

# Hull Board of Selectmen

## Minutes

**March 16, 2017**

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Thursday evening, March 16, 2017, at Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

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

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**Moments of silence were held for John Buckler, Connie Lucas, and George Morgan.**

## APPOINTMENTS

### Discussion of 2017 Town Meeting Warrant Articles

The board continued its review of the Town Meeting Warrant. [See Town Meeting Warrant draft.]

The articles include the following placeholders, which are still under review and research of Town Counsel Lampke:

- Article 15: Placeholder regarding James Avenue
- Article 16: Placeholder regarding Hull Medical Center
- Article 27: Placeholder regarding marijuana tax
- Article 28: Placeholder from Canine Committee
- Article 30: Placeholder regarding DCR land swap

In addition, Chris DiIorio, Director of Planning and Community Development, was present at the meeting with Planning Board members Joseph Duffy and Stephen Flynn to present articles relative to changes to the zoning bylaw and general bylaw. These included:

- Article 17: Site Plan Review Application fee
- Article 18: Formation of Community Planning Committee
- Article 19: Mechanism to allocate funds to the CPA
- Article 20: Non-conforming uses
- Article 21: Construction or Operations under a building or special permit
- Article 22: Dimensional requirements and intensity regulations
- Article 23: Parking and loading requirements
- Article 24: Special permit time limits
- Article 25: Moratorium on the sale and consumption of marijuana not medically prescribed
- Article 26: Home occupation

The selectmen discussed Article 26 at length. Duffy stated that the article is an attempt to clarify the bylaw regarding home occupations in residential zones. The board expressed concerns that the edits to this bylaw might need further examination so that they might not inadvertently adversely affect current and future residents' ability to make a living. Lemnios noted that the bylaw could affect economic development. He pointed out that the article appeared to be related to a recent neighbor dispute, and seemed to apply more to contractors. He noted that when neighbors get into a dispute, they will look for anything to bolster their argument. Reilly noted that there should be a mechanism in place to appeal. Lemnios noted that while there does need to be preservation of single family zones, the bylaw goes to the core of how people make their livings and that there should be more input from the community. Duffy said that it was possible to table the article until further study is done.

The board also discussed Article 25, regarding imposing a zoning moratorium on allowing in zoning districts the retail sale of recreational marijuana. This would put a moratorium on retail sales until September 30, 2018, to give the town time to draft bylaws to govern how the town will implement the new law. The Marijuana Bylaw Task Force has met twice and voted to recommend the moratorium. Constable noted that in the moratorium period the town can consider whether it wants to have retail sales at all. Regarding the taxation of the product, Lampke said that the taxation amount allowed may be increased by the state and the board can leave the amount blank and fill it in later in the motion at Town Meeting.

The board voted as follows:

<b>Motion</b>	Reilly	Motion to refer to Planning Board articles 17, 20, 21, 22, 23, 24, 25, and 26
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

Articles 31-38 were inserted by citizens' petitions and were not discussed at the meeting.

## **CORRESPONDENCE**

### **Police Chief Dunn, regarding surplus equipment request**

A memo from Police Chief Dunn asked the board to designate a 2008 Dodge Charger as surplus. The vehicle has 156,157 miles, and is not currently road-worthy. Richardson asked for a motion to approve the designation.

<b>Motion</b>	Sestito	So moved.
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

### **Letter from John Schmid regarding resignation from Advisory Board**

A letter from John Schmid notified the board of his resignation from the Advisory Board. Richardson asked Lemnios to send Schmid a letter thanking him for his many years of service.

## **LICENSES/APPROVALS**

The board granted licenses as follows:

<b>Motion</b>		<p>Mai &amp; Mai Inc., Mokang Mai, President, for transfer of management of Hull Jade, 516 Nantasket Ave.</p> <p>J&amp;S Bakeries, dba Weinberg's Bakery and Coffee House, Joseph Divito, Mgr. 169 Nantasket Ave., for Common Victualer (new)</p>
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<b>Second</b>		
<b>Vote</b>	Unanimous	

## NEW BUSINESS

Lemnios updated the board on a meeting with the Department of Transportation regarding the Atlantic Avenue TIP project. He stated that the project is at 75% design stage. He noted that there is a better reception currently for small communities and that the town has been able to pick up additional points for its application and will keep going forward. He stated that the project is ninth on the state's list, but the state can take projects out of order.

