposition to indoor music of the kind proposed, but did have an opposition to outside music. Both were included in the license application. Marjorie DeVoe, an abutter, was present to express the same opinion, stating that noise carries in the summer and people have said that noise was an issue with outside music at a previous establishment.

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Mitchell suggested looking at noise mitigation. Reilley suggested the possibility of applying for a one-day entertainment license and seeing how the neighbors responded to it. Reilley also notice noted that the restaurant could apply for a 2 a.m. closing on New Year’s Eve.

After some discussion, the selectmen voted as follows.

<b>Motion</b>	Brannan	Motion to grant the license for one night a week and one on the weekend, allowing acoustic music indoors between now and first day of summer, to go no later than 10 p.m. and no music allowed outdoors. [Note: Motion was clarified to state Tuesday after Memorial Day as end date.]
<b>Second</b>	No second	
<b>Vote</b>	No vote	

<b>Motion</b>	Richardson	Motion to grant the license for seven days a week from 11 a.m. to 11 p.m., indoor only, and acoustic only
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

**Discussion on the Advisory Board’s request to School Committee regarding delaying turf study**

David Clinton, Chairman of the Advisory Board, was present to discuss a letter that the Advisory Board had sent to the School Committee asking them to reconsider spending town funds on a turf field study before they knew whether the field would go forward, as the bond funding for the field project is contingent on the passage of a debt exclusion in May. The funds for the study would come from a bond issued in 2012 for work on the DPW barn, the library, and other town projects. The turf field study was not discussed at the time the 2012 bond was issued.

The letter stated in part that the Advisory Board voted to “formally request of the School Committee that they postpone any award for the engineering and permitting work for the high school field project until after resolution of the associated debt exclusion at the town elections in May 2016. The Board feels that this is a prudent step to ensure that the cost of the work (approximately \$75,000 parenthesis be expended only after the project’s final financial viability is established.”

Clinton stated that the letter came about because some members of the Advisory Board had concerns about using funds from a 2012 bond in a way that was not specified when that bond was voted upon. He said while no one feels

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that it is improper to use the money for the turf field study, some on the Advisory Board would like it done after the debt exclusion vote. He noted that the Advisory Board made a request and it does not have the authority to compel.

James Canavan, turf field proponent, said that the original warrant article on the turf field had a higher principle amount, which was reduced based on the availability of funds for conducting the study. He said the suggestion to take money away seems counterintuitive to what has been done with other studies for other town projects.

Richardson said that many town repairs and studies have utilized the 2012 bond. He noted that the study will provide more information and real answers.

Eric Hipp, Chairman of the School Committee, stated that the unanimous vote taken on December 7 was to interview the three candidates who had submitted proposals to do the study and to meet with them on December 14.

Resident Rhoda Kanet asked if the selectmen had to approve the expenditure of that money, which had been offered by the Town Manager. She noted that these were town funds, not school funds, and asked if the selectmen had the right to withdraw them. Both Richardson and Brannan stated that they thought that was in the vote to support the article. Lampke noted that he has not researched it exhaustively but that if the town meeting votes to endorse something, then the Town Manager is responsible for carrying that out in a responsible manner

Sestito noted that it seems common to have studies done before there is a funding source. He noted that a study had been done for a desalinization plant that never went forward and asked what difference there was with this project. He noted that the town does studies to get information on capital projects.

Reilley noted that the citizens' group's initial plan was to take the money out of the operating budget and that if the agreement were not made to fund the study, the town would be scrambling to come up with money in the general budget. He said that the agreement with the citizens group should be honored.

Resident Polly Rowe said the town had voted for a school consolidation study over a year ago and it has not happened. She said that the turf agreement was made without any input from the public and under a totally different process and is creating a lot of chaos. She said that it seemed that there was one route for one thing and one for another thing without public input. Reilley said that it happened quickly because there was a special town meeting coming up in a very short timeline. Resident Mike Fleming said that Rowe's petition on the school consolidation was a non-binding citizens' petition and could not be compared accurately to a capital project study.

