

Hull Board of Selectmen

Minutes

October 27, 2016

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Thursday evening, October 27, 2016, at Hull High School, 180 Main St., Hull, Massachusetts.

Present: Kevin Richardson, Chair; Christopher Mitchell, Vice-Chair; Domenico Sestito, Clerk; John Reilly, Jr., Member; and Jennifer Constable, Member. Also present were Phillip Lemnios, Town Manager; and Catherine Goldhammer, recording secretary.

APPOINTMENTS

HRA update

HRA Chairman Bartley Kelly and Vice-Chairman Bob DeCoste were at the meeting to give the board an update on Hull Redevelopment Authority projects as follows:

- Two-way road study: The HRA is moving forward to create an RFP for preliminary engineering for the two-way road project. Robert Fultz is writing the RFP, which should be ready in early December.
- DCR land swap: The land swap involving two sections of parking lot is moving forward, but has to go through the state's legislative process.
- Property development: The RFP for development of the HRA land is due to be on the street in November. This is being prepared by JLL, an international real estate marketing firm. The property going out to bid is the main lot, leaving two smaller parcels for future development when the two-way road project and DCR land swap reach a conclusion.
- FEMA maps review: Woods Hole Group is about 75% complete with the Letter of Map Revision request, and will be sending all documents to get the new Conservation Administrator and new Town Planner up to speed. There will also be a program that will allow people to look up a specific address and see if it would be affected by the proposed changes.

Lemnios commended the HRA for making good hires in JLL and Fultz. Lemnios noted that the development of the large parcel is the keystone phase. Regarding JLL, Kelly stated that the HRA wanted to be sure they get as much visibility as possible, internationally, nationally, and locally, to the widest array of developers. DeCoste said that the two-way road project and the DCR land swap were two issues that caused some delay in the RFP.

CORRESPONDENCE

John Brannan, regarding resignation from Parking Committee

An email was received from John Brannan regarding resignation from the Parking Committee. Brannan was the Board of Selectmen's representative to the committee for several years.

The board voted as follows to appoint a new representative to the committee:

Motion	Sestito	Motion to appoint Chris Mitchell to the Parking Committee
Second	Constable	

Vote	Unanimous	
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Petition for restrooms at Pemberton Pier

A petition requesting restroom facilities at Pemberton Pier had been received by the selectmen. Lemnios noted that this has been an ongoing issue for a number of years. He said that there are so many groups using the Pemberton area that the town needs to look at the area more holistically. Mitchell added that this was one of the issues discussed in a recent meeting with the DCR Commissioner.

TOWN MANAGER

Beach opening policy

Lemnios said that on December 1, 2015, the board voted to adopt a policy regarding illegal dune openings stating that they be filled in as soon as possible, and specifying “within 24-hours if possible.” He asked the board to consider striking the 24-hour time frame, noting that the process is more complicated and lengthy than that time period allows. He said that numerous openings were recently filled in and that each of them required an individual determination based on legal and conservation issues, which is a process that takes time. Lemnios noted that the town closed 17 openings on October 13. He said that within a few days some people tried to reopen theirs.

Beach Management Committee Chairman Rhoda Kanet said that she did not think that the process of closing the openings should take several weeks. She said that the Beach Management Committee had done a survey and found that south of A Street there were 16-20 illegal openings, as well as many north of A St. She said that they measured from 13-43” below the sea grass root-line. She said that the committee has documentation of this, including aerial views. Some of them were in front of houses that are right next door to each other. She noted that if people think that the openings will not be filled in until after the summer, they will not care and will make them anyway.

Resident Frank Frazier stated that he has a home on Beach Ave. and would like to know how the town decides which openings to fill in and which not to fill in and which properties are protected by the dune. Lemnios pointed out that the dunes protect 1300 homes between Beach Avenue and Nantasket Avenue, not just the homes on Beach Avenue. Lemnios also noted that the town does not give anyone permission to have an opening other than at the end of streets, although medical needs have been considered in some cases.

Frazier said that his property goes to the low tide line. Lemnios pointed out that there is an easement for public use that supersedes property lines. Frazier also complained about his dealings with the Conservation Commission, stating that they also wanted control over his deck. Lemnios pointed out that there had to be light under a deck for sea grass to grow and that because of the town’s history of severe storm drainage, its best protection is to grow the dune. He invited Frazier to speak to him about the subject at Town Hall.

The board voted as follows on Lemnios’ request for a change in the dune opening policy.