Lemnios also stated that the Crescent Beach seawall project is underway, but they had to close the opening during the recent storm. He said that the two feet in extra height at the sewer plant seawall gave a lot of extra protection during the recent storm. He thanked the Police and Fire Departments, the DPW, the light plant, and the sewer plant, for their work during the storm.

Richardson stated that he, Lemnios, Lampke, and Police Chief Dunn met with Aquarion regarding the recent water main break. A topic of conversation was the late usage of the Code Red notification system. Lemnios noted that the town had encouraged the water company to call the night of the break but they didn't. They apologized and will revisit their policy regarding notifications. Constable asked if the board can get an update on water main breaks in the past year. Reilly asked if the town can get a comparison of current breaks with breaks when the Strawberry Hill water tank was still functional.

Richardson also stated that residents have asked him about the sewer department law suit. Lampke said that they are waiting for the court to rule on crossmotions for summary judgements from the summer and that these could come at any time.

Constable revisited her request for the creation of an Economic Development Committee and asked the board for its support. She stated that the charge would be:

“To develop, implement, and promote economic development activity throughout the town of Hull that promotes and supports a dynamic, sustainable, equitable and healthy commerce.”

Suggested members included representatives from the Board of Selectmen, the Planning Board, the HRA, Nantasket Chamber, representatives from the real estate and banking communities, and two additional members from the business community, as well as Director of Planning and Community Development Chris DiIorio. Terms would be two years. The board will review further and discuss at its March 30 meeting.

Constable further noted that the Community Compact was recently signed and one of the action items was creating a unified work plan and a working group from the state and a working group from the town. The state has selected its members, which include MassDOT, Seaport Economic Council, DCR, and Governor Affairs liaison. Constable stated that she would like to get back to the state with the town's group. She would also recommend that the state add a member of Mass Development to their group.

<b>Motion</b>	Reilly	Motion to appoint the Chair or his designee and Ms. Constable
<b>Second</b>	Sestito	
<b>Vote</b>	Unanimous	

## EXECUTIVE SESSION

At 9 p.m., Richardson asked for a motion to go into Executive Session to discuss strategy with respect to collective bargaining and that the Chair declares that an open meeting may have a detrimental effect on the bargaining position of the body; to go into Executive Session to discuss strategy with respect to litigation and that the Chair declares that an open meeting may have a detrimental effect on the litigating position of the body; to go into Executive Session to consider the purchase, exchange, lease or value of real property and that the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the body; to go into Executive Session to comply with, or act under the authority of the Attorney-Client privilege; to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and not to reconvene in open session.

Matters to be discussed were:

- Collective bargaining regarding Police, Fire, Public Works, Clerical, and Library Unions
- Land transfer with Commonwealth, Hull Redevelopment Authority and Town regarding land at the HRA site
- Hull vs Hartford Steam Boiler Inspection and Insurance Company

<b>Motion</b>	Sestito	So moved
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	Sestito – Aye Richardson – Aye Mitchell – Aye Constable – Aye Reilly – Aye, with recusal from matter concerning Police Department

**The open meeting was adjourned at 9:05 p.m. on a motion by Sestito, seconded by Mitchell. The board is scheduled to meet next at 7:30 p.m. on Thursday, March 30, 2017.**

*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's agenda and added agenda for March 16, 2017
- License management transfer application from Mai & Mai Inc.
- License application from J&S Bakeries
- Memo from Police Chief John Dunn regarding surplus vehicle
- Draft Town Meeting Warrant
- Letter from John Schmid regarding resignation from Advisory Board

- Letter from Philip Lemnios regarding TIP project
- Handout on Economic Development Committee
- Draft Warrant and bylaw handouts