Alana Swiec, Chairman of the Board of Appeals, stated that the 2012 bond was presented as money being allocated for buildings that offer critical town services. She agrees that it is legal and appropriate to spend the money on the turf field but she felt that it is shortsighted to spend it before the debt exclusion and stated that she hopes it includes a backup of a grass field.

Resident Steve Forcum said that just because something can be done doesn't make it right. He noted that this is a different case because there is contention and controversy in the community regarding it. He also noted that the 2012 bond is just sitting there waiting to be used and asked if it should be deauthorized. Clinton said that bonds have been deauthorized at times and that could eventually occur with the 2012 bond, but it was still too early to do so.

Sestito said that he had heard a comment at the School Committee meeting that if the debt exclusion passed there would be no money for roads. He said that there will be a five-year plan that will include roads, the turf field, and other items. He also said that the turf field has been in discussion in town since the early 2000's that it is not accurate to say it came out of the blue.

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Mitchell noted that specific roads might not be included in debt exclusion spending because other funding might be available. Richardson said that some money could be spent on those roads in order to improve them, but a full reclamation project would not be possible out of debt exclusion funds.

Resident Betsy Curtis said that a lot of people were confused about what happened at Town Meeting and she would like to be able to get more information on that. Brannan noted that this was not germane to the current conversation, but that Kanet has come up with excellent suggestions on Town Meeting reform. Clinton stated that the Advisory Board will be putting articles into the Hull Times and will be conducting workshops in order to answer people's questions about Town Meeting.

#### Continuation of discussion regarding Police Chief search process

[Note: Reilly recused himself from this discussion and left the room for its entirety as his son is on the police force. He noted that he asked for advice on this from Town Counsel who checked with the State Ethics Commission and was following their advice.]

The selectmen briefly discussed the potential hiring of consulting firm Mark Morse for the police chief search process. Lampke said that Morse is putting together a packet of information for the selectmen and should have it for the selectmen by their next meeting. The selectmen will wait until they have reviewed that packet before they go forward.

Richardson asked if it would make sense to talk to current members of the police department to see if there are internal candidates who might be interested in to reach out to them and possibly do pre-interviews rather than spend money if there is somebody inside the department that is desirable. Mitchell stated that there could be some pitfalls to that and said he would like to wait and get Morse's recommendations. Brannan said that the process needs to be as objective as possible.

#### **Consideration of making Bay St. one-way and removal of meters in business districts**

The selectmen briefly discussed the possibility of making Bay St. one-way during winter storms. All were in favor of the concept. Lampke noted that the selectmen should keep in mind the HRA's two-way road study and wait for its final recommendations before making any changes in that area. HRA member Robert DeCoste said that the HRA/DCR two-way street study also involved Bay Street and he suggested that if it is made one-way, the traffic enter at Riva's and exit at Dunkin Donuts rather than the other way around, as that would coincide with any changes that the HRA is considering. He also said to make it a temporary one-way, which would get a good trial for how it would work.

The selectmen discussed the winter removal of parking meters in the business districts. Richardson said that he had talked to two businesses in the Kenberma area and two near the hotel and none of them had any problem with removing the meters. The selectmen had also received an email from Nantasket Paint and Hardware regarding parking meters, asking that they be removed or covered during the fall/winter months. Mark Abatuno, Vice President of the Chamber of Commerce, stated that several businesses in the Kenberma area said that while the meters work well in warm weather to prevent summer beach parking, they felt that they would like to see them covered or removed in winter or spring. Richardson also noted that some meters do not have 30 minutes of free parking and others do, and that the Police Chief has been made aware of this. Reilly said that some of the older meters are hard to get parts for.