Motion	Sestito	Motion to amend the policy of the Board of Selectmen set on December 1, 2015 regarding illegal dune openings which is “That the board set as a policy that any illegal dune openings that the town is notified about should be filled in as soon as possible.” This will strike out the words “within 24 hours if possible.”
Second	Mitchell	
Vote	Unanimous	

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Designation of Poll and Town Meeting workers as special municipal employees

Richardson read in part an email received from Town Counsel James Lampke regarding the designation of election and Town Meeting workers as special municipal employees as qualified under the Conflict of Interest Law. The board voted as follows:

Motion	Sestito	Motion to designate the position of election and Town Meeting worker as a Special Municipal Employee position under G.L.c. 268A.
Second	Mitchell	
Vote	Unanimous	

Police department Halloween memo

The selectmen noted that the Police Department has put out its annual Halloween safety tips and has designated 4-8 p.m. on Monday, October 31 as the official trick-or-treating hours.

Motion	Mitchell	Motion that the Police Department may annually publish this without bringing it before the board unless there is a change to the hours.
Second	Sestito	
Vote	Unanimous	

In addition, resident Randy Gould asked if there could be additional police patrols at the Fort on Saturday through Monday. Lemnios said that he would pass this along to the Police Department.

NEW BUSINESS

Lemnios asked the selectmen if they wanted to vote to approve the annual Thanksgiving Day bonfire. They did so.

Motion	Constable	Motion to approve the one-day license for the annual bonfire.
Second	Mitchell	
Vote	Unanimous	

Richardson noted that early voting was seeing a good turnout and he commended Town Clerk Lori West for her efforts in this regard.

Richardson asked for an update on the study of town buildings. Lemnios said that there should be results in early December, but noted that there will probably be no surprises on the list, with the Town Hall/Police Department complex, and the DPW building at the top of the list. He noted that the renovation work on the library will be done in a few weeks, and that road work has begun. Lemnios noted that repairs to the Monument are underway, and include granite steps, a new apron, electricity, and handicapped access. Richardson suggested that the town put together a list of the things that are being accomplished in order to keep the public informed of progress being made.

Constable stated that the Board of Selectmen had voted in the spring to endorse the Community Preservation Act, which will appear as a ballot question at the November 8 election. She said that the Governor is very committed to communities and that the CPA is a way for the town to invest in itself.

Constable further noted that there is a lot of activity on town-related social media sites, some of which includes misinformation. She invited residents to communicate with the board and stated that she would be having office hours starting at 6 p.m. before board meetings. She further suggested that the board develop a communications policy within 60 days. Sestito said that board members could have a rotating schedule for the office hours.

Resident Rhoda Kanet noted that the selectmen had not yet appointed a study committee regarding Town Meeting bylaw proposals. Richardson said that there are ten applicants and they will be interviewed in upcoming weeks.

Resident Randy Gould requested that a Parking Committee meeting be scheduled. Reilly noted that it might be useful to have a separate committee to deal with the Pemberton area as a whole, including its parking.

EXECUTIVE SESSION

At 8:55 p.m., Richardson asked for a motion to go into Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel; to go into Execution session to conduct contract negotiations with nonunion personnel; to go into Execution session to discuss strategy with respect to collective bargaining and that he as Chair declared that an open meeting may have a detrimental effect of the bargaining position of the body; to go into Execution session to discuss strategy with respect to litigation and that he as Chair declared that an open meeting may have a detrimental effect of the litigating position of the body; and not to reconvene in open session.

The matters to be discussed were:

- Union issues relative to police contract
- Nonunion issues relative to Police Chief and Town Manager contracts
- Litigation on a personnel matter

Motion	Reilly	Motion to go into Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel; to go into Execution session to conduct contract negotiations with nonunion personnel; to go into Execution session to discuss strategy with respect to collective bargaining and that he as Chair declared that an open meeting may have a detrimental effect of the bargaining position of the body; to go into Execution session to discuss strategy with respect to litigation and that he as Chair declared that an open meeting may have a detrimental effect of the litigating position of the body; and not to reconvene in open session.
Second	Sestito	

Vote	Unanimous	Richardson – Aye Mitchell – Aye Constable – Aye Sestito – Aye Reilly – Aye [Recused from police related matters]
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The open session was adjourned at 9 p.m. on a motion by Sestito, seconded by Mitchell. The board will meet next at 7:30 p.m. on Thursday, November 10, 2016.

Recorded by Catherine Goldhammer

Approved by:

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's agenda and added agenda for October 27, 2016
- Email from John Brannan regarding resignation from Parking Committee
- Petition regarding restrooms at Pemberton Point
- Handout regarding beach openings policy
- Police Halloween safety tips
- Email from James Lampke regarding election and Town Meeting workers