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<b>Motion</b>	Richardson	Motion to remove meters from October 1 to April 31
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

### LICENSES AND RENEWALS

The board voted as follows to approve license renewals:

<b>Motion</b>	Reilly	Motion to approve license renewal for Nantasket Resort, Inc., dba Nantasket Resort & Spa, Hillary Simpson, Mgr., Hull Shore Drive for (A) Innholder; (B) All Alcohol (annual); Entertainment (Live); Arcade
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Reilly	Motion to approve license renewal for Preep Corp. dba Quick Pick, Satishkumar M. Patel, Mgr. 265D Nantasket Ave., for Wines and malt package store (annual)
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Reilly	Motion to approve license renewal for McDevitt Enterprises, Inc., dba Jo's Nautical, Stephanie Aprea, Mgr. 125 Main St., for (A) All Alcohol General on Premise (annual); Entertainment ( Live, Jukebox, DJ, Karaoke)

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<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Reilly	Motion to approve license renewal for LMB Restaurant Group, dba Barefoot Bob's, Marc Cara-Donna, Mgr., 276 Nantasket Ave., for (A) Common Victualer; (B) All Alcohol (annual); (C)Entertainment ( Live, Jukebox, DJ, Karaoke)
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	
<b>Motion</b>	Reilly	Motion to approve license renewal for Bermaken Hotel LLC, dba Bermaken Hotel, Steve Wilkins, Mgr., 102 Revere St., for Lodging House
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Reilly	Motion to approve license renewal for Tiger Wind, dba Nantasket Liquors, Hong Jiang Wang, Mgr., 307 Nantasket Ave., for All Alcohol Package Store (annual)
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

### **CORRESPONDENCE**

**Kenneth Kaplan regarding railroad bed**

Brannan noted that a letter had been received from resident Kenneth Kaplan regarding the railroad bed.

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**Letter from Advisory Board regarding debt exclusion**

A letter from the Advisory Board informed the selectmen that the Advisory Board had voted to endorse the proposed Debt Exclusion involving the Jacobs and Middle School debts. Clinton said that he wanted to reinforce the fact that it requires a two-thirds vote of town meeting to move money into the Capital Stabilization Account and a two-thirds vote to move it out. He stated that this will require discipline for the 17 years that the debt exclusion will be in effect. He also noted that Town Meeting will have to deal with some if/then scenarios for articles that are contingent upon the passage of the debt exclusion. The letter strongly urged the board to take into account “Kenney’s debt exclusion rules” as presented by Lemnios in his debt exclusion presentation in July )referring to Advisory Board member Dick Kenney’s suggested guidelines .

<b>Motion</b>	Richardson	Motion that we reaffirm our previous vote to support the debt exclusion, including Kenney’s Rules.
<b>Second</b>	Reilly	
<b>Vote</b>	Unanimous	

**Letter from Police Chief regarding appointment of special police officers**

A memo from Billings asked the selectmen to approve the appointment of special police officers for a period ending on December 31, 2016. The selectmen voted unanimously to do so. [See document for list of officers.]

<b>Motion</b>	Richardson	Motion to approve the people listed as special police officers for an appointment to expire on December 31, 2016.
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

**Memo from Captain Sawtelle regarding grant for pedestrian and bicycle safety**

A memo from Sawtelle informed the selectmen that the Police department has received a grant in the amount of \$3,000 to implement pedestrian and cyclist safety measures. This brings the total grant funds received by the department for pedestrian and bicycle safety to \$11,950. The memo thanked Officer Joseph Smith in particular for his continuing efforts in securing these opportunities for funding.

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**ACTING TOWN MANAGER**

**Windmill Point Boathouse license for signing**

Lampke asked the selectmen to vote on a license renewal that would renew the Lifesaving Museum’s license for use of the Windmill Point Boathouse. The selectmen supported the license renewal and voted to have the Chair sign the lease on behalf of the board.

<b>Motion</b>	Richardson	Motion to authorize the Chair to sign the license agreement on behalf of the Board of Selectmen.
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

**NEW BUSINESS**

Resident Rhoda Kanet announced that the No Place for Hate Committee will be having its annual Martin Luther King day activities. More information will follow.

Reilly commended the Lions Club for the senior citizens’ dinner that was held last weekend. He also noted that the library held an open house on Saturday and that this was well attended.

Sestito said that Lampke had set up a meeting with the DCR’s Susan Kane this week regarding a graffiti management plan. Lampke he said that the meeting was at 10:30 a.m. on Monday, Dec. 14. Reilley suggested that the placement of surveillance cameras could help to deter vandalism.

Mitchell talked about reestablishing the Fort Revere preservation committee. He made the following motion which was approved unanimously.

<b>Motion</b>	Mitchell	Motion to reseate the Fort Revere Preservation Committee with the initial charge to determine short and long term strategies to preserve, improve, and maintain the Fort Revere site; with members as follows: Board of Selectmen representative, one person from the business community or with a business background; one person with legal background; one person with Fort Revere Historical background; one person with fundraising or grant writing background; and with ex officio members to include the Town Manager, Town Counsel, Community Development/Planning Director; representatives from the DCR, Representative Bradley’s office, and from the office of Senator Hedlund’s replacement



<b>Second</b>	Richardson	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Brannan	Motion to appoint Mitchell to the Fort Revere Preservation Committee as the representative from the Board of Selectmen
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

Resident Rhoda Cannon noted that the airport noise forum last week in Milton drew citizens from all over the greater Boston area, including Hull. She thanked Congressman Stephen Lynch, who organized the forum, and all the Hull residents who attended and spoke.

Lampke noted that he had been contacted by Sally Snowman the Boston Light lighthouse keeper regarding meetings in Boston about plans to celebrate the lighthouse’s anniversary this year. He will report back to the selectmen on this matter.

David Clinton noted that the high school theater is putting on performances of Our Town this weekend.

Reilley noted that the next Capital Outlay Committee will be on Tuesday, December 15.

**The meeting was adjourned at 10:15 p.m. The board will meet again on Tuesday, December 15, 2015.**

*Recorded by Catherine Goldhammer*

Approved by:

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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:

- Board of Selectmen agenda and added agenda for December 8, 2015
- License application from Bridgeman’s Restaurant, Inc., dba Bridgeman’s Restaurant, Harold J. Paine, Mgr., 140 Nantasket Ave. – Entertainment
- Petition from abutters regarding Bridgeman’s application
- Letter from Advisory Board to School Committee
- Email from Nantasket Paint and Hardware regarding parking meters

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- License application from Nantasket Resort, Inc., dba Nantasket Resort & Spa, Hillary Simpson, Mgr., Hull Shore Drive for (A) Innholder; (B) All Alcohol (annual); Entertainment (Live); Arcade - Renewal
- License application from Preep Corp. dba Quick Pick, Satishkumar M. Patel, Mgr. 265D Nantasket Ave. – Wines and malt package store (annual) – Renewal
- License application from McDevitt Enterprises, Inc., dba Jo’s Nautical, Stephanie Aprea, Mgr. 125 Main St. - (A) All Alcohol General on Premise (annual); Entertainment ( Live, Jukebox, DJ, Karaoke) - Renewal
- License application from LMB Restaurant Group, dba Barefoot Bob’s, Marc Cara-Donna, Mgr., 276 Nantasket Ave. (A) Common Victualer; (B) All Alcohol (annual); (C)Entertainment ( Live, Jukebox, DJ, Karaoke) - Renewal
- License application from Bermaken Hotel LLC, dba Bermaken Hotel, Steve Wilkins, Mgr., 102 Revere St. - Lodging House - Renewal
- License application from Tiger Wind, dba Nantasket Liquors, Hong Jiang Wang, Mgr., 307 Nantasket Ave. – All Alcohol Package Store (annual) - Renewal
- Maps of HRA/DCR land area
- Letter from Kenneth Kaplan regarding railroad bed
- Letter from Advisory Board regarding Debt Exclusion
- Memo from Police Chief regarding appointment of special officers
- Memo from Police Chief regarding grant
- License to use town of Windmill Point boathouse for storage